

The City of Vancouver is situated on the unceded

traditional territories of the x^wməθk^wəÿəm (Musqueam), Sḳwx̣wú7mesh (Squamish), and səlilwəta+ (Tsleil-Waututh, pronounced Sail-wha-tooth) Nations.

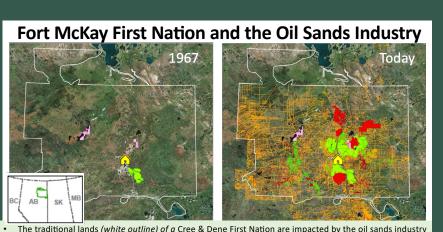
Mine Closure & Reclamation Trends & Rights of Indigenous Peoples

Mine Closure & Reclamation Planning

- · The physical and technical aspects are important
- Reclamation and closure principles, best practice (ICMM 2019, 2020; MAC 2008, 2021; Maloney 2019), and human rights instruments (UN 1992, UNDRIP 2008, TRCC 2015) are increasingly recognizing that local communities have a right to be a part of the decision-making processes that affect them
- 'Social Closure' planning for sustainable social, economic, and cultural postclosure outcomes
- Barriers Lack of social transition planning tools, instruction manuals/case studies, policy, different worldviews, lack of awareness and skills, etc.



Mines around the world are increasingly anticipating the **social demands** upon mine closure and reclamation to support positive legacies of mining



- The traditional lands (white outline) of a Cree & Dene First Nation are impacted by the oil sands industry The Fort McKay community (in) and reserve lands (pink) are surrounded by numerous active and approved oil sands projects and oil and gas exploration (orange)
- In 1967, when operations began, Fort McKay First Nation had no recourse for consultation and engagement with oil sand operators.
- International (UNDRIP (UN 2007)), national (The Constitution Act 1982 s35; TRRC 2015) and provincial (GOA 2013) human rights policy, law and calls to action exist to protect Fort McKay's Aboriginal, Treaty rights and land use rights
- They continue to be excluded from mine closure and reclamation decisions that affect them.

Article 8(j): "respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilization of such knowledge, innovations and practices" (UN 1992, p. 6) Convention Dependency of communities on biological diversity Unique role in conserving life of Earth on Biological • Enhance the capacity of Indigenous communities to be effectively and ethically involved in decision-making related to Article 8(j) Diversity (CBD) • Kunming-Montreal Global Biodiversity Framework • Recognizes & respects Indigenous rights (e.g., over their traditional territories) and tapping into indigenous knowledges to protect nature Multistakeholder • Indigenous research methodology, Participatory Rural Appraisal (Chambers 1992, 1994), and ethnoecological methods • Results: Lack of meaningful participation in reclamation guidelines & regulations • Two-Roads Approach • 17 Recommendations



Ethnoecology is "the science of how people understand the relationship between humans, animals, plants and physical elements of a local environment" (Davison-Hunt 2000).

Using an ethnoecological lens supported the resourcing and emphasis on the Fort McKay road whereby mine closure and reclamation processes can be explored and developed based on Fort McKay's understanding of their traditional lands, waters, and aspects from their placed-based knowledge system.



"A Two-Roads Approach goes all the way back to the Treaty signing. Our ancestors had to communicate in a way that was understood by the newcomers and come to an agreement 'for as long as the rivers flow, grass grows, and sun shines.' Those terms are a perfect example of universal understanding by everybody on Mother Earth that our identity as Indigenous Peoples is as peoples

~ Jean L'Hommecourt, land user and knowledge holder

of the land."

