ENHANCING ABORIGINAL PARTICIPATION IN NORTHERN LAND USE PLANNING

By

Ida Mak

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We accept this thesis as conforming

to the required standard

....

Derek Thompson, Faculty Member

School of Environment and Sustainability

....

Dr. Tony Boydell, Director

School of Environment and Sustainability

ROYAL ROADS UNIVERSITY

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Abstract

In the Northwest Territories (NWT), land claims created tripartite co-management boards, a power-sharing mechanism between Aboriginal organizations, territorial, and federal governments. Land use planning is overseen by such boards and is intended to be a community driven process but Aboriginal organizations and communities have difficulty participating at the same level as their government counterparts. The Great Bear Rainforest (GBR) agreement in British Columbia was considered as a "success" case study on Aboriginal participation in land use planning. Interviews with Aboriginal leadership and non-Aboriginal resource people were conducted in the GBR, the Dehcho and Sahtu for "lessons learned", and to identify ways to create enabling conditions for Aboriginal participation. Three spheres of influence were identified. Aboriginal leadership can create enabling conditions by influencing the technical planning process, exhibiting strong leadership and by adopting good governance practices and structures.

Keywords: land use planning, Aboriginal participation, co-management, Northern Canada, Aboriginal voice, Aboriginal interests and values, land and resource management, enabling conditions for Aboriginal participation

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"Control of land use is among the most emotional and controversial issues facing northerners

today." William E. Rees, August 1987. A quarter of a century later, this statement remains true.

Table of Contents

List of Tables

List of Appendices

Chapter 1: Study Background

Introduction

Aboriginal communities across Northern Canada are either in the process of developing, or negotiating their land use plans. To date in the Northwest Territories (NWT), out of six settlement areas and asserted territories, only one region has successfully negotiated a land use plan (Settlement Areas and Asserted Territories within the NWT, 2008). In the NWT, land use planning boards are mandated to plan on a regional scale, providing a high level vision of how the land will be used in the future (Fenge & Rees, 1987). Although land use planning in the NWT occurs within a co-management regime where Aboriginal organizations are one of three approving parties (Aboriginal organization, territorial and federal government approval), Aboriginal organizations do not play as active a role in informing the plan development as their government counterparts. Land use planning in the NWT is considered to be community driven but Aboriginal communities have difficulty participating at the same level as their government counterparts (Anonymous, personal communication, May 27, 2009). In comparison to territorial and federal revision teams that are equipped with technical personnel and lawyers, communities have significantly smaller budgets, struggle with limited in-house capacity, and often lack technical resources (Anonymous, personal communication, May 27, 2009). The time is ripe for a discussion on how Aboriginal leaders in the NWT can create enabling conditions for enhanced participation in land use plans. Enhanced participation will better ensure the representation of Aboriginal values and interests in regional plans. It will also give Aboriginal communities the opportunity to begin planning for the sustainable development of their traditional territories.

I considered the Great Bear Rainforest (GBR) agreement in British Columbia as a "success" case study for Aboriginal involvement. I then conducted interviews in the GBR, the Dehcho and Sahtu regions of the NWT for insights on ways for Aboriginal leaders to create enabling conditions for Aboriginal participation.

What follows is a lessons learned document based on the GBR case study and interviews from the three regions. The reflections are intended to offer guidance and advice to NWT leaders who have yet to plan for the sustainable management of their lands.

Thesis Question Rationale

Land use planning can be defined as "any formal, structured process by which someone makes choices about the use of resources and their allocation among legitimate, competing uses, in order to achieve stated objectives over some specified period in the future" (Fenge & Rees, 1987, p. 10). Given its distributional nature and the fact that most conflicts involve competing uses on a given land base, planning inevitably results in winners and losers (Lane, 2001).

Over the last century of northern developments, Aboriginal communities have more often than not, been the losers. This situation has been frequent enough to warrant a name: the North-South colonial axis (Fenge & Rees, 1987). This term refers to the phenomenon by which the majority of benefits from northern developments travel south, leaving Aboriginal communities to bear the brunt of negative environmental and socio-economic effects (ibid).

The past three decades have revealed a wealth of non-renewable natural resources in the NWT and the "federal government forecast long ago that the future of the North beyond 60° latitude lay in mineral development, whether of fossil fuels or hard rock metallic minerals" (Ironside, 2000, p. 111). Although the federal government originally intended for land use

planning to promote development in the north, today planning under the co-management regime, can result in a number of benefits for Aboriginal communities (Fenge & Rees, 1987). The magnitude of those benefits, however, will depend on the extent to which Aboriginal people participate in informing the process.

Land use planning may decrease conflict between Aboriginal people and other resource users by 1) protecting the most significant Aboriginal interests and values on the land such as cultural, traditional and/or spiritual areas for conservation, 2) identifying areas fit for development and 3) creating a system of land use and management that is informed by all stakeholders (Goetze, 2005). Land use planning also serves as an information collection medium. Traditional land use and occupancy (TLUO) mapping and traditional knowledge (TK) collection are among the first steps in the planning process and can help communities document their areas of use within traditional territories (*BC First Nations Land Use Planning: Effective Practices*, 2009). Land use planning is also a vehicle for First Nations to be involved in land and resource management decisions, irrespective of whether or not land ownership issues have been resolved. Finally, planning gives First Nations the opportunity to articulate their vision, goals, and management philosophy for their traditional territory and begin planning for future economic development and community growth (ibid).

Although a variety of planning models have emerged, since the 1960s, all models have been participatory in nature (Lane, 2001). Among other things, participatory models are concerned with the development of shared solutions (Lane, 2001, p. 660). The "bargaining" model takes a negotiations approach to planning and insists that "the participation and interaction of stakeholders (is)... the principle ingredient of decision making" (Lane, 2001, p. 661). Inherent is the concept that conflict resolution and solution finding results from the participation

of different stakeholders in the planning process. The communication approach to planning insists that planners synthesize information and ideas, frame discussions and make selective arguments that influence what others learn about and discuss (Lane, 2001). If this is so, planners who have more interactions and exposure to Aboriginal participants and ways of thought will be better equipped to include culturally relevant issues and planning outcomes.

Given the context of economic development opportunities in the North, these models of planning demonstrate that meaningful Aboriginal participation in planning is critical if land use plans in the NWT are to reflect Aboriginal values, interests, and promote the sustainable development of their traditional lands.

Purpose of the Thesis

The purpose of the research was to solicit insights from mostly Aboriginal leadership and some non-Aboriginal resource people on ways to create enabling conditions for aboriginal participation in northern land use planning processes. Every act that a leader carries out has the potential to empower or disempower the people around them (Ann Dale, personal communication, February 22, 2011). According to Capra, "true authority consists in empowering others to act" (Capra, 2002, p. 89).

This thesis sought to identify the necessary actions or processes that northern Aboriginal leadership needed to put into place in order to create enabling conditions for successful Aboriginal participation in land use planning. The definition of success was not identified prior to the research but evolved out of the participants' answers. Interview participants were predominantly Aboriginal as the topic related directly to their actions and the impacts of their actions on their communities and organizations.

Research Question

Within the context of land claims and the Northwest Territory's (NWT) co-management land use planning processes:

- What can Aboriginal leaders do to create enabling conditions for Aboriginal participation in northern land use planning processes?

- What lessons and insights can the Aboriginal leadership in the NWT learn from the Great Bear Rainforest agreement in British Columbia regarding ways to encourage successful Aboriginal participation in land use planning? (Success is defined in the interviews.)

- What lessons and insights can the Aboriginal leadership in the NWT learn from the Dehcho and Sahtu leadership regarding ways to encourage successful Aboriginal participation in land use planning? (Success is defined in the interviews.)

- Do Aboriginal leaders have recommendations for one another regarding ways to better represent Aboriginal values, interests and goals in land use plans?

Research and Interview Themes

To answer the research questions above, I carried out a case study in GBR and conducted 17 semi-structured interviews in BC, the Dehcho and the Sahtu. All participants were asked the same questions relating to four themes (see Table 1).

Table 1: Interview Themes

Theme 1: Defining Success	Can you describe what successful Aboriginal participation in the planning process and what a successful plan would look like?
Theme 2: Roadmap to Success	What are the main steps that Aboriginal leadership or organizations need to take in order to attain this vision of successful participation?
Theme 3: Challenges	What are the main challenges that leadership or organizations may face along the way?
Theme 4: Solutions, Insights and Recommendations	What are potential solutions to these challenges? Are there strategies, internal processes or insights that you would like to share with other leaders regarding ways to encourage successful participation?

Chapter 2: Methodology

Three-Part Methodology

My methodology consisted of three parts. First, I conducted a review of the literature regarding land use planning and Aboriginal participation in the northern regulatory regime. Second, I considered the Great Bear Rainforest agreement as my "success" case of Aboriginal participation in land use planning. Third, I conducted 17 interviews in the GBR, the Dehcho and Sahtu regions of the Northwest Territories (NWT). The result is a list of "lessons learned" and insights that may be applied by Aboriginal leadership across the NWT.

1) Literature review.

I reviewed literature on land use planning as it is practiced in Canada, with Aboriginal communities in the North. Land use planning approaches and lessons learned should be considered from the perspective of a number of issues. Aboriginal rights and the degree of influence that they have exists within a context that should consider treaties, land claims processes, co-management land use planning boards, and the legal, political, and organizational frameworks within which land use plans are developed and negotiated in the NWT. There should be recognition for the potential impact that these issues may have on the planning experience of Aboriginal people and how this might influence participation levels. The literature review has been integrated into Chapter 3: Background & Context.

2) The Great Bear Rainforest (GBR) "success" case study.

I considered the landmark Great Bear Rainforest (GBR) agreement in British Columbia, as a success case study. I reviewed literature for the history of treaty in BC, Aboriginal rights and title, and asserted territory. The legal, political and socio-cultural history of the area and the

different forces or drivers that influenced the planning outcomes in the region and levels of Aboriginal participation were also considered. Grey literature such as discussion papers and lessons learned documents by ENGOs and First Nations provided insights on the timeline of events and strategies that lead to the power shift.

3) Semi-structured interviews.

Seventeen one-hour semi-structured interviews were conducted in the GBR, the Dehcho and the Sahtu. Potential participants were first contacted by email and invited to take part in the interview. The invitation and consent letter was attached to each email (see Appendix B). Each interview began with a synopsis of the research and explained the four research themes. The questionnaire was used as a guide and usually only one or two questions were used. Interviews were either conducted by telephone or in person. All interviews were audio recorded and transcribed.

Interview participants.

As the topic relates specifically to the ways that Aboriginal leadership can create the enabling conditions for Aboriginal participation, interview participants were predominantly members of the Aboriginal leadership (eg. chiefs, band council members, executive directors or other senior employees of Aboriginal organizations). Non-Aboriginal participants included a number of technical and resource people (eg. government employees, consultants and technical staff). The interviews intentionally included a greater proportion of Aboriginal participants in order to represent the Aboriginal voice.

Non-Aboriginal participants provided their thoughts on the influence of external drivers of change such as BC government policy or NWT co-management planning regimes on

Aboriginal participation. This was significant because Aboriginal efforts were not the sole drivers of successful participation.

In BC, participants were 50% Aboriginal and 50% non-Aboriginal. The complexity of BC policies and political history made it necessary to interview a higher percentage of senior government staff to gain a proper understanding of the external drivers. The average across the Dehcho and Sahtu regions was about 81% Aboriginal participants and 19% non-Aboriginal participants. See Table 2. My experience in the north has resulted in a greater familiarity with the northern context which allowed me to focus more interviews on Aboriginal leadership.

Table 2: Aboriginal and Non-Aboriginal Participant Breakdown

		Aboriginal Participants		Non-Aboriginal Participants	
BC	British Columbia	50%		50%	
NWT	Dehcho	83%		17%	
	Sahtu	80%	81%	20%	19%
Total	All regions	75%		25%	

Selection method.

