

Impact Benefits Agreements

AN INTRODUCTION

MELANIE DANIELS & AMANDA DOYLE

FOR ALBERTA FIRST NATIONS LAND AND ECONOMIC DEVELOPMENT TRAINING SYMPOSIUM



Impact Benefits Agreements – Opportunity Knocks

Opportunity – to build relationships based on understanding, mutual respect and trust

Opportunity – to ensure communities, not only developers, benefit from development

Opportunity – to build capacity within communities

Opportunity to bring opportunity to your community

Impact Benefits Agreements

Types of agreements;

Memorandum of Understanding

Project specific and work agreements

Community Agreements

IBAs

What is an Impact Benefits Agreement?

The primary purposes of an IBA is to address the adverse effects of commercial activities on local communities and their environments and to ensure that First Nations receive benefits from the development of natural resources located in their traditional territory.

IBA Considerations

FIRST NATION

Extent and duration of impacts

- Wildlife, plants and fish

Extent of traditional land use within project area

Cultural sites

Training, employment and contracting opportunities; unemployment in community

Health concerns

Increased access to traditional territory

Cumulative affects

INDUSTRY

Social license to operate

- Build and maintain positive relations
- Reduce or limit impacts to environment and communities

Project certainty – regulatory approval

On time and on budget

Accountable to shareholders

IBA - Negotiation

Roles and responsibilities

Accommodation – avoidance, mitigation, compensation

Commitments – environmental, training, jobs, contracts

Community investment – school, Elders, infrastructure

Timelines

Monitoring

Dispute resolution

Follow up

Things to remember

It's not your project but you must actively engage

Get a lawyer

If you cannot reach an agreement you can always intervene

- Does not promote positive relations
- Short term benefit
- Costly and time consuming
- No guarantee that you will be successful

Questions?

Thank you

melanie.daniels@kisik.net

