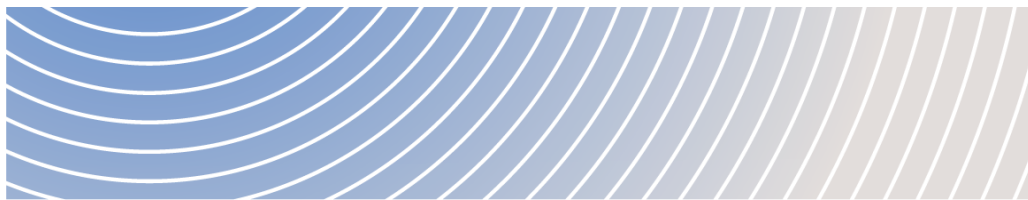# Policy Context: Considering Community Knowledge under the *Impact Assessment Act*

THIS GUIDANCE IS PART OF THE PRACTITIONER'S GUIDE TO FEDERAL IMPACT ASSESSMENTS UNDER THE *IMPACT ASSESSMENT ACT*

July 2021

The [Practitioner's Guide](#) is an evergreen document. Check it periodically, its contents may have been updated because of ongoing engagement and feedback received. If you have feedback, please send it to guidancefeedback-retroactionorientation@iaac-aeic.gc.ca.

Canada

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1. Introduction

Subsection 22(1) of the *Impact Assessment Act* (IAA) outlines factors to be considered in impact assessments conducted by the Impact Assessment Agency of Canada (the Agency) or by a review panel. More specifically, paragraph (m) states that community knowledge provided with respect to the designated project must be taken in account.

As such, this document is intended to support the consideration of community knowledge in the impact assessment of a designated project, both those led by the Agency and those led by review panels. It provides guidance on what community knowledge means under the IAA, the benefits it can bring to an assessment, and how it may be used as part of an impact assessment.

Since impact assessments of designated projects must take into account community knowledge provided with respect to the project, when planning the impact assessment, proponents, practitioners and others engaged in the process should consider:

1. What sources of community knowledge are available and relevant to a proposed project?
2. What methods would most effectively and inclusively collect relevant community knowledge?
3. How can community knowledge inform the assessment and post-decision activities?

2. What is community knowledge?

Community knowledge can be defined as knowledge held by individuals or shared by a community, which is built up over time through direct use of, or interaction with, a resource or environment (natural or social). This makes community knowledge context specific and unique.

Sources of community knowledge could include, but are not limited to, information gathered from individuals and/or organizations, such as:

- Long-term residents or landowners, or associations representing these individuals;
- Regional or municipal governments, cultural associations, or organizations responsible for land-use studies;
- Members of local clubs or associations, such as community and farming groups, local or regional birding and naturalist clubs, hiking and outdoor recreation associations, or hunting and trapping associations;
- Non-governmental organizations and their members active in the project area;
- Local or regional commercial associations and chambers of commerce;
- Local or regional health and social service providers;
- Local trade unions, labour market training providers, and Indigenous Training and Employment Societies

Types of community knowledge could include any knowledge related to the assessment of the potential environmental, health, social, or economic effects of a proposed project. This could be either quantitative or qualitative in nature. Examples might include land-use studies, wildlife association logbooks, annual reports from a local social service provider, or pictures from local historical groups.

> **Case Study**
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> During the public consultation period on the Canadian Pacific Cascade Capacity Project, the Vancouver Fraser Port Authority collected knowledge from the community, which was used to inform the assessment of the project. Dive studies (2010 and 2019) provided by local divers helped identify otherwise unidentified species in the proposed project area, including bay piperfish, speckled sanddab, Buffalo sculpin juvenile Dungeness crabs, and grunt sculpin. Without these dive studies, the Port would not have been aware of all the potential effects on the local marine area[1].

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[1] Project and Environmental Review Report Canadian Pacific Cascade Capacity Expansion (2019).

Community knowledge can benefit a project's impact assessment by helping to supplement the information and studies with local or regional knowledge and data that may not otherwise be gathered as part of the assessment (e.g., defining baseline conditions, or identifying and characterizing potential effects). For this reason, proponents should actively seek out individuals and groups that might hold community knowledge, such as the sources listed above, and/or encourage their attendance at public participation events. Information on when in the impact assessment process community knowledge holders should be identified and engaged is discussed below.

> **Case Study**
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> In New York City, Latino American community advocates brought forward knowledge about local subsistence fishers who relied on catches from the East River to the Environmental Protection Agency (the American agency responsible for environmental assessments). This knowledge highlighted the cultural and dietary importance of fish to the local Latino community, and the economic drivers behind subsistence fishing in the community. Without this information, the Environmental Protection Agency's knowledge of pollution in the river and health impacts on the local residents would have been incomplete[2].