The selection of the first two participants in each region were based on recommendations by my thesis supervisor for BC, my thesis sponsor for the Dehcho, and on my personal knowledge of people in the Sahtu, where I live and work. My criteria for selection were: 1) extent of leadership experience, 2) level of influence within the community and 3) understanding of legal, political and organizational challenges and processes. I used the snowball sampling method to select all other interview participants whereby at the end of each interview, I asked each participant to refer me to one more interview candidate (StatPac, 2011). I had to use a nonprobability sampling method because I was selecting for specific characteristics within the population (ibid). See Tables 1 and 2 for a breakdown of BC and NWT interview participants.

A (T) in the table refers to telephone interviews and a (P) indicates in-person interviews. A large number of interviews were conducted via telephone because no travel budget was available.

Table 3. BC "Success" Case Example Interview Participants

4 Semi-Structured BC Interviews	2 Aboriginal participants	Executive Director of Aboriginal Coalition	T
		Elder, Band Manager, member of Aboriginal leadership and traditional land use and occupancy field worker	T
	2 Non-Aboriginal participants	Land Use Planning Negotiator for British Columbia Government	P
		Deputy Minister for British Columbia Government	T

Table 4. Dehcho and Sahtu Case Interview Participants

13 Semi-Structured NWT Interviews	5 Dehcho Interviews	4 Aboriginal participants	2 Grand Chiefs/Chiefs/Dehcho Land Use Planning Committee members (DLUPC)	T
			Executive Director of Aboriginal Organization	T
			Chief	T
		1 non-Aboriginal participant	Technical Staff of Dehcho Land Use Planning Committee (DLUPC)	P
	8 Sahtu Interviews	6 Aboriginal participants	2 Chiefs	P
			2 Chairs/members of co-management boards	T
			Previous member of community leadership/Government Negotiator/Co-management Board Executive Director	T P
			Community leader on band council and in local politics	P
		2 non-Aboriginal participant	Consultant/Technical resource person for one of the communities	T
			Senior government employee	T

Limitations.

The interview participants were mostly middle aged males (approximately 40-65 years old). This was to be expected since most northern leaders fall under this demographic. Only two participants were female and both were from the Dehcho. There were no youth participants

(under the age of 35) and only one elder participated in the study (over the age of 65 and considered an elder by the community). It can be argued that alternative voices should have been considered. The selection was intentionally conducted this way with the understanding that over the next 10-15 years, leadership positions in the north will most likely continue to involve predominantly middle aged male leaders.

Although the NWT interviews were limited in the Sahtu and the Dehcho, the snowball method repeatedly led to the same people. This allowed me to conclude that although the interview pool was small, those who are considered to be most knowledgeable of land use planning and deemed to be the most appropriate for this research were interviewed. In BC, however, the number of First Nations groups involved in the Great Bear Rainforest agreement is so large that it was not possible to interview a reasonable sample of the leadership. Instead, I relied on the suggestions of experienced senior government staff members to select participants with significant experience and degrees of influence.

Confidentiality.

The identity of all participants was kept confidential in order to allow participants to speak openly and freely. Interview participants were only aware of the identity of the participants that they referred the research to. Quotes have been attributed to participants by a code. The BC participants are identified as BC1 to BC4. The Dehcho participants are identified as D1 to D5 and the Sahtu participants are identified as S1 to S8.

Scope of thesis.

It is difficult to speak of successful plans and successful participation without considering whether or not the plans that resulted from the processes were approved by governments. In the

case of the Dehcho, although the process was highly successful in involving Aboriginal participants, the plan is in its fifth year of negotiations and the plan's high conservation focus (as a result of community direction) has been mentioned as one of the largest deterrents for its approval (Anonymous, personal communication, February 7, 2010). Many participants pointed to the idea of success as necessarily including the government approval process but that would have made the scope of this thesis too large. As a result, participants were asked to comment only on the Aboriginal participation portion of planning, irrespective of the effect that this has on plan approval. Given the Dehcho example and the potential difference of opinions between Aborginal communities and government approving bodies, it will be important to keep this in mind.

Grounded Theory

Grounded theory is a general research method that systematically generates theory from research (Glaser, 2008). A number of grounded theory traits lent themselves well to the research needs. First, data analysis and data collection take place simultaneously in grounded theory because the results of the analysis direct future interviews and observations (Corbin & Strauss, 1990). The BC "success" interviews were conducted first, the Dehcho interviews second and the Sahtu interviews last due, to each region's current planning phase. The BC "success" cases brought out significant themes that were then tested in the NWT. This required that analysis and data collection take place simultaneously.

Second, the research did not begin with a hypothesis. The insights and learnings developed from the interviews shaped the conclusions. When coding the data, reocurring concepts were grouped into "categories" which can be defined as "concepts that belong to the same phenomenon" (Corbin & Strauss, 1990, p. 7). Each theme was analyzed separately to

identify common trends, patterns or matching characteristics (Corcoran, Walker, & Wals, 2004). The most frequently occurring categories are presented in Chapter 6: Interview Findings.

Finally, grounded theory allowed for the inclusion of other research methods such as the case study, and the consideration of broader conditions such as "economic conditions, cultural values, political trends, social movements, and so on", in the analysis (Corbin & Strauss, 1990, p. 11). In sum, grounded theory provided the flexibility that was needed for the research. The analysis also includes personal reflections where appropriate, based on personal and professional experiences of planning and living in the north.

Triangulation

Triangulation is a method of mixing data and/or methods in order to minimize bias and enhance the confidence of research findings (Denzin, 1970). It is a way to address perceptions of bias, to validate and diversify data through multiple sources, and gives the researcher an opportunity to widen their understanding of the topic (Olsen, 2004). The methods included both data and methodological triangulation. Of the two, methodological triangulation is considered to be the more profound form since it diversifies the method as well as the source of data (ibid). Methodological triangulation was applied in the three part methods which consisted of a literature review, a case study and semi-structured interviews.

Data triangulation refers to the act of gathering data through a variety of sampling strategies (Denzin, 1970). The semi-structured interviews were conducted in three regions, each representing a different stage in the plan development process. In BC the plan has been completed and is in the implementation phase. In the Dehcho the plan has been completed but is in the negotiation phase with the territorial and federal governments. In the Sahtu, the plan is in

its final stages of development. The literature review also considered a variety of sources such as peer-reviewed articles, First Nations, ENGO, government and industry publications and lessons learned documents published by independent parties.

Chapter 3: Background and Context

Land Claims, or Modern Treaties

After 50 years of having abandoned the treaty-making process, in 1973, the Canadian government re-initiated the negotiations of modern treaties, or comprehensive land claims with Aboriginal peoples (Ironside, 2000). This was largely as a result of *Calder et al. v. Attorney-General of British Columbia* where the Supreme Court of Canada (SCC) found in favour of the Nishga Tribal Council that unextinguished Aboriginal title to land existed within BC, setting a national precedent for its recognition (1990 SCJ 29).

Comprehensive land claims, like historic treaties, are concerned with "establishing principles for land ownership and use and for political-governmental relations between Aboriginal peoples and the Canadian state" (White, 2002, p. 93). Land claims however, confer a larger scale of benefits and deal with issues not previously resolved under historic treaties (Usher, 2003). Land claims provide certainty on land ownership by finalizing the discussions on Aboriginal title and provide Aboriginal people with the means for integration and participation in Canadian society through the establishment of new governance relationships (Usher, 2003).

Comprehensive land claims typically involve Aboriginal organizations formally ceding title to the land and other related rights in exchange for

"a variety of benefits, including a cash payment, fee-simple ownership of specified parcels of land (usually 15-20 percent of the entire claim area) including some subsurface rights, hunting and trapping rights throughout the entire claim area, government commitment to negotiate self-government regimes, and *representation on a series of land and resource boards*" (White, 2002, p. 93). Emphasis added.

Land claims necessitated the creation of legislation that as given birth to co-management governance bodies such as land use planning boards (White, 2008). Co-management boards that are born of the land claims are intended to enhance the formal involvement of Aboriginal people in governmental processes and to increase the consideration given to Aboriginal interests (ibid).

Co-Management Boards

The practice of co-management in Canada is only a few decades old and refers to the sharing of power and responsibilities between governments and local resource users (Notzke, 1995). The "fundamental assumption is that sharing authority and decision making will enhance the process of resource management, making it more responsive to a range of needs" (Castro & Nielsen, 2001, p. 231). It has been argued that when stakeholders share in resource based decision making, management practices tend to be better received than those that are introduced from the top down (ibid). Co-management between Aboriginal organizations and governments is also meant to contribute to Aboriginal empowerment as Aboriginal people now have the authority to play a more meaningfully role in decision making (Notzke, 1995).

The settlement of land claims is one of the most significant vehicles for establishing co-management regimes (Notzke, 1995). Over the last decade and a half, co-management regimes have demonstrated a fundamental shift in provincial governments' approach to rights and relationships (Notzke, 1995). In 1980, Aboriginal and treaty rights became entrenched in the Constitution and subsequent agreements-in-principle, umbrella final agreements and land claims have modified Aboriginal access to and control over land and resources (White, 2008).

Although Aboriginal groups vied for access to, and a fair share of resources, their interests extended further than the desire to participate in the management of resources and to share in the decision making on their traditional territories. Aboriginal groups also sought to

determine the economic fate of their communities through sustainable development on traditional lands (Anonymous, personal communication, May 20, 2010). For management regimes to be considered truly cooperative, there is the expectation that Aboriginal ways of being and knowing will be included in resource management decisions and for traditional knowledge (TK) to be included in management frameworks (Stevenson, 2004). TK can be defined as a "cumulative body of knowledge, practice, and belief, evolving by adaptive processes and handed down through generations by cultural transmission, about the relationship of living beings (including humans) with one another and with their environment" (Berkes et al., 2000). The inclusion of TK necessitates the participation of Aboriginal peoples because unlike western scientific knowledge, TK is not to be found in textbooks.

NWT Land Claims and Aboriginal Rights

It is important to note that "the only significant provincial power not yet devolved to the territories is ownership of land and non-renewable natural resources" (White, 2002, p. 97). In the Northwest Territories, land claims fail to include the rights for self-government because Canada's Aboriginal policy insisted that the two be negotiated separately (White, 2008). Instead, limited governance was negotiated with Aboriginal peoples through the creation of "institutions of public government", or co-management boards (White, 2002). As land claims, or modern treaties are constitutionally protected under S.35 of the Constitution Act, 1982, the co-management boards enjoy quasi-constitutional status (White, 2008). These "institutions of public government" do not constitute a form of Aboriginal self-government but neither are they considered to fall under the territorial or federal governments (ibid).

The boards represent a political compromise between Aboriginal negotiators and the federal government. Aboriginal negotiators tried to "maximize Aboriginal control over as many

facets of land use, environmental protection, and wildlife management as possible" while in the name of public interest, the federal government felt it necessary to retain control over public and some Aboriginal owned lands (White, 2002, p. 97). As such, comprehensive land claims agreements "provide for Aboriginal involvement in the management of the entire territory, but not their *exclusive* governance over any of it" (emphasis added) (Usher, 2003, P. 379). Co-management boards and regimes created by land claims represent a "vision of integration and participation, rather than of separation and coexistence" (Usher, 2003, p. 379). In contrast to self government, they focus on building relationships, sharing jurisdiction and authority, and multi-level governance (Usher, 2003).

With regards to power, co-management boards exist on a spectrum. At one end Aboriginal groups provide token input into decision making but at the opposite end, they can lead resource management initiatives (Notzke, 1995). Land claim boards in the Northwest Territories (NWT) play an advisory role as most decisions or policies require approval by the federal minister (White, 2008). The boards generally do not have powers of implementation or enforcement but depend on territorial and federal officials such as officers and inspectors to operationalize their recommendations and to enforce the licenses and plans that they issue (ibid). Land use planning boards in the NWT are an example of such a type of board.

British Columbia Treaties and Aboriginal Rights and Title

The situation of Aboriginal rights is significantly different in British Columbia (BC). By and large, treaties were never signed with Aboriginal peoples. Aside from a handful of treaties, land title remains unsettled. Despite First Nations insistence of asserted territories, "until 1991 the British Columbia government denied land title to Indians" and refused to enter into treaty negotiations (Ingram, 1995, p. 80). In fact, "until a 1991-94 policy shift in Victoria and Ottawa,

neither federal nor provincial governments directly addressed issues of sovereignty and land tenure" (Ingram, 1995, p.81).

