



May 7, 2024

Members of the Indigenous Advisory Committee:

I appreciate the advice the Indigenous Advisory Committee (Committee) provided to the Impact Assessment Agency of Canada (the Agency) on a variety of important topics in 2023–24, including feedback on the proposed amendments to the *Impact Assessment Act* (the Act) following the Supreme Court of Canada (SCC) decision.

I also want to acknowledge the extensive work the Committee has done on Indigenous knowledge and western science, in conjunction with the Technical Advisory Committee on Science and Knowledge, over the past two years.

I am quite confident that your efforts will support the Agency's objective of ensuring that equitable consideration is given to both knowledge systems in the impact assessment process. The Agency will report back to the Committee in the coming months as to how the advice was considered.

I also greatly appreciated your feedback on key issues identified by the Agency, such as the Agency's Reconciliation Framework, the spectrum of involvement in impact assessment, including the Indigenous co-administration regulations, the breadth of consultation assessment guidance, the Project List, and Ministerial Order, as well as your ability to pivot and address critical issues concerning the SCC decision on the constitutionality of the Act.

I understand that the Committee had productive discussions on how to partner with the Agency on joint priorities in the coming year. With that, your contribution to the following three jointly identified priorities will be particularly relevant:

1. **Threshold determinations:** Advice to the Agency on how to evaluate and define new thresholds of impacts proposed in amendments to the IAA.

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2. **The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP):** An environmental scan of the current impact assessment process, as it relates to UNDRIP, and provide recommendations on the Agency's implementation.
3. **Assessing Impacts on Rights:** Continuing the phased approach for guidance to proponents by focusing on the impact assessment, and the decision-making and post decision-making phase of impact assessments. This work was paused last fiscal year due to the urgency of the SCC decision and amendments to the Act.
4. **Emerging Issues:** Implementation of policy and guidance (regarding amendments to the Act, Reconciliation Framework, *Physical Activities Regulations* [Project List], Ministerial Order, etc.).

The Committee's advice on these subjects will be valuable to the Agency as it continues to implement the Act.

I would underscore that the Agency is here to support the Committee. The Agency's ex-officio member will provide guidance and support for the Committee's work for the priorities identified above and any that may emerge. Similarly, the Agency's Indigenous Advisory Committee Secretariat will support Committee members.

I am confident that the Committee, informed by the varied experiences and expertise of its membership, will provide valuable advice to the Agency, contributing to the achievement of our mandate and the objectives of the *Impact Assessment Act*.

I look forward to an opportunity to meet with Committee members during the coming year.

Sincerely,

Terence Hubbard (he/him, il)