Other benefits that community knowledge may bring to impact assessments include:

- identifying existing environmental or social considerations experienced by the community or baseline conditions, which may inform studies required by the Tailored Impact Statement Guidelines (TISG), including, but not limited to, cumulative effects assessments;
- verifying pathways of effects related to valued components, based on local knowledge and experience; and
- reducing uncertainty that may exist related to scientific information (for example, where only national or regional data exists that may not provide the specificity needed to properly inform the effects assessment) Community knowledge can address uncertainty during the assessment or during the Post Decision phase, where this knowledge may improve monitoring activities (e.g., monitoring committees or adaptive management programs) by making approaches relevant to local concerns.

> **Example**
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> A local community association might bring forward that their facility (close to the proposed project) frequently holds outdoor classes and activities for its members, which consists of particularly vulnerable populations. By considering information on the frequency of the centre's use of outdoor space, and by whom, the proponent would be able to better plan the project, adjusting the timing of certain construction activities to mitigate health and social impacts to vulnerable populations that use the facility.

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[2] Jason Coburn, "Street Science: Community Knowledge and Environmental Health Justice", Environmental Health Perspectives, 113(8), 2005.

Community knowledge may differ from information gathered during public participation periods. The public will be provided with opportunities to meaningfully participate in an impact assessment process. Through these public participation opportunities, individuals and groups may share comments, concerns, or interests with respect to the project, which would be taken into account as part of the impact assessment. Indeed, the IAA provides explicitly that comments received from the public, as distinct from community knowledge, must be taken into account (Section 22(1)(n).

The various phases of the impact assessment process and the role of community knowledge in each are discussed below. Community knowledge is developed through the direct use of, or interaction with, a resource or environment and thus may be more in-depth and specific than the comments, concerns or interests expressed with respect to the project in open participation forums. Proponents may need to conduct specific studies to gather community knowledge and should not rely only on public participation opportunities alone to collect this information.

Individuals and community groups may also bring forward community knowledge at any time, either through an impact assessment's public participation opportunities or by directly sharing with project proponents, review panels, or the Agency.

Community knowledge is different from Indigenous knowledge. As with community knowledge, the IAA requires that any Indigenous knowledge[3] provided with respect to a project must be taken into account (section 6(1)(j); section 22(1)(g), and includes specific requirements for its use and protection.

For specific information on how to acquire and protect Indigenous knowledge as part of an impact assessment, please consult the Agency's guidance documents on this matter:

- Guidance: Indigenous Knowledge under the *Impact Assessment Act* – Procedures for Working with Indigenous Communities
- Guidance: Protecting Confidential Indigenous Knowledge under the *Impact Assessment Act* (supplementary guidance to "Guidance: Indigenous Knowledge under the *Impact Assessment Act* – Procedures for Working with Indigenous Communities")

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[3] Although there are many different definitions of Indigenous knowledge by various Indigenous communities and organizations and in academic or international literature, there is no one universally accepted definition. For the purposes of impact assessment, generally, Indigenous knowledge is considered as a body of knowledge built up by a group of Indigenous peoples through generations of living in close contact with the land. While the term 'traditional knowledge' is often used, the Act uses the term 'Indigenous knowledge' in order to recognize that the knowledge system evolves and is not set in the past, as the word 'traditional' may imply.

3. Consideration of community knowledge under the *Impact Assessment Act*

Throughout the impact assessment process, individuals, communities, proponents, review panels, and the Agency all play a critical role in ensuring that community knowledge is collected, provided and adequately considered:

- **Community groups or individuals** that have community knowledge are encouraged to provide this knowledge to the Agency, review panel, or the project proponent **as early as possible**. For example, knowledge provided in the Planning phase can support the identification of information and studies that should be included in the project's TISG. The Agency welcomes individuals and organizations to submit their knowledge in the manner they see most appropriate, for example, in writing or through the submission of pictures or maps.
  - Some individuals or groups may be eligible for participant funding through the Agency's [Funding Programs]. Those interested should apply early so that they can participate throughout the impact assessment process and provide knowledge where they deem appropriate and/or most relevant.
- **The Agency** requires that the proponent show evidence of having collected and considered community knowledge as per the requirements outlined in the TISG. There may be additional requirements for proponents to demonstrate that they have or will engage groups and any other potential sources of community knowledge that have identified themselves during the Planning phase in the project TISG and/or Public Participation Plan. The Impact Assessment Report, whether written by the Agency or a review panel, will take into consideration any community knowledge provided with respect to the project. In preparing the report, the Agency or a review panel (or proponent acting on the panel's direction) may also engage with local groups or individuals that may be sources of relevant community knowledge.
- **The proponent** will identify and engage with potential sources that may have community knowledge relevant to the project. Proponents will include the community knowledge collected in their Detailed Project Description, Impact Statement, and follow-up and monitoring programs.
  - Considering community knowledge will require early engagement within communities to determine potential sources of community knowledge. This engagement should continue throughout the impact assessment process, including the Post Decision phase, which includes mitigation measures and monitoring activities.