Starting in the 1970s, conflict and public dissent regarding the forest management system in BC increasingly became an issue ((Thielmann & Tollefson, 2009). In the 1980s, local and provincial First Nations organizations began to mobilize with direct action campaigns, public support for Aboriginal issues grew and a number of court cases had found in favour of Aboriginal people, pressuring the BC government to become more responsive to Aboriginal concerns (BC Claims Task Force Report, 1991). As a result of increasing conflict, a treaty resolution process was set up across the province in 1990. In 1997, *Delgamuukw v. British Columbia* confirmed that First Nations "possess Aboriginal title on their traditional lands and vindicated their determination over many decades in asserting their rights and title" (Dacks, 2002). First Nations interpreted the results of Delgamuukw as an increase in the strength of their legal position and bargaining power (Dacks, 2002).

It was within this context of social unrest, resource based conflict and of perceived increasing legal power that the Great Bear Rainforest agreement began to develop.

Chapter 4: The Case Study

Defining Success: Why use the Great Bear Rainforest as a Success Case?

An alliance of ten First Nations by the name of Coastal First Nations played a critical role in negotiating the land and resource management plans (LRMPs) for a region of roughly 6.4 million hectares (BC Leads the World in Ecosystem Based Management, 2007). The size of the plans are extensive but more notably, the GBR was selected as a case of success because First Nations themselves identified their participation as hugely successful due to the formalized engagement roles they now play in resource management.

First Nations participated in government-to-government negotiations, continue to be involved in plan implementation and achieved a new governance structure which included a number of more culturally appropriate management options. One such example is the adoption of an Ecosystem Based Management (EBM) approach which seeks to achieve healthy ecosystems and healthy human communities in resource based decision making. EBM demonstrates a shift in provincial policy direction towards one that is more inclusive of Aboriginal community concerns and that makes stronger connections between environment, people, communities and development (Ecosystem Based Management, 2004). Conservancies, a new type of protected area which prioritizes both ecological protection and traditional Aboriginal practices were also newly created (Smith, Sterritt & Armstrong, 2007).

The formalized level of Aboriginal involvement in decision making is unprecedented and the new governance regime has changed the landscape within which resource based decisions are made. In the words of a coalition leader, the outcome of First Nations participation in the

planning process has gone beyond their wildest expectations, making the GBR process an ideal case example.

British Columbia (BC) Planning Context

For the past century, the "integrated planning for all major resources on Crown forest and range land", roughly 85% of British Columbia's land mass, has fallen under the responsibility of the Ministry of Forests (MOF) (Williams, Day, Gunton, 1998). The province's traditional focus has been on forest industry profitability and forest sector employment. The MOF Act in the 1970s attempted to incorporate sustainability on a range of values but a lack of coordination and direction resulted in few changes (Thielmann & Tollefson, 2009, p. 112).

First Nations and public dissatisfaction with the forest management regime has been growing since the 1970s. Public frustration increased throughout the 1980s as the general public became more aware of environmental issues (Williams, Day & Gunton, 1998). The late 1980s and early 1990s saw increasing numbers of protests, blockades and court injunctions to slow the logging of old growth forests (Thielmann & Tollefson, 2009).

By the early 1990s, in an effort to stabilize the investment climate for forestry companies and to resolve resource management conflicts, the provincial New Democratic Party (NDP) began considering joint stewardship as a solution (Notzke, 1995). In an effort to promote a more participatory process, the NDP created the Commission on Resources and Environment (CORE), an arm's length agency that was tasked with the development of a province-wide land use strategy (Williams, Day & Gunton, 1998). Independent facilitators were tasked with leading the regional multi-stakeholder planning tables to produce consensus documents that would be presented to Cabinet for final plan development (Thielmann & Tollefson, 2009). Despite its

strong emphasis on the participatory approach, the CORE was unpopular and its final recommendations were greeted with public protests (ibid). By the mid-1990s, the CORE had been dissolved and was replaced with land and resource management plans (LRMPs), an alternative planning process that had been under development since the 1980s (ibid).

In spite of a shift towards more participatory approaches, when the BC Liberal party came into power in 2001, neither CORE nor the LRMPs had succeeded in eliciting the participation of First Nations (Thielmann & Tollefson, 2009). Limited resources, the parallel development of treaty throughout the 1990s, and First Nations objection to being given "stakeholder" status had until then, prioritized treaty negotiations over planning (Notzke, 1995). By the early 2000s, nearly a decade of treaty negotiations had failed to produce even one new agreement and First Nations began to rethink their strategy. In the absence of treaty, the LRMP processes were regarded as offering opportunities for collaboration management issues and some Nations shifted their energies into the development of land use plans.

The Great Bear Rainforest (GBR) "Success" Case

Twenty-seven First Nations have un-ceded traditional territories in the isolated communities of the Great Bear Rainforest (GBR) (Smith, Sterritt & Armstrong, 2007). First Nations traditionally lived off the land and the sea but the last century brought resource extraction in the form of logging camps, pulp mills, commercial fisheries and mines which left visible impacts on the environment but delivered few benefits to local people (ibid). By the 1980s, most communities suffered from unemployment rates as high as 80%, low graduation rates, low incomes, poor health, limited infrastructure and substandard housing (ibid). These

social conditions were coupled with a severe dissatisfaction with provincial resource management practices (ibid).

It was within this conflict ridden environment that in 1993, environmental non government organizations (ENGOs) launched the market based Great Bear Rainforest (GBR) campaigns to stop the logging of old growth temperate rainforests and reform forest management in BC (Armstrong, 2009). ENGOs targeted large American and international companies, pressuring them to cancel their contracts for forestry products originating from the GBR (ibid).

In 1996, the BC government attempted to resolve the conflict in the region by initiating the Central Coast LRMP planning table (Smith, Sterritt & Armstrong, 2007). ENGOs refused to take part in the LRMP table discussions citing inadequate conservation measures for the GBR (ibid). Instead, they demanded a moratorium on all logging in old growth areas and the protection of 80 watersheds (ibid).

As the campaigns became increasingly effective, the business environment became increasingly uncertain. A number of major forestry product buyers announced global policies to stop selling products from "endangered areas" and similar policies (Armstrong, 2009). This prompted forestry product companies to form a coalition which defected from the Central Coast LRMP process to collaborate directly with the ENGOs. Industry groups agreed to a moratorium on development in over 100 intact watersheds in exchange for a halt to the market campaigns (Thielmann & Tollefson, 2009).

Beginning in the late 1990s, after years of working in isolation, Aboriginal leaders from the Great Bear Rainforest sat together for the first time and discussed the "shared problems of high unemployment, lack of economic opportunities and lack of access to resources" (Smith,

Sterritt & Armstrong, 2007, p. 5). The Aboriginal leadership were initially brought together through ENGO funding but it quickly became apparent that their interests and needs for long term land management in the GBR were not entirely consistent with those of ENGOs (Anonymous, personal communication, January 25, 2010). Realizing that they stood stronger together, the Aboriginal leaders formed Coastal First Nations, an alliance of First Nations in the GBR. The leaders sought to develop and implement a land, water and resource management process that protected their lands and resources while allowing for controlled development.

By 2000, three vehicles for conflict resolution were in place, the industry and ENGO partnership, the Coastal First Nations and the Central Coast LRMP. Though the Central Coast LRMP had been active for roughly 3 years, few of the key parties were at the planning table. Coastal First Nations, industry and ENGOs collaboratively pieced together the lessons learned over the last decade and developed a new framework for moving ahead with the LRMP (ibid). In 2001, the provincial government agreed to a new five-part framework. See Table 5.

Table 5. New LRMP Framework

Moratoriums	Logging deferrals in 100 intact valleys and key ecological areas
Coast Information Team (CIT)	The BC and Canadian governments, ENGOs and forest companies funded an independent science team to inform the planning process.
Ecosystem-Based Management	EBM uses the precautionary principle and recognizes Aboriginal rights and title. Development should maintain ecological integrity, promote human well-being and economies in the context of healthy ecosystems.
New Economy	Parties sought capital to transition to a non-resource extraction economy.
Government-to-Government Agreements	Each First Nation will complete its own land use plan and use this document to engage in government-to-government negotiations with the province.

In 2001, the BC Liberals replaced the NDP government and pledged to complete planning across the province within 18 months (Thielmann & Tollefson, 2009). They sought to cut costs and were results focused. They sought quicker results by "shift(ing) away from a participatory model of planning to a "consultation" model ... where control over the land use planning decisions rested much more strongly with provincial resource management agencies" (Clogg, 2007). With the above framework in hand, the Central Coast LRMP reconvened in 2001 and in 2002 an LRMP process began for the North Coast (Ecosystem Management – BC's Central and North Coast, 2010). Each First Nation began work on their own land use plan.

Coastal First Nations initiated 18 months of discussions with ENGOs followed by another 18 months of discussions with industry before they engaged in government-to-government negotiations (Anonymous, personal communication, January 25, 2010). From 2001 to 2005 both the Central Coast and North Coast LRMPs were completed and the tables' consensus recommendations were presented to BC and First Nations governments (Ecosystem Management – BC's Central and North Coast, 2010). Government-to-government negotiations between the province and First Nations followed resulting in agreements between the province of BC and sixteen First Nations in 2005 (Thielmann & Tollefson, 2009). Since March 2009 the parties have been working to implement the agreements of the Great Bear Rainforest (Armstrong, 2009). The BC interview findings are presented in Chapter 6.

Chapter 5: The Northwest Territory (NWT) Cases

The Dehcho and Sahtu Land Claim Contexts

The Dehcho and Sahtu were part of the *Comprehensive Land Claim Agreement between Canada and the Dene Nation and the Métis Association of the Northwest Territories*, a collective land claim negotiation process in the 1980s (Usher, 2003). The vision was to settle one collective land claim for all of the Dene and Métis of the Northwest Territories including the Gwich'in, the Sahtu, the Dehcho, the Tlicho and Akaitcho territories (ibid). A regional agreement-in-principle was reached in 1988 but by 1990, negotiations had collapsed (Dehcho Process Negotiations, 2007). The five Dene groups went their separate ways and Canada began negotiating regional land claims within the Mackenzie Valley (Anonymous, personal communication, February 7, 2010).

All negotiated land claims include provisions for the development of a land use plan through a tripartite co-management board. Five members make up the board. Two members represent the regional Aboriginal organization, one represents the Government of the Northwest Territories (GNWT) and one represents the Government of Canada. A fifth chair person is appointed by the four standing members. The Board members are expected to take into account the interests of the three approving parties and make decisions in a fair and neutral manner, *in the interest of all Canadians* (SDLC) (Mackenzie Valley Resource Management Act, SC 1998, c. 25). This becomes significant in situations where a project will have some negative impacts on Aboriginal peoples but can have important benefits for many Canadians.

The approval process for land use plans in the NWT is sequential and planning boards play an advisory role. Planning boards recommend a land use plan to the regional Aboriginal

organization, then to the Government of the Northwest Territories (GNWT) and finally, to the federal government's Minister of Indian and Northern Affairs Canada (INAC). The plan becomes a legal document once all three parties have approved it. A 5-year review is built into the process to allow for evolving information and goals. Depending on whether or not a region has a settled land claim, minor variations of land use planning occur within the NWT. This also results in different levels of Aboriginal power and influence across the regions. Distinctions between the Dehcho and Sahtu follow.

The Dehcho

The Dehcho territory is not covered by a comprehensive land claim but is subject to Treaties 8 (1899) and 11 (1921) (Declaration of Rights, 1993). Like other historic treaties, they guarantee basic rights such as hunting, trapping, fishing and other harvesting rights but do not include provisions for developing a shared land management regime (Duke, 2009). Despite the treaties, the Dehcho continue to assert unextinguished Aboriginal rights and title. The Dehcho Proposal, a self-government assertion document insists that "it is impossible to believe, as government of Canada's written version would have us do, that the Dene knowingly ceded their land to the Crown" (Dehcho Proposal, 1998).

In 1991, the Dehcho withdrew from the collective land claim negotiation because of the extinguishment clause (Ironside, 2000). Citing laws from the Creator, the Dehcho refused to negotiate a land claim that necessitated the ceding of their lands (ibid). The Dehcho Proposal asserts that "the Dene have always recognized that the Creator provides life, and the Dene way of life through the Land that the Dene inhabit. *To give up the land is to give up life and culture,* which the Creator provides" (emphasis added) (Dehcho Proposal, 1998). Above all, the Dehcho First Nations (DFN) are interested in developing a regime for shared land management

(Anonymous, personal communication, February 7, 2010). The result is that DFN and the Dehcho leadership prioritized the development of their land use plan over that of land claims negotiations and the settling of land rights. The land use plan was seen as a tool for developing a shared management regime and a vehicle for formalizing greater First Nations engagement roles.

In 2001, an Interim Measures Agreement (IMA) was signed with the federal and territorial governments (Dehcho Process Negotiations, 2007). It included the provision for the development of a land use plan under a process that was modeled after the settled regions such as the Sahtu. The primary difference was that the IMA is not a legally binding document (ibid). As such, the provisions for plan development are dependent upon both governments' willingness to undertake the task and the parameters under which planning takes place are subject to change.

The Dehcho Land Use Planning Commission (DLUPC) was formed in 2001 (ibid). After years of community support and leadership backing, the DLUPC completed the plan in 2006 (Anonymous, personal communication, February 7, 2010). The plan was approved by Dehcho First Nations but has been stalled in negotiations ever since. Although the planning was largely community driven, the territorial and federal governments objected to the strong conservation focus which set aside roughly 50% of the territory for protection (ibid). To the disappointment of the leadership and community members, the interim plan is currently sitting at 40% of land for conservation and 60% for development (ibid). It is uncertain whether this balance is still to change. Today, the DLUPC has evolved into a side table of negotiations with each board member negotiating on its party's behalf. Although the number of representatives has not changed, moving to a negotiations approach puts the Aboriginal organizations at a disadvantage due to their technical and capacity limitations. This will undermine the cooperative structure of the Committee which was originally designed to give Aboriginal people a greater voice.

The Sahtu

After the break-up of the collective negotiations, the Sahtu settled its land claim in 1993 (Ironside, 2000). In 1998, the Sahtu Land Use Planning Board (SLUPB) was established as a result of land claim derived legislation. The SLUPB is a tripartite co-management body responsible for creating a land use plan for the Sahtu Settlement Area (Mackenzie Valley Resource Management Act, SC 1998, c. 25). The board is expected to recommend a plan to the regional Aboriginal organization, the GNWT and INAC, following the sequential approval process (ibid). The five SLUPB members are expected to be neutral in their decision making, to take into consideration the interests of all parties and plan for the greater good of all Canadians (ibid). The SLUPB estimates that it is roughly one year from submitting a plan for approval. The plan will become legally binding once all three parties approve it.

The sense of urgency for the development of a land use plan in the Sahtu is less than that in the Dehcho for a number of reasons. The land use plan is one of the final implementation pieces of the land claim. Unlike the Dehcho which does not have a formalized role in the regulatory regime, new Sahtu governance bodies have been created as a result of the land claim. They have been playing a part in the regulatory process since 1998 when the regional resource management act was passed. The land claim also created three districts and seven financial bodies to service the five communities in the Sahtu. This has resulted in a dramatic increase in the administrative workload and number of meetings for leadership to attend. Given that the Aboriginal people of the Sahtu already play a role in the regulatory process and that the strains on leadership's time are ever increasing, land use planning has not been the priority that it has been in areas such as the Dehcho.

Chapter 6: Interview Findings and Discussion

Interview participants of the Great Bear Rainforest agreement (GBR), the Dehcho and Sahtu regions of the Northwest Territories shared a number of thoughts regarding the four main interview themes. The most significant and re-occurring findings regarding Aboriginal participation are presented under each of their Themes.

Theme 1: Defining Successful Aboriginal Participation and a Successful Land Use Plan
"It's a living symbol of our community... the voice of my people and nobody else" – BC3

Participants in BC, the Dehcho and the Sahtu described a successful plan as one that embraces the Aboriginal worldview and aspirations for the future, reflects the vision of their community, accurately reflects local traditional knowledge (TK), and protects the sacred, culturally sensitive and ecologically important places used by their people for generations. A successful land use plan was overwhelmingly described as a document that respectfully portrays the Aboriginal culture of the area and that documents knowledge that is quickly being lost as elders pass away and take with them oral stories that have been passed down for generations.

In the words of a previous Sahtu Chief, a successful plan will "make sure that *how* the people think of the land is reflected in the land use plan" S1 (emphasis added). It is not sufficient for a plan to simply reflect *what* people know of the land. *The way* that people think of the land is equally important. One Sahtu technical person explained that including elders' stories is critical to explaining Aboriginal concepts and laws of the land. These assertions are in agreement with definitions of traditional knowledge which describe it as a "knowledge-practice-belief complex" (Berkes et al., 2000). In other words, a successful land use plan documents local

knowledge and also offers explanations for Aboriginal practices and embeds them within an appropriate worldview and belief system.

Land use plans must find a way to reflect the Aboriginal way of knowing and of being on the land in order to capture the Aboriginal worldview and spirit. Successful participation then, must communicate these values and stories to the technical staff. A successful plan would in turn, accurately reflect the culture of Aboriginal people back at them and encourage respect for, and acceptance of, Aboriginal ways of being and knowing into the western regulatory system.

Good-bye tokenism, hello consensus based decision making

> "If you have a successful process that's inclusive and transparent, the mathematical odds are increased that the product will be successful. But if you don't have an embracive, honest and inclusive process, you may likely end up with a product that is not successful ..., the process is greater or equal to the product. " – S5

Lack of treaty in BC and the fact that land and resource management has not been devolved to the territories has tainted BC and the NWT's consultation processes with varying degrees of tokenism. A BC negotiator explained that when the province originally envisioned its planning process, it expected First Nations to be but "minor participants." On the contrary, Aboriginal groups want more than just to be consulted. They want true collaboration in decision making. One BC Aboriginal leader explained his community's view:

> "...the main objective is to try to work together. We realize the fact that the government needs income but we want to be recognized and respected. We don't want just a token partial say on aquatic resources, land resources... we want to sit down with you and try to

develop a land use plan that will recognize the needs of both groups and hope we can work together." – BC3

This sentiment was echoed in the Dehcho where, like in BC, a land claim has not been settled, leaving land ownership issues unresolved. The focus is also on using planning as a vehicle for shared stewardship and for the creation of a new governance system:

"What we envisioned was that it (the land use plan) would not address the issue of ownership but it would instill and institute a regime of land management for First Nations in the Dehcho... If our land is important to us, we need to take care of it... The Dehcho Process as I indicated, the mantra that we pushed and used was ...(that) it was not about *claiming* our own land. It was about *managing* our own land" (emphasis added). – D2

In the Sahtu where there is a settled land claim and the co-management bodies to go with it, the leadership and communities expect true cooperation in the form of consensus based decision making. In the words of a consultant working in the Sahtu,

"The Aboriginal leadership is going to want, whether they use these words or not... a consensus based process which ... recognizes that Aboriginal tradition of consensus decision making." – S8

Fundamental to the Aboriginal view of a successful planning process is the need for governments to do more than just "consult" with and listen to communities. Discussion, collective agreements and cooperative approaches are what communities seek. As one Dehcho leader put it, all parties need to be listened to and have their opinion count:

"everybody would have an equal voice at the end of the day. Government, industry and

ourselves sat down ... to come up with a land use plan that everyone would benefit from,

would be equal participation." - D5

The consensus based decision making that Aboriginal people seek does not imply

that all parties will agree with the final outcomes. Indeed, some may disagree, but all will

accept the final decisions knowing that they resulted from a process that was transparent,

inclusive and fair. It is a process where parties agree to work with one another to find

common ground and solutions to lasting problems that have not otherwise been

successfully addressed. A Sahtu technical consultant made the following distinction

between consultation and consensus:

> "Political discretion legally is (from the federal and territorial government's point of
>
> view), "the decision rests with me. I will consult you. I am consulting you and I'll let
>
> you know my decision." Consensus is "Yes, you have authorities. I have authorities ...
>
> Let's make a decision together. If can't make a decision now, we'll let you know then
>
> we'll come back to it.."... You've got to destroy all those discretions." – S8

Consultation has traditionally meant that governments listened to First Nations concerns

and then used their political discretion to make final decisions behind closed doors. Over the

years, as the definition of consultation has gained greater clarity through court rulings such as

Calder and *Delgamuukw*, First Nations have begun to demand more meaningful participation. In

Deline, where "The Water Heart": A Management Plan for Great Bear Lake and its Watershed, a

community plan was developed, elders have expressed that western laws needs to be reconciled

with Aboriginal law (2005). Elders insist that there must be "One Law" for the land and that it

should be developed collectively by Aboriginal leaders and the territorial and federal governments (ibid). Elders also insist that the days where laws were imposed on them without discussion should remain in the past. Planning processes that resolve issues through discussions will result in a higher level of satisfaction and trust for Aboriginal communities.

Ownership of the process will yield active participation

In British Columbia, First Nations take on the responsibility of developing their land use plan which then becomes their basis for government-to-government negotiations with the province. Plan development includes doing the ground work of collecting traditional land use and occupancy (TLUO) information and working with different family groups, elders and hereditary as well as elected leaders in order to document a vision and goals for the land and its people. Land use plans created by First Nations tend to be short, at approximately 30-40 pages. Speaking about its community's plan, one leader from Coastal First Nations said:

"We did our own ourselves. We did it the way we wanted to do it and it's the voice of my people and nobody else... that is what is called a true picture of what people want here and what they say should be done with the traditional territories... It's a dream that my people have that we should tell the government about." - BC3

As the drivers of the document, First Nations in BC felt a strong sense of ownership over the plans. Members of the leadership were co-authors and had invested heavily in the collection of traditional knowledge (TK) and TLUO information. This resulted in highly informed leadership and at times, equally informed and determined communities.

Similarly, in the Dehcho, the Dehcho First Nations (DFN) was the lead organization for collecting and holding TK and TLUO information. DFN involved 386 elders and harvesters in

the initial TLUO data collection. As driver of the preparatory work, DFN stayed a strong supporter of the process even after the formation of the Dehcho Land Use Planning Committee (DLUPC) which was responsible for writing the plan. Elder and harvester forums were held intermittently to review planning information. Land use planning was a high priority for the region, reflected by the fact that the DLUP was as a standing item on the leadership meeting agendas. One previous DLUPC technical staff explained:

> "We were very strongly engaged with DFN. I was at every leadership meeting every 3 months for 4 years. Sometimes it was 15 minutes, sometimes it was half a day, but I was there. The board (DLUPC) was there. My chair was the Grand Chief. My vice-chair was the Chief of Wrigley on and off. We had really strong ties with the leadership." – D3

In the Sahtu, some TLUO mapping of traditional trails was collected in the 1970s and 1980s but since the Sahtu Land Use Planning Board's (SLUPB) establishment in 1998, the bulk of the TLUO and TK collection was carried out by the board. The SLUPB also drives the development of the land use plan. Although the SLUPB is a tripartite board, the process is sometimes regarded by community members as being one that is imposed from the outside. There is a general sense of mistrust about how information will be used by non-locals but when undertakings are regarded as owned or driven by the Aboriginal communities themselves, people hesitate less to participate and feel like they have a vested interest in the success of the plan.

Theme 2: The roadmap to success

The cases in the BC, Dehcho and Sahtu interviews, one roadmap to success has been chosen for each region to demonstrate a successful plan with successful Aboriginal participation. There is not one recipe for success but noteworthy themes run in each of the cases.

BC example: Kitasoo Indian Band land use plan – BC3

Table 6. Kitasoo Indian Band Roadmap to a Successful Plan and Participation

Step 1: It Starts with a Leader	In the 1970s, tired of having others plan the use of his traditional territory, a Chief in a coastal community 200 strong decided to create a land use plan to tell the government what his people wanted.
Step 2: Identifying Traditional Boundaries	In travelling to other communities, the Chief and Band Manager come across a TLUO map. They decided to replicate this for their community and began by identifying their traditional territory.
Step 3: Undertaking TLUO Mapping and Considering Management Options	The Chief and Band Manager bought a tape recorder and began house visits to identify traditional family areas, subsistence use areas, areas that should be protected, and the reasons why. Community support over 10-12 years and minimal funding helped complete the process.
Step 4: Community Support	Continued community interest, resulted in "beautiful" turn-out at all meetings. The Chief and Band Manager worked with nearby communities to draw boundary lines, resolve potential overlap issues and a consultant was hired to pull the information together. The community conducted a page by page revision of the plan.
Step 5: Getting Stakeholders on Side	Once complete, the community courted ENGOs over 2.5 years and industry for another 2.5 years until they also backed the plan.
Step 7: The Coalition	The community found out about, then joined Coastal First Nations.
Step 8: Government-to-government	The community is now engaged in government-to-government negotiations. They are one of the first communities in BC to have

Negotiations	completed their land use plan. The community continues to support the process lead by the Band Manager who has been serving it for 45-50 years. The Chief has since passed on.

Dehcho example: The Dehcho Land Use Plan & the community of Kakisa's process.

Although the Dehcho plan has not yet been approved and is entering its fifth year of negotiations, the level of Aboriginal participation was considered successful by the leadership. The table below includes some portions of the Dehcho Process, the negotiations on land, resources and governance between DFN and the territorial and federal governments (Dehcho Process Negotiations, 2007). It provides insights into the preparatory work that later guided the plan.

Table 7. The Dehcho's Roadmap to a Successful Plan and Participation - D1/2/3/4/5

Step 1: Elders treaty study (1993-95)	In preparation for land claim negotiations, DFN conducted a study to record its elders' understanding of the agreements made in Treaties 8&11.
Step 2: Dehcho Proposal (1997)	The Dehcho Proposal is an assertion of unceded territory and of the people's relationship to the land. It outlines the structure for a Dehcho government and articulates their position, in anticipation of negotiations.
Step 3: TK & TLUO Collection ('97-'02)	DFN was the lead on a TLUO study that involved 386 interviews with harvesters and elders. DFN remains the holder of the data.
Step 4: Interim Measures Agreement (2001)	In 2001, DFN, the GNWT and Canada signed an IMA with provisions for the development of a land use plan. The IMA however, is not legally binding on the governments and as a result, neither are its provisions.

Step 6: Dehcho Land Use Planning Committee (DLUPC) ('02-'-06)	The DLUPC was modeled after the planning boards in settled regions (eg. the Sahtu). DFN and communities strongly supported the planning process. During its four years of development, the plan remained a standing item on all DFN meeting agendas. A plan was completed and approved by the people of the Dehcho in 2006.
Step 7: Elders and Harvesters Forum ('02-'06)	The leadership would call upon an elders and harvesters forum when needed. The forum would meet prior to leadership assemblies to discuss issues of importance. Elders were likened to appointed members of the senate, with almost as much influence as elected leaders.
Step 8: Negotiations (2006-present)	The DLUPC, the GNWT and INAC are in the process of negotiating changes to the plan.

The leadership from the community of Kakisa also shared their engagement process. Two factors are of significance:

1. Kakisa has a committee that meets to review information, solve problems and provide feedback to council on land use related issues. It guides decisions such as identifying areas for economic development or conservation and responds to land based concerns.

2. Council is made up of the Chief and four members, one or two youth, and four elder advisors. The 12-15 elders of Kakisa appoint these elder advisors. The advisors are expected to attend all meetings and provide guidance to the leadership. This practice has been "going on forever" and is a result of elder direction. - D5

Sahtu example: Great Bear Lake Watershed Management Plan in Deline. – S8

The community of Deline is located on Great Bear Lake. It completed a community plan, "The Water Heart: A Management Plan for the Great Bear Lake and its Watershed" in 2005. Although the process was conducted outside of the Sahtu Land Use Planning framework, it was highly successful from an Aboriginal participation point of view and provided the SLUPB with a solid foundation for understanding Deline's goals. The planning team was referred to as the Great Bear Lake Working Group (GBLWG). It consisted of 20-25 Deline elders, Deline leaders, government staff from territorial and federal permitting agencies and members of other co-management boards. The team hired a facilitator to help them plan.

Table 8. Great Bear Lake Watershed Management Plan

Step 1: Planning the Plan	The GBLWG discussed what the process would look like and how planning would take place: participants, resources, timeline, how people will participate, the plan's components, etc.
Step 2: Setting the Framework	The facilitator was asked to interview Deline elders, leaders and government employees to elicit their interests and propose a planning framework. The legal context within which the plan was being developed was clarified.
Step 3: Agreeing on Consensus	The facilitator solicited the government authorities to agree to a consensus based process. To the extent possible, parties agreed to resolve issues through discussion and shared problem solving.
Step 4: Eliciting Interests	The facilitator spent time eliciting, and helping participants work through multiple competing interests. Concerns morphed into interests which formed the "eyes of the plan".

Step 5:Ordering the Plan	The group identified main themes/chapters for the plan which were organized into a logical sequence and dealt with at workshops over the next 3 years.
Step 5: Elders in the Lead	A core group of 20-25 elders drove the planning process. The facilitator held a pre-workshop meeting for elders to giving them a chance to work through concepts and the context.
Step 6: Workshops	Workshops lasted 3 days and dealt with a specific topic or theme. Through discussion and consensus the group developed the meat of the chapters.
Step 7: Drafting the Chapters	After each workshop the facilitator would take the group's findings and draft sections of the plan. At the next workshop, the group would revise the section.
Step 8: Finalizing the Plan	Deline completed its plan in May 2005 and handed it to the SLUPB as the land claim acknowledges one regional plan. In September 2010, the community was pleased with the integration. When the Sahtu plan will be approved, incorporated parts of the Great Bear Lake plan will be too.

Common threads and observations from the "roadmaps to success"

A number of aspects in the roadmaps re-occurred or were valuable as observations:

1) Strong leaders can initiate, carry through, and bring a process to completion.

2) Having a guiding vision or document helps a community work towards a goal. Examples include the Elders Treaty Study and the Dehcho Proposal or the elders' vision in the Great Bear Lake (GBL) example.

3) The BC and the GBL examples operated to a certain extent, by consensus. In GBL, this was the case, insofar as governments would agree to consensus. The Kitasoo Indian Band will take part in government-to-government negotiations which approximates consensus, based on the explanation given under Theme 1.

4) Community support is vital for providing feedback and maintaining leadership focus.

5) A dedicated group of elders, harvesters, and other knowledgeable people provides a structured approach for decision making ensures continuity of understanding throughout the process and provides leadership with guidance and expert advice.

6) A planning framework that includes "common concepts", interests, or chapters helps structure the development of a plan. A framework also allows participants to know "where" they are in the process and guides participation. Begin with concerns and allow them to develop into interests. Then let the interests lead to planning goals.

7) Collaborative approaches with stakeholders give a plan more support. In BC, First Nations approached the ENGOs and industry. Deline's Working Group consisted of representatives from most parts of the regulatory regime.

Theme 3: Challenges to Successful Participation

Capacity issues (fiscal, technical, leadership & political limitations)

Limited capacity is one of the most often quoted challenges in the North and it has many facets. Fiscal and technical capacity are related because they both involve the level of qualified staff that can be hired, the number of meetings that can take place and the resources available to organizations. Small, isolated communities generally lack the in-house technical expertise to collect the TLUO and TK data and author a plan or to review detailed plans and explain them to community members. A lack of trained and experienced staff affects the level of comments that can be submitted to planning boards on behalf of the communities. In the case of the Kitasoo Indian Band, the TLUO data was collected by the Chief and Band Manager on their own time over the course of twelve years but at the end of the process a consultant was hired to "put it in black and white paper form" (BC3).

In the NWT, land use plans are written by technical staff and in general, the more technical a document, the more difficult it becomes to engage people. One Sahtu leader commented on Draft 3 of the Sahtu Land Use Plan that is over 300 pages long: "You know, having a big complicated document, I'm still trying to figure out what it says. I'm university educated. I'm having a tough time with it." S1. Another Sahtu leader who has worked for years with the federal government explained:

"by necessity... the land use plan... is a very technical agreement... if you're going to develop a conformity requirement... that governments in particular or industry have to take certain measures, you really need to put it in technical legal language... Even I at times, find it very difficult understanding and trying to connect all the technical stuff in the plan." - S4

This adds to the challenges of involving leadership and communities in understanding the complexities of the land use plan and staying engaged throughout the process.

Another capacity-related challenge is that of high leadership turn-over and the loss of elders. Over the past 15 years, a number of the elders that participated in the Dehcho treaty study, TK and TLUO collection and land use plan have since passed on, leaving a gap in continuity of history and stories from the land. As communities lose their elders, the leadership find themselves with a weakened guiding voice as elders played a strong role in providing a vision and goals for plans.

With respect to leadership, the Coastal BC and northern communities are small. At a few hundred to roughly one thousand people each, the number of leaders per community tends to be limited and overtaxed. Northern participants mentioned that stress and burn-out can create a

revolving door of leaders. In such cases, a degree of institutional memory and understanding is lost every time there is turn-over. With a planning process that is entering its thirteenth year in the Sahtu, and with only one approved plan throughout the Mackenzie Valley, leadership is a significant issue.

Politically speaking, one of the big challenges in BC was the potential fracturing of the coalitions. The only thing keeping the coalitions together was the fact that none of the First Nations had succeeded in enhancing their socio-economic and environmental situation on their own. In the words of a BC negotiator,

"It's almost a miracle that they (the coalition) have lasted as long as they have because the reality is that any time after every election or on any bad day, a nation can leave a coalition. The coalition is like a bicycle. Unless they are moving forward it's going to topple. Unless they are actively involved in a governance system that's delivering things to the nations that they otherwise wouldn't get, then they're going to disintegrate because they've lost their purpose." – BC2

In the Dehcho, ten communities stayed on the same page throughout the land use development process but internal conflicts were managed. One leader explains that,

"At the last moment before we signed the IMA, of course, we had internal dissent from one community. We had to deal with that and we had to of course, accommodate their interests." – D2

The risk of political fractioning is always a possibility. It takes strong leaders to keep a region focused on the end goal.

A bureaucratic world of silos

Western bureaucracy divides related issues into silos of isolated government departments that work alongside one another on similar, yet artificially distinct topics. This is oftentimes confusing and redundant for Aboriginal people. In the NWT, land claim created organizations has drastically increased the number of meetings and requests for consultations, often causing confusion regarding the purpose of the meeting. A technical person with about 30 years of experience in the North explained:

> "When we started land use planning in Baffin Island in 1986, it took about 2 years just
>
> for the working groups that we established in each of the communities to really
>
> understand that what we were doing was not land claims... The amount of time needed
>
> for building understanding was considerable. The lack of experience in doing this stuff is
>
> an impediment" (S5).

This was apparent in the Sahtu, in the only area that has a settled land claim:

> "Everything is segmented. In the old days when the community was small, we would
>
> have 1 big meeting, maybe 2-3 times a year and that was it. We didn't have to go to
>
> meetings everyday and say the same things every day with no guarantee that you were
>
> going to be listened to." – S1

Community members have the impression of going to meetings and "say(ing) the same things every day" without perceiving any changes or improvements. For example, it can be confusing to community members that land use planning relates to land *use* but not to land *ownership*. It is also confusing that the Department of Fisheries and Oceans is concerned with fish stocks, but that Environment Canada is responsible for water quality. Aboriginal people see

the land as whole, and its pieces as interrelated. The result is that meetings begin to feel redundant and frustrating because participants feel like they are discussing the same thing every time even though they may be meeting with departments that have different but related mandates. This can lead to serious barriers to community consultations.

My experience in the north is that communities often equate "consultation" with acceptance of recommendations. Under such circumstances, unless communities get exactly what they asked for, there is the perception that they have not been listened to. When community members do not feel like their input will be seriously considered, leadership are taxed with too many meetings, the distinction between meetings is not properly understood and are regarded as redundant, you have a recipe for poor participation and low meeting turn-out which can be the death of the participatory planning process. The solution to this challenge will in part, lie in a pre-planning phase that explains the purpose and process of planning.

Competing interests

> "You can't assume that one region is similar to another. The common principles would
>
> cut across but the local realities differ... It's getting more and more difficult to do land
>
> use planning due to the complexity and the nature of the issues and the jurisdictions and
>
> the number of organizations and interests reigning or relevant in a given region." – BC2

Within the BC coalition and the Dehcho and Sahtu planning regions, a common challenge for participation and a successful plan were the competing interests that exist within and among communities and leadership. Within a community there can exist a pro-business lobby and a conservation front. Some communities may be catching up on basic infrastructure while others may be more concerned with managing industrial development. Within the leadership there are

differences in political personalities, aspirations and drivers. For example, elders generally have a more conservation based approach but business development leaders are expected to provide employment opportunities for community members. Among leadership, there are differences in political cycles and goals for their communities. All of these differences make it so that at any given time, there is a multitude of interests that need to be met. Add to this the fact that planning also needs to arrive at a balance between planning partners (Aboriginal organization, territorial and federal governments) whose values might be significantly different and there may be a multitude of interests and concerns that will need to be met in the plan.

Theme 4: Solutions

A number of solutions were offered to tackle the challenges mentioned in the Theme 3. A solution was not offered for every issue but some evolved and unexpected insights surfaced.

Government policy as a driver

"As individual First Nations we didn't have anything particularly special that government was paying much attention to. When we came together they found us attractive for a couple of reasons. One, we now had more political power but second, we're more efficient and they like First Nations to be efficient." – BC1

Coastal First Nations played a significant role in the success of the Great Bear Rainforest (GBR) agreement through its negotiations with stakeholders and the BC government. According to a BC negotiator, the coalition was appealing because "from a provincial perspective, they (BC) didn't have the time, the money, or the patience" to negotiate numerous plans or overlap issues between different First Nations. With 203 First Nations across BC, larger agreements with a coalition that covered a greater scope and scale were more appealing than tiny agreements with

individual First Nations. The provincial government adopted the following policies favouring collaboration between First Nations:

1) First Nations that remained in Coalitions were offered collaborative management and a role in the regulatory regime. According to the BC negotiator, for First Nations that "wanted to go alone, the province basically treated them according to the legal minimums. So there was a carrot, a reward for staying in groups. And it was more business as usual if you didn't. That was a deliberate policy because fundamentally the nations themselves had to come to agreements with their neighbours." – BC2

2) If First Nations with overlapping territories could resolve issues amongst themselves, the province would accept their agreement. Where First Nations could not reach agreement, the province would impose its decision on the overlap area.

The BC situation indicates that government policy intentionally encouraged collaboration between Nations while providing a strong disincentive to work in isolation.

Addressing limited capacity

With respect to fiscal challenges, Coastal First Nations seeks its own funding and does not rely solely on provincial funding. First Nations and ENGOs sought funding through private donations to set up the Coast Opportunities Fund, which will provide capital for the development of an alternative economy (Smith, Sterritt & Armstrong, 2007). The Governments of BC and Canada both contributed $30 million but the remaining $60 million was successfully raised by ENGOs and the First Nations through private donations (Smith, Sterritt, Armstrong, 2007).

Alternative funding sources have allowed Coastal First Nations in BC to "dream larger" than most Aboriginal groups due to the funds that they and the ENGO communities have secured.

Go for gold – only hire the best.

Like other First Nations groups, within Coastal First Nations, "fiscal, political, technical capacity were lacking" however, one of the coalition's strategies is to hire only the best talent:

> "...we didn't go for low level capacity. We found people who are tremendously skilled. If they happened to be native that was fine. If they weren't native that was fine too. Capacity was the issue. My right hand man was the former Deputy Minister of Forests in BC, Education, Aboriginal Affairs. He was the Regional Director General in Alberta and Ontario for Indian Affairs. He was Deputy Minister of Indian Affairs at one time. So we have a particular set of connections that he was able to make." – BC1

> "The lawyers that won the Delgamuukw case, the Taku case, all those, they're our lawyers. Those are the lawyers that we use, the ones who created all the case laws. So it gives us the courage with that kind of a background, to move forward." – BC1

Coastal First Nations was able to attract top talent because the scope and scale of their negotiations is larger than that of individual First Nations. Rather than hiring a large team of full-time staff in the downtown Vancouver office, Coastal First Nations runs dozens of contracts at a time, spreading technical capacity across the communities. A coalition leader commented on the relationship between capacity and funding:

> "We have a person who's kind of a project manager who's very diligent, as bad a bureaucrat as any. It is this capacity that enables BC to look at us and say, "These guys

have got it together. They have good governing structure. They have good habits. They're responsible for what they do. They do good reporting." As a result…, BC has categorized us as a grantee organization… They don't do it just by way of contribution agreement… Grants allow you to do things your way... I think it has a lot to do with our ability to be disciplined politically and certainly (our) competency." – BC1

The recruitment of highly qualified, responsible and accountable individuals has earned the coalition a reputation for good governance which has evolved into a cycle of funding from the provincial government. Hiring top talent has also allowed Coastal First Nations to wage a more sophisticated campaign and to play hardball politics by taking advantage of their top talent's connections. This is further elaborated upon in Political Stickhandling.

Build political capacity through collaboration with stakeholders.

First Nations in BC initially sought to build their political power base through collaboration with stakeholders but as they gained influence, by the mid-2000s, First Nations became "deeply concerned" that the BC government's freedom of action was constrained by stakeholder influence. Irrespective of how power balances tip, trust building and collaborative discussions between multi-party interests are vehicles to resolve long standing areas of conflict. The Coalition initiated dialogue with stakeholders which eventually resulted in the new LRMP framework for the Central Coast. Across the country, where First Nations initiate partnerships with stakeholders, they will be able to do so under their own terms and negotiate the parameters of the agreements. In the words of a Coalition leader,

"It takes a lot of work to build those relationships - to be able to trust people. It's not easy. But we've spent dozens and dozens of committees and thousands and thousands of hours building relationships." – BC1

A coalition leader elaborated on collaborating with stakeholders and relationship building:

"In BC, we have... Delgamuukw... Haida... Sparrow..., all kinds of court cases that give us legal rights but it doesn't necessarily give you political power... We went out and did deals to marry our power with other groups that had certain kinds of power. The first group that we worked with is the environmental community." – BC1

"The coalition initiated all those relationships. As First Nations we went out and sought out everybody in industry... We sought those people and developed our protocols with them. We didn't wait for them to come looking for us. We didn't wait for government to deal with them. We dealt with them directly." – BC1

"The larger your group is in BC the greater your chance of success. The more relationships you have with industry and the ENGO community, the greater your chances of success as well... Almost every day we have the environmental community through here. We make sure they're aware of what we're doing and whenever we need help to push through an issue we have a group of people that can do it along with CEOs of major corporations... All these people ...support what we want to do. Generally by the time we're finished land use planning there isn't a lot to reconcile. We get so much support for what we're doing, government says, "You've already done all our work for us. Let's just sign the thing off." – BC1

This last comment may seem hyperbolic but a power shift occurred in the 1990s during the peak of the GBR campaigns. According to a provincial negotiator,

> "The reality is that the environmentalists did a brilliant job ... and the province lost its practical jurisdictional authority on the land based because they could tell the forest companies how to log but if the forest companies couldn't sell it in any foreign market because the environmentalists would go after them then what would it matter?" – BC2

Coastal First Nations emerged during the years when the GBR campaigns had to a certain extent, marginalized the provincial authority to dictate the management of resources. The power shift created by the ENGOs provided First Nations with a gap to fill. It was not until Coastal First Nations, the ENGOs and industry collaborated on a new framework that the Central Coast LRMP got under way again.

The Dehcho and Sahtu processes could benefit from more direct collaboration between First Nations and other stakeholders. Currently the DLUPC and SLUPB act as neutral facilitators for the respective planning processes. The opportunities for dialogue are few as most parties communicate their concerns directly to the Committee and Board. The GBR suggests that multi-stakeholder meetings where participants negotiate resolutions based on interests and not positions, may be an effective way of building trust and common ground.

Working towards a vision

> "It's easier at one level for a nation to put together its own land use plan. And that becomes the embodiment of a vision. You know, the history, the vision of the elders, and other influential chiefs in the community. And you may not get everything that's in your land use plan when you negotiate with the rest of the world ... but that is your vision of

what it means to be your people in your territory. How do we know whether we got 50%, 60%, 80% or 5% unless we define who we are on our territory and how our territory ought to be managed to meet our cultural, historical and economic needs?" – BC2

In BC each of the First Nations was expected to develop its own land use plan as a table document for government-to-government negotiations. As described above, this gave First Nations the opportunity to tell the government what they wanted and express their vision and dreams for the future. This was done with the understanding that only parts of the document would be approved but in the absence of an existence affirming document like treaty, First Nations wrote their plans to tell the story of their people and assert their presence on their traditional territory. In the Dehcho where there is also no land claim, the land use plan also documents the Aboriginal people's existence on the land, their knowledge, history and stories. In the Sahtu however, the vision of the land use plan was formed by the SLUPB staff based on a number of visioning workshops. This may be related to the fact that the Sahtu has a settled land claim which already asserts the existence and occupancy of Aboriginal people in that part of the land.

Consult frequently

"(The Committee) always said that every 6 months you put a plan out otherwise you lose people... The thinking was that if you couldn't keep people engaged then you would lose them. It was a constant cycle of revising (the plan) and consulting. The timeline is a huge factor in engaging people." – D3

In the NWT where plans are often planning board driven exercises retaining community interest results in better participation at public meetings. One of the strategies in the Dehcho was

to bring a new product into all ten communities every 6 months. This keeps the plan relevant in people's minds, builds confidence in the process, and allows communities to feel that progress is being made. In the Sahtu, the trend over the last three years has been to release a draft every year however this is occurring at the tail end of what is becoming a thirteen year process. The organizational challenges that plagued the Board are in the past but building community trust and regaining leadership support has required effort.

Strength in numbers

> "...we were all basically failing at the treaty negotiations and we had a better chance of moving forward if we all worked together." – BC1

In BC, First Nations came together because continuing with the status quo was no longer an option. A decade earlier when there had been high hopes for treaty, the challenges of collaborating with nine other First Nations might have been less palatable but by the late 1990s, the conditions to support collaboration were in place. The following quotes explain some of the reasoning for standing together under the umbrella of Coastal First Nations.

> "We have really strong ... First Nations. They do well on their own but they also realized that as tough as they were, they were a hell of a lot tougher together. Another thing people don't understand – we're four different language groups. We don't even speak the same language. To set aside that... and come together and work together is pretty phenomenal." – BC1

> "We have overlaps everywhere. That's a huge challenge for First Nations. The irony is most of the First Nations in our room recognize that they're stronger together. Outside the room they duke it out as much as they ever did...

We will set up bilateral meetings if one First Nation has problems with another over a territory. We've hired professional facilitators...We'll bring in people that people respect to try and solve differences we have amongst ourselves. We never let our problems get out of our room." – BC1

The bilateral meetings between disputing Nations helped maintain group cohesion and resolved issues that had not previously been successfully addressed. As mentioned above, the provincial incentive of increasing the scale and complexity of the coalition's negotiations allowed them to draw highly qualified individuals. These same individuals would not likely be drawn to the negotiations of an individual First Nation even if they had the resources to hire such talent because the scope of the agreement would be significantly more limited.

From 2002-2006, during the plan development phase, Dehcho First Nations (DFN) was also very united. A previous technical staff explains that:

"DFN was just one regional office and they were a force to be reckoned with. I think there's a lot to be gained from keeping your power centralized in a central office. They had a lot of power because they had not signed their land claim and they had more power because they had not signed on the pipeline." – D3

In addition to the regional office's political strength, the ten Dehcho communities were recognized for standing united as a region. One leader commented,

"we soon realized that there weren't just ten separate little communities. This work (TLUO data collection) had, in the earlier stage, told us that in fact we were dealing with one large community." – D1

Although groups will find that there is more political strength in larger numbers, alliances can be difficult to maintain. As demonstrated in BC, one way to ensure continued collaboration is to seek impartial facilitators and to hire talent that community members and leadership trust in.

Let the elders drive

All interviews emphasized the importance of having a process driven by a strong group of elders. Elders can potentially address the challenge of competing interests by providing a guiding vision and goals for a region and its people. In BC, it was the elders and the hereditary and elected Chiefs who mostly developed the vision for the plans. In all regions, elders were also the holders of knowledge, or the "professors" of culture, tradition, and the ways of the land. Elders provided unwavering direction for leadership to follow and according to a Dehcho leader, elders were "very pure in terms of what they wanted us to do... We didn't need any help because the elders reminded us... what we had to aim for." - D2

My experience in the North has been that when a group of elders drives a process, people automatically attribute a certain level of importance to the undertaking and trust in the process. In the Dehcho, the elders and harvesters forums that were held before DFN assemblies helped to build trust and ownership in the planning process. A negotiator in the Dehcho Process said,

> "in a lot of ways, the lead were elders. And so leaders and general community members said, "Elders are involved in this. It must be important. Let's get involved.""

In the Sahtu, the community of Deline had a core group of 20-25 elders that drove the Great Bear Lake Watershed planning process. A technical person said:

"They're strong elders. They're committed, reflective and the people listen to them. So the president of the land corporation, the Chief of the First Nation, president of the Renewable Resource Council (RRC) listen to them. And in fact, the RRC board is mostly elders. So that was the main driver of the whole thing... my job became just to give those elders a voice – to find ways in the English language to give them a voice." – S7

I have been told that elders "speak the truth" but perhaps equally as important, I have found that elders also teach virtues such as compassion, understanding, truly listening and collaboration. In doing so, regions that are lead by their elders are also blessed with mediators who can resolve in-fighting and bring unity back to a region. In an exercise such as land use planning that is fraught with decisions regarding resource allocation, resulting in the creation of winners and losers, internal mediators that can bring calm and focus back to the process are invaluable. Although Deline had a strong representation of elders in the development of their local plan, the Sahtu region has a less formalized involvement of elders and as a result, has a less defined vision and end goal. This may also be due to the Sahtu's thirteen year planning process.

Courageous leaders

Coastal First Nation was born out of a combination of circumstances and a product of leaders who believed in the process and were courageous enough to insist on creating change.

"I think we (Coastal First Nations) were blessed with pretty courageous leadership as well. When we began there were about three other communities that were part of us. The others didn't have the courage to move forward like our coalition did... The reality is they were skeptical of each other. They didn't have the kind of courage that our group has. It takes a lot of courage to make change." – BC1

"Another thing that the Chief was aware of and that he did not feel good about was these logging licences. There was one that went right across our territory here, our home. It was out for bids but the Aboriginal people were not allowed to bid on their own. He didn't like that one bit... we came to the conclusion that maybe what we should try to do ourselves is develop a land use plan. We didn't know it was going to be successful. But how do you expect the government to know how you feel unless you tell them?..

...the chief also said to me, "Why should the outfitters, why should these guys decide how they're going to use our traditional territories? Why don't the owners do it? We're the owners. We should do it ourselves and tell them what we want done." – BC3

Although courage in leadership is not a factor that can be controlled, it is important to recognize that a handful of strong leaders can effectuate change by envisioning a different reality and giving their people the determination to strive towards a goal. In Hidden Connections, Capra states that the traditional idea of a leader is a person who has a vision, articulates it clearly and communicates it with passion and charisma and who embodies values that act as a standard for others to strive for (Capra, 2002). He then distinguishes between another kind of leadership, one where the leader facilitates "the emergence of novelty", "creating conditions rather than giving directions, and using the power of authority to empower others" (Capra, 2002, p. 122). Courageous leaders have the ability to see a better future and create the conditions for their people to empower themselves. Coastal First Nations seems to have been led by some such leaders who have created conditions rather than giving direction for others to empower themselves.

Additional Insights

A number of additional insights followed from the interviews but did not relate to any of the four themes. They are included below.

Plan to Plan

"The first task in any large planning process is to design or plan the planning process... to stop and reflect a little with people, facilitate their reflection on how we're going to do it... Who's going to take part? ...What organizations... What resources are there... What's the timeframe... What are the main themes/chapters ... That to me, as a planner, is what the planning process needs to go through to avoid it becoming chaos. Usually you're dealing with huge amounts of information and people need to be able to sort that information so the Aboriginal community can remain master of the process and not go, "What's going on here"?" – S8

The case has been made to spend time before engaging in planning to discuss concepts, purpose, process, and the context within which it takes place. The rules of engagement in BC were clearly understood by all parties. This took place to a certain extent in the Dehcho however the process was well understood because DFN and the leadership made planning a priority. Within the Sahtu, some preparatory work had been done in the late 1990s and early 2000s but the process dragged on for so long that the public's current understanding is diluted by years of waiting. The people of the Sahtu have a general sense of planning but fundamental misunderstandings exist and can hamper participation. For example, a leader explained that some of the confusion was as basic as,

"Some people don't want to jump on the plan because they see that as giving up something... You have to emphasize that they're not giving up anything. Or they feel that they're giving up decision making." – S6

It will be important to keep clarifying the purpose and context of planning throughout the process. As a Planning Board staff member in the Sahtu, I experienced communities treating the planning process as one imposed on them by government. This can result in degrees of suspicion and a reluctance to participate. In reality, an ex-Sahtu leader stated that, "the idea of coming up with a land use plan is in the Sahtu land claim. Obviously it was asked for by the Dene and Métis negotiators at the time" - S4. Basic contextual misunderstanding such as these are best addressed at the beginning so that the process does not get stalled once planning gets underway. An ex-Sahtu leader recommended the following:

"The key to success is to ensure that the process of land use planning is user-friendly ... that community members,... leaders, harvesters, elders, understand from the get-go what the overall objective of doing a land use plan is; ... how a land use plan comes into effect,... how it is approved... a lot of work has to be done in the front end, in particular by the community leadership to get their membership, the public at large, ready for when those who are developing a land use plan come in to consult and seek direction from the community." – S4

It has been suggested that the preparatory phase could take anywhere from 3 months to a year and may help lay the framework for, and drive informed participation. Interview participants have suggested that the highly technical nature of planning may act as a barrier to participation and discourage leadership from getting involved (for fear of appearing uninformed)

and act as a deterrent for community members who may intimidated by the topic. There is no easy way to address the technical nature of planning but informed communities will be better prepared to process information than those that have not had the benefit of pre-planning meetings.

Governance is really what matters

> "What's interesting when we talk about First Nations land use plans and land management, the land use plan is part of what you need when you build that. The plan itself isn't the critical thing. The critical thing is the governance system. I think that's what's really critical." – BC2

It became apparent in BC and the Dehcho that First Nations' primary motivation for undertaking land use planning was to gain a formalized role in the management of land and resources. The development of a new governance model creates lasting opportunities for shared stewardship. In BC and the Dehcho, First Nations had limited power in decision making regarding their land and resources. As a result, they were primarily interested in developing a new relationship with government(s).

The situation is different in the Sahtu where the land claim has created a co-management regime. Sahtu participants may be seeking greater involvement in land and resource management through the development and eventual implementation of their land use plan, but their new governance role was formalized in the Mackenzie Valley Resource Management Act (MVRMA) of 1998 (SC 1998, c. 25). The MVRMA established two tripartite boards, Sahtu Land Use Planning Board and the regional permitting agency known as the Sahtu Land and Water Board and specifies the role that Aboriginal organizations play in the regulatory regime.

The significant difference between the three regions is that the Sahtu already has a formal process of participation. Aside from identifying specific lands for conservation and imposing additional protective conditions on the land, the land use plan does not provide opportunities for further gains. It can be implied from each of the region's respective levels of participation that BC and the Dehcho felt that they had more to gain out of the process. This might serve to explain some of the discrepancies in priorities and participation across the regions.

In both BC and the Dehcho, First Nations tried to use their land use plans to negotiate a new governance regime. With time, land use plans will change and morph but as the quote above states, a new governance regime is what matters most. In the absence of treaty or a land claim, a new relationship creates a power shift, giving First Nations some of the power to share in decision making.

The Coastal First Nations successfully introduced a new system of governance with the government-to-government negotiations (Smith, Sterritt & Armstrong, 2007). The new management approach, Ecosystem Based Management (EBM), has a more appropriate fit with First Nations worldviews. EBM takes a holistic approach and requires that all decisions be made based on socio-cultural, ecological and economic bases. It requires that affected First Nations benefit fairly from economic development and advocates the use of the precautionary principle (Ecosystem Based Management, 2004). First Nations continue to be actively involved in decision making, throughout the current implementation phase, and through co-management agreements in Conservancies. Conservancies are a new category of protected areas which unlike parks, protects areas from development without limiting First Nations traditional activities. Land use plans then, in the eyes of Aboriginal groups, can serve as vehicles for moving forward the development of a new governance structure in the absence of land claims or treaties.

Proper political stick handling

"Making things politically attractive are not easy but we do a few things that other First Nations do not. We have a law firm that works for us. The head of the firm is also the chief fundraiser for the Prime Minister and the Premier. There will be times when we absolutely need something done politically and we'll pull out all the stops...I don't mean we do a bunch of saber rattling. We don't threaten them. We get in the room and get our issues made number one priority of the day. There's a different way that politics work when you're in business and when you're in politics. We've been using the business way of moving politics ahead. – BC1

There is a reason that the BC negotiator said, "as a provincial negotiator, it was a colossal pain in the ass to negotiate with coalitions because they were far more sophisticated and savvy and much more difficult to get to agreement" - BC2. Coastal First Nations was more politically and strategically sophisticated than individual First Nations negotiating on their own. They also made use of their connected talent to pull political strings when needed. In essence, they conduct their organization like a business, relying on political connections, business acumen and negotiations know-how to advance their cause.

In this sense, there is no similar organization in either the Dehcho or the Sahtu. The Dehcho has DFN which has been described as "a force to be reckoned with" during the early 2000s. It was a significant repository for planning information and communication exchange among community leaders but it did not have the resources to hire top talent to

run a political process. DFN's strength came from staying united and by being driven by the same goals.

With respect to the Sahtu, although the Sahtu Secretariat Incorporate (SSI) is the Aboriginal organization given approval power for the land use plan, it does not necessarily play a political or strategic role. The Board has been told on a number of occasions that the decision making power lies not at the SSI level but in each of the communities that make it up. This is most accurately reflected in a comment made by one leader at a land use planning consultation meeting when the Board was told that SSI is not an organization per se, but forms when the communities meet together (Anonymous, personal communication, October 19, 2009). This view of decentralized political power limits the potential for what can be achieved at the political level. In comparison to BC, although the coalition will spread its technical and financial resources across the communities, it is the coalition that wields the collective political power.

The challenge for each regional organization, whether it be the coalition, DFN or the SSI, will be to produce benefits for their people while creating a forum for gaining political, strategic, and technical strength and know-how through a pooling of influence.

Share the Wealth

Coastal First Nations has been together for over a decade and has lived, year after year, past its annual sunset clause. Last year, the board voted to completely remove the sunset clause, trusting that the Coalition will continue to serve its function. Coastal First Nation leadership attribute the coalition's longevity to its policy of building capacity in communities as opposed to competing for resources to build the coalition into an empire - BC1. The coalition was

envisioned as a short-term vehicle to provide long-term fixes for coastal communities, which is reflected in its barebones staffing levels at the downtown office but numerous contracts in the communities. One coalition leader explained the key to the coalition's longevity:

"Most First Nations organizations find their regional organizations become the competition for the individual First Nation. They always end up competing for capacity, resources, you name it. There's always a bit of empire building at the nations level...