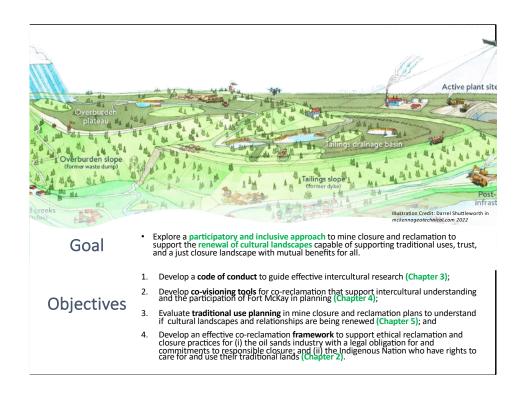
The Two-Roads Approach can be used today to support inclusive energy project partnerships that support multiple cultural paradigms in project decisions

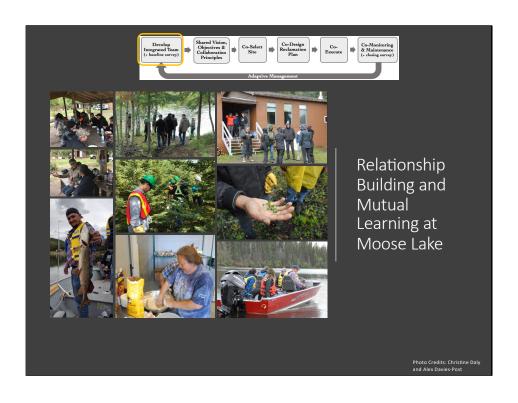


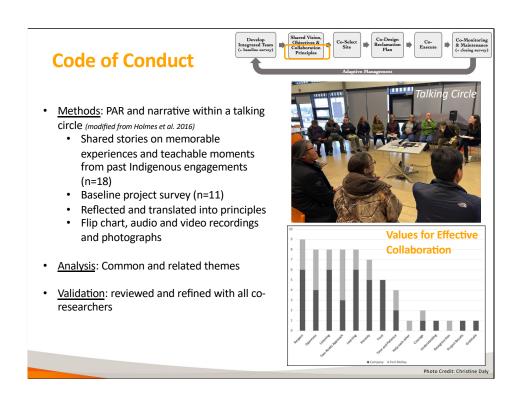


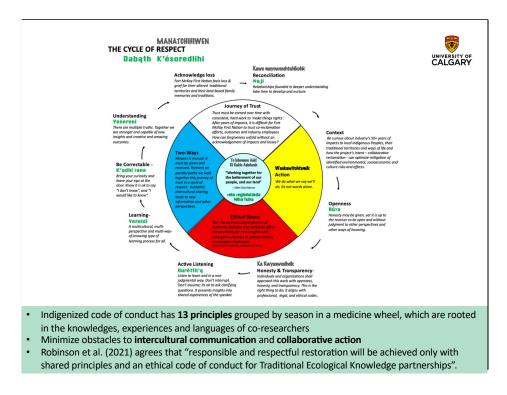
What is Co-Reclamation?

 Co-reclamation is a movement towards a participatory and inclusive mine closure and reclamation process that empowers host communities with an equitable role in mine closure and reclamation planning decisionmaking in recognition that they will live with the mine closure outcomes for generations

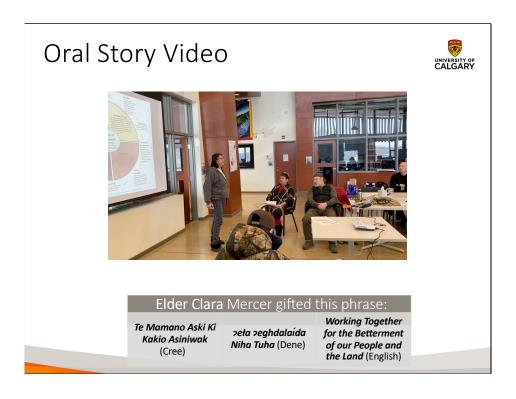








- *The process of collaborating on reclamation surfaced stories about marginalization, loss of homelands and culture, and consequently expressions of grief that require acknowledgment.
- *Fort McKay co-researchers said "We had no rights because we weren't respected" during the oil sands industrialization of their homelands without their free prior and informed consent (UN 2007). "We had clean air. We were healthy. We were able to eat berries, fish from the Athabasca River. Ducks, beavers, muskrat, moose. Today we no longer have that."
- Fragmentation and widespread loss of homelands (Figure 3-1), including special places that connect community members to their cultural teachings and memories of parents, grandparents and other family members, is a threat to the sustainability of their cultural identity.