4. Methods for collecting and considering community knowledge

Proponent and impact assessment practitioners (IA practitioners) may need to use various methodologies for collecting and considering community knowledge under the IAA, including qualitative methods such as interviews, focus groups or formal written submissions. Appropriate methods may be identified in the TISG. The Public Participation Plan may also describe avenues for gathering community knowledge. Although innovative methodologies are encouraged, adherence to ethical guidelines for engaging and collecting information from individuals and/or organizations is required.

Throughout the impact assessment process, proponents and IA practitioners should consider:

- whether the methods chosen to engage potential knowledge-holders reach different groups in a local area and engage them in such a way as to promote sharing of community knowledge;

- whether and how the knowledge provided can improve the project plans, improve data collection or modelling assumptions, or provide more certainty on a topic where there are data or knowledge gaps;

- whether the studies conducted during the impact assessment considered community knowledge;

- whether and how community knowledge can inform processes in the Post Decision phase such as follow-up and monitoring programs. For example, participating in a proponent's follow-up program is one way to contribute community knowledge. The Agency may also establish monitoring committees to provide oversight for follow-up and monitoring programs. These committees may include local community members, among other stakeholders, and are another possible forum for contributing community knowledge in the Post Decision phase.

5. Principles for considering community knowledge

The collection and consideration of community knowledge should be informed by the following principles:

1. **Seek out community knowledge early in the process**:

    a. Gathering community knowledge early in the impact assessment process will help identify pre-existing issues in the community and/or opportunities which will inform key documents in the assessment process (e.g., Summary of Issues, Tailored Impact Statement Guidelines).

        i. Examples of pre-existing issues within a community: environmental changes, herd migration, existing climate pressures, social pressures, etc.

        ii. Examples of pre-existing opportunities within a community: local procurement opportunities, existing community support services, etc.

2. **Apply Gender-Based Analysis Plus (GBA+) to the collection and consideration of community knowledge**:

    a. When seeking community knowledge, the information collected should reflect the diversity within the community at large. GBA+ should be applied to the methods and tools used to collect community knowledge. For example, different groups may have different levels of internet access or digital literacy, which will require adaptations in order to support provision of their knowledge if digital or online tools are used.

3. **Maintain transparency while collecting and considering community knowledge**:

    a. The sources and uses of community knowledge should be made public so that all community members, and other participants in the assessment, can understand how local information was used in the impact assessment process. Any community knowledge provided as a public comment will be made public on the Canadian Impact Assessment Registry (the Registry) as per IAA requirements.

    b. For community knowledge collected by the proponent for inclusion in the Impact Statement, proponents should consider issues of confidentiality. Where there are concerns over confidentiality or other relevant sensitivities, the proponent and the Agency will take measures to ensure that the community knowledge in question, if relevant to the assessment, is collected and stored with appropriate measures in place to protect any confidential information. To ensure proper measures are established, any concerns about confidentiality should be raised **before** knowledge or information is provided.

4. **Provide mechanisms for mutual learning**:

   a. There are benefits for communities and proponents in sharing knowledge, including gaining a better understanding the project and its components as well as its community context and opportunities. Communication about how community knowledge has been considered in an impact assessment (e.g., considered in the project design) is an important opportunity for mutual learning and dialogue. Engaging community members in the collection of community knowledge also offers opportunity for mutual learning. For example, the proponent can provide plain language summaries of studies conducted so that knowledge-holders can understand and incorporate these findings into their own understanding of their community and local area.

5. **Remain flexible and responsive**:

   a. When collecting community knowledge, proponents should remain flexible and responsive to knowledge-holders. This means that community knowledge collection methods should remain flexible to new information (e.g., new groups or study locations) and/or circumstances (e.g., seasonal considerations) that arise during the impact assessment, as well as new ways of gathering information or demonstrating validity of that information. For example, the COVID-19 pandemic demonstrated a need to be open to remote and virtual information gathering.

Flexibility may also be required with respect to the form or scale of community knowledge provided. For example, existing social, economic, health, and environmental conditions (such as climate change) may shift local conditions within a community in ways that are not immediately reflected in regional, national or global data sets. National datasets may include years of data and repeated observations whereas community knowledge, such as of an invasive species or changing environment, may be singular and time limited but also important and valid.

6. Conclusion

The requirement to consider community knowledge in impact assessments under the IAA provides an opportunity to expand the types of data and evidence collected during an assessment. Community knowledge-holders should be engaged early and throughout the impact assessment process in order to inform the overall assessment, alongside Indigenous knowledge-holders and other experts in environmental, health, social, and economic impact assessment. Meaningful inclusion of community knowledge in impact assessments will strengthen the evidence base and inform decision-making.