I've been the head of two other tribal councils in my life and they were always there to be kind of self serving and make sure that they had enough money to look after themselves and the First Nations came second. We're the opposite. We're the barebones group. If the communities decide they want us, they have money, then they approve it at the board. The 2 tribal councils that I was head of don't exist anymore. They've gone away because they began to look at themselves as something separate from the First Nations." – BC1

Again, there does not appear to be an equivalent organization in either the Dehcho or the Sahtu. I have some familiarity with the Sahtu where I work and live and can provide personal reflections. The federal funding for the seven land corporations (financial arms of the communities) is funneled through the SSI. I have heard Sahtu leadership voice concern regarding the disbursement of funds through SSI. Let us refer back to a comment from a BC negotiator where he compared the coalition to a bicycle. His comment was that the coalitions could topple over any time if they are not moving forward and providing direct benefits to the communities. Perhaps the communities' scrutiny of SSI's budget is related to a lack of perceived benefits. Were SSI able to provide the benefits that the coalition is providing, communities

would perhaps have a different response to a larger budget. However, it will be challenging for SSI to provide greater returns on their deliverables if they are not given a more significant budget. This is a classic example of fiscal and technical capacity issues affecting governance issues and resulting in less than optimal participation on behalf of Aboriginal communities.

Chapter 6 was mostly concerned with reporting and interpreting the findings from the interviews and the case study. Chapter 7: Deriving Meaning and Explanation, seeks to make sense of the findings and offer suggestions on the approaches that could be used to create enabling conditions. It is essentially a synthesis chapter where the findings are filtered through my understanding of the northern planning situation and distilled into ways to create enabling conditions for Aboriginal participation.
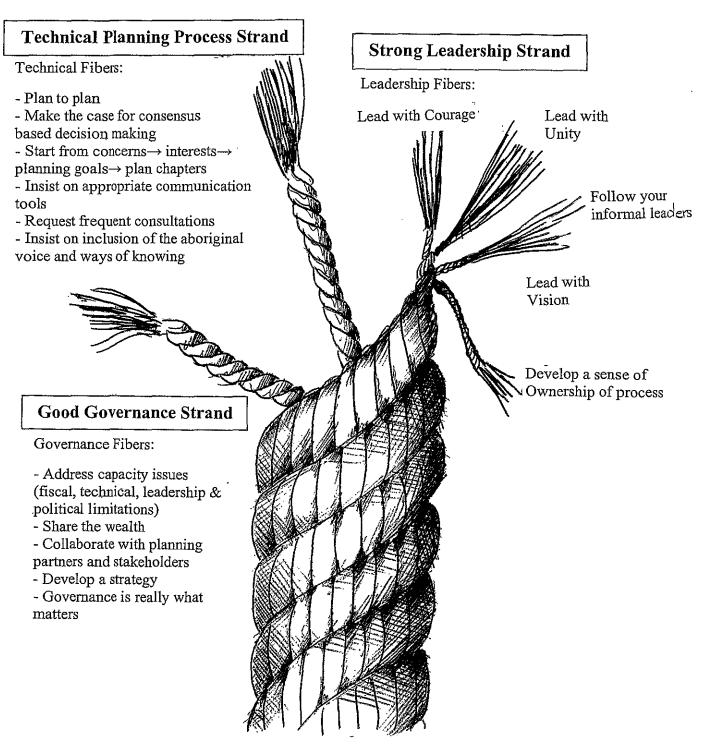
Chapter 7 – Deriving Meaning and Synthesis of Findings

Chapter 7 synthesizes the findings presented in Chapters 5 and 6, the Great Bear Rainforest (GBR) Success Case Study and the semi-structured interviews, to derive meaning and explanation from them. The findings presented from past chapters have been synthesized into a general concept diagram. See Figure 1. The findings have been synthesized into a number of approaches, actions or attitudes that Aboriginal leadership can adopt in order to create enabling conditions for Aboriginal participation in the northern land use planning process.

To best illustrate the intricate intertwining of the findings, a three-strand rope was chosen as a metaphor. The rope depicts the different methods that Aboriginal leadership can employ to create enabling conditions for Aboriginal participation. The bulk of the findings presented in Chapter 6 form the "fibers", the most basic units that make up the rope. They are actions, approaches or attitudes that Aboriginal leadership can adopt to create a set of enabling conditions. These "fibers" are then grouped into the three main categories, or "strands" that form the rope. The research findings identified these three "strands" as: the technical planning process, strong leadership and good governance. Each of the three "strands" is made up of multiple "fibers" and together, they all interweave to form a sturdy rope of enabling conditions with which to pull Aboriginal participants into the planning processes.

Rope was chosen as the metaphor because by definition, a rope is "a length of fibers, twisted or braided together to improve strength for pulling and connection" (Wikipedia, 2011). A rope's fibers and strands intertwine, creating bonds that result in greater tensile strength than the total strength of each of the fibers combined. Likewise, each of the actions, attitudes and approaches that Aboriginal leadership engage in will interact each other, creating a stronger foundation of supporting conditions for Aboriginal participation than if each was carried out separately.

Figure 1. Creating Enabling Conditions for Aboriginal Participation

Technical Planning Process Strand

Technical Fibers:

- Plan to plan
- Make the case for consensus based decision making
- Start from concerns→ interests→ planning goals→ plan chapters
- Insist on appropriate communication tools
- Request frequent consultations
- Insist on inclusion of the aboriginal voice and ways of knowing

Strong Leadership Strand

Leadership Fibers:

Lead with Courage

Lead with Unity

Follow your informal leaders

Lead with Vision

Develop a sense of Ownership of process

Good Governance Strand

Governance Fibers:

- Address capacity issues (fiscal, technical, leadership & political limitations)
- Share the wealth
- Collaborate with planning partners and stakeholders
- Develop a strategy
- Governance is really what matters

Rope of Enabling Conditions

The more "fibers", or processes, attitudes and actions that Aboriginal leadership can adopt, the stronger will be the enabling conditions for Aboriginal participation. The three strands are:

1) Technical Planning Processes Strand: This strand consists of action fibers that leadership can take during the planning process to make the planning process more accessible to Aboriginal leaders, community members and organizations.

2) Strong Leadership Strand: This strand consists of attitudes and action fibers that Aboriginal leadership must adopt or carry through in order to encourage and support the participation of community members, Aboriginal leaders and organizations.

3) Good Governance Strand: This strand is composed of action and approach fibers that Aboriginal leadership need to adopt in order to operate more effectively and as a result, lay the foundation for supporting Aboriginal participation.

Each fiber is explained below.

Technical Planning Process Strand

Plan to plan fiber: When a planning process is initiated, Aboriginal leadership can insist on a preparatory phase to set the context and create a base level of understanding among leadership and community members. The purpose is to remove barriers to participation by explaining technical jargon, plan related concepts, the purpose of planning and by mapping a framework for plan development. A preparatory phase, well-informed leader that can communicate complex issues to their constituents and an informed community will help minimize potential misunderstandings that may frustrate community participation.

Make the case for consensus based decision making fiber: Before the planning process begins, leadership should try to reach agreement with government and other planning partners on using consensus as the primary vehicle for decision making and conflict resolution. As described in Chapter 6, consensus based decision making refers to power sharing between parties and the adoption of an open, fair and transparent participatory process where discussion is the used as the primary method for resolving disputes. It does not refer to universal agreement between all parties on all fronts.

Start from concerns→ interests→ planning goals→ plan chapters fiber: Planning is traditionally initiated with the identification of planning goals, a somewhat abstract concept that necessitates that communities and individuals already have a strong sense of their interests. The issue is that most people have conflicting interests, making it difficult for non-planners to identify planning goals from the outset. To resolve this issue, leadership should request that technical staff initiate planning processes by soliciting individual, organizational and community concerns first. Concerns are generally at the top of peoples' minds and are most easily revealed. Concerns generally allow technical staff to identify interests which lead to planning goals and the identification of the plan's chapters/themes. Community members should be involved where they are most effective, in guiding the direction of the plan by identifying concerns and goals, as opposed to providing technical direction. A Sahtu resource person stated that technical staff need to structure the process so that Aboriginal participants remain "masters of the process", as opposed to struggling to keep abreast of discussions.

Insist on appropriate communication tools fiber: As oral on-the-land people, Aboriginal cultures tend to be hands-on and visual. Leaders should request that planning bodies favour appropriate engagement tools such as maps and visual aids as opposed to complex written

documents. This may decrease the potential level of intimidation and increase the level of accessibility for those with limited formal western education.

Request frequent consultations fiber: Leadership can develop working relationships with the planning bodies and insist on a regular consultation schedule or scheduled updates. This allows the community to stay abreast of developments and keeps the interest in the plan alive.

Insist on inclusion of the aboriginal voice and ways of knowing fiber: Aboriginal people will expect to see themselves, their culture and their worldview reflected in the plan. One way to accomplish this is for leaders to insist that elders' stories, explanations of cultural practices, traditional place names and Aboriginal language be included in plans.

Strong Leadership Strand

Lead with Courage fiber: As the past has shown, leadership which had the courage to challenge the status quo and envision a better future for their people can drive processes from start to finish and inspire communities to support and participate in land use plan development. According to Capra, "Being a leader means creating a vision; it means going where nobody has gone before. It also means enabling the community as a whole to create something new" (Capra, 2002, p. 122). Courageous leaders are hard to come by but a community should learn to recognize and support them when they appear.

Lead with Unity fiber: United communities and regions have demonstrated greater strength at the negotiation table and greater cohesion throughout the planning process than divided regions. Although communities may not agree on all aspects of a plan, a general sense of unity allowed community members and regions to band together under one driving vision and to resolve infighting among Nations and communities.

Follow your informal leaders fiber: Elected leaders will do well to recognize that trusted community members such as elders, harvesters and traditional knowledge experts also serve as informal leaders. Effective leaders accept guidance from, and follow these leaders, recognizing that communities are lead by a matrix of elected and informal leaders, each bringing a diversity of knowledge and expertise. In the interviews, successful communities relied on the knowledge of a core group of local "experts" who were selected for their proficiency in land and resource related issues. Community members trusted in processes that involved knowledgeable individuals, whether or not those individuals were in elected positions of leadership.

Lead with vision fiber: A shared vision allows leaders to work towards a common picture of the future. Where informal leaders and elected leaders collaborated on creating a vision, communities experienced a greater unifying force and felt more ownership and involvement in the process. As the vision is generally created by the Aboriginal communities and leadership, it is also a method of encouraging buy-in early on in the planning process.

Develop a sense of ownership of the process fiber: A sense of ownership is generally associated with a higher level of participation and interest in the planning process. Communities whose leaders 1) led with courage towards a better future for their people and communities by initiating land use plans and that 2) stayed united under a common vision generally exhibited a stronger sense of ownership of the process. Where leadership prioritized land use planning, community members tended to be better informed, likely as a result of greater community discussions on the issue. A positive feedback loop occurs whereby better informed community members tend to participate more because the process is less intimidating. When leaders assume ownership of a process, it is more strongly promoted, resulting in a better informed public that is more willing and able to participate in plan development.

Good Governance Strand

Address capacity issues (fiscal, technical, leadership & political limitations) fiber:
Capacity issues must be addressed in order for governments to seriously consider Aboriginal organizations and their requests for shared governance. Improved bookkeeping, better reporting structures, stronger accountability (delivering commitments in a timely manner), and the hiring of proper technical staff will allow governments to build trust in Aboriginal organizations and their skills to engage in dialogue on land and resource management. Stronger governance also creates a framework for supporting community discussions and dialogue. Organizations that are well organized and that have strong in-house technical skills are also better able to enter into a dialogue with governments regarding their concerns and interests in planning.

Regarding fiscal capacity, Aboriginal organizations that are regarded as responsible and accountable are also better able to secure reliable levels of funding from government. In the GBR, this has resulted in the hiring of highly qualified technical and resource staff. Regarding continuity of leadership, reducing turn-over and burn-out rates and working on succession planning will provide Aboriginal organizations with some continuity throughout the planning process.

Finally, Aboriginal groups occur on a spectrum of readiness to engage with governments in complex processes such as land use planning. Some Aboriginal organizations exhibit high degrees