10:43 to 12:05min – And what are we doing here?





Documents are the "physical traces" of our social environment that enclose evidence of the ways individuals, groups & organizations interact and represent themselves (Webb et al. 2020)

7 Life of Mine Closure Plans (LMCPs) within the Fort McKay Traditional Territory (2016-2020)

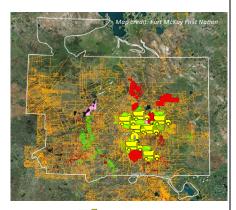
Document analysis and systematic review by Monosky and Keeling (2021)

- Developed TLU research questions (n=15) of interest to Fort McKay
- II. Search criteria and collection methods
- III. Coding text into categories
- IV. Interpreting, synthesizing & describing data Culturally significant plant (n=150), mammal (n=49), bird (n=145), amphibian (n=4) and fish (n=15) species were

obtained indirectly from Fort McKay community members, past and present

Traditional Land Use in Closure Planning

- | Develop | Integrated Team | Objective & Co-Select | Callaboration | Chaudine servey | | Co-Select | Closure Plans | Co-Select | Closure Plans | Co-Select | Closure Plans | Co-Select | Co-Select | Closure Plans | Co-Select | Co-Select | Closure Plans | Co-Select | Co-S
- Documents are the "physical traces" of our social environment that enclose evidence of the ways individuals, groups & organizations interact and represent themselves (Weebb et al. 2020)
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Research Questions	Mildred Lake & Aurora North	Base Plant	Fort Hills	Horizon	Jackpine Mine	Kearl	Muskeg River	
Was TLU selected as an end land use for any reclamation landform?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
is there evidence Indigenous Nations received funding for the consultation and/or to conduct an independent technical review of the plan?	Yes – consultation, No - for technical review	No	No	No	No	No	No - consultation, Unclear - for a technical review	
Is there evidence of an intercultural, multi-perspective and multi-way of knowing learning process?	Limited – use of Cree and Dene languages to name reclaimed land	Limited – use of Cree and Dene languages to name reclaimed land	Yes - an Indigenous advisory committee applied a multiple-ways of knowing model	No	No	Limited — an Indigenous advisory committee focused on cultural land connection, more holistic planning	No •	Healthy ecosyste
is there an acknowledgement of the loss and grief local Nations feel for their altered traditional territories, land-based memories and traditions?	Limited - acknowledged environmental, socioeconomic impacts to stakeholders	No	No	No	No	No	No •	Lakes wit Moose habitat.
Is there evidence the relationship with local Indigenous Nations is guided by principles of truth and reconciliation?	No	No	Limited – an Indigenous advisory committee	No	No	Limited – an Indigenous advisory committee, acknowledged the land is "traditional territory"	No •	spawning Wetlands cultural p
Is there evidence Indigenous Nations' questions, concerns and IK were adequately captured during consultation on the LMCP?	Limited	Limited	Limited	No	Limited	No	Yes	medicines a wildlife
Is there evidence Indigenous Nations' questions, concerns and IK were addressed in a manner that resulted in closure plan decisions?	Limited (See Daly 2023 for details)	Limited (See Daly 2023 for details)	Limited (See Daly 2023 for details)	No (See Daly 2023 for details)	Yes (See Daly 2023 for details)	Yes (See Daly 2023 for details)	Lighited (See Daly 2023 for details)	
Does the Plan have a closure vision, which is a mine closure best practice?	No — but the goal was for self- sustainable, equivalent capability, & consultation	No – but the goal was for certification of land, & self- sustaining	No — but the goal was for certification of land, & self-sustaining	No - but the goal was for self-sustaining, & equivalent capability	No – but the goal was for self-sustaining, & equivalent capability	No — but the goal was for self- sustaining, & equivalent capability	No - but the goal was for certification, self-sustaining, equivalent capability, & value to stakeholders	
concerns, and IFort McKay an	K were adequ d other comm of TLU meth	ately captur unities cont ods, metric	red and inforr tinue to reque s and guidelin	ned closure est participat nes to suppo	and reclamatory reclamators		Beave fish h Miner	sment er, moose a abitat ral wetland capes with

For many years, Fort McKay and other Indigenous communities have requested participatory reclamation planning processes and co-creation of TLU methods, measures of success, and planning guidelines for mine closure and reclamation to support operators with reclaiming their homelands and TLUs (e.g., GOA 2012; Two Roads Research Team 2011, 2012).

Yet, most of the LMCPs held limited or no evidence that local Indigenous communities' questions, concerns, and IK were adequately captured and informed closure and reclamation decisions

Fort McKay Doesn't Feel Listed to, Nor Represented in the Plans



"Time and time again in meetings with industry we hear that government had approved the sites
or the activity. The companies effectively just come and tell the community what they are
doing without providing any opportunities for influencing what is being done"

"We feel tired and worn out from giving so much and then the information given to companies just sits on the shelf or goes in the bin".

"No one listens to community input."

"[The company] and Fort McKay can talk, but government has their own criteria and companies will only follow that...why can't industry change a little bit?"

"Its **not out of scope** for a community that has to live with it every day"

Reclamation in Partnership with (not for) Indigenous Communities is an Act of Reconciliation

ēTeseθás〗kuýá/ΕιζΧάλχΥλλιΣίχκοιος ετκ Α΄ ελέρευμάλχλεχ/μίχκάκ μης λίμξουμάς χΑξος Τάκ μης ευμάν κου έ acknowledging what you've done to the people and what you've taken from the people?"

Reclaiming the land in partnership with, and not for, Fort McKay is not just a planning exercise or the physical act of reclamation, but an act of reconciliation.

'ἴ δίκz skyy) êz s ya 4 í kỹ ì ỹ í ủố Çỹ sử ì s'n ỗố kử ya ya ử Cỹ ố ιὰ s'n ya ὶ Åù ỗς zọ Çỹ ὶ Ç κ zỗi "

"Howcan people reconcile with the land? We're missing a big piece. When [the company] came here they took all this stuff away. Forty years of taking the land...We need you to fix all the stuff we did. We're missing a big piece here."

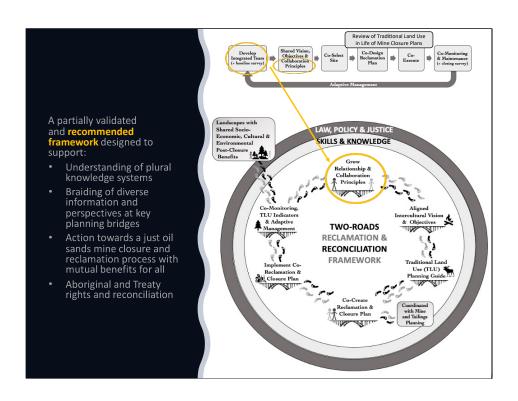
"Its potentially most important outcome of this work"

″μ χην ΪΣΛ**ΙΝΑΚΚζ** Σχ΄ ἐσἔΣόΣ/ΙΤΡ Ϊῦχ΄ ἐζι ΪΕ**ἔ**οχῖ



TIME FOR Reconciliation

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Key Insights & Recommendations on Reclaiming Homelands

- Western-road narrowly focuses on technical engineering, environment, & regulations
 - Limited evidence of IK & rightsholders informing decisions
- New era of sustainable closure landscape planning includes:
 - Social, cultural aspects
 - Participation & inclusion of affected Indigenous communities
 - Critically thinking about <u>how</u> IK & voices are represented in plans (e.g., systematically?)
 - in plans (e.g., systematically?)

 Multi-ways of knowing, learning and planning (e.g., Two-Roads)
 - Including grief, IK, languages, voices and co-created tools and processes in planning decisions
 - Resourcing the Fort McKay/Indigenous road
- Reclaiming land with (not for) is an act of reconciliation



Strive for the Aspirational Fort McKay-Industry Story

Te Mamano Aski Ki Kakio Asiniwak (Cree) / peła peghdalaída Niha Tuha (Dene) / **Working Together** for the Betterment of our People and the Land (English)

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Mussi Chogh! Hiy Hiy! Merci! Thank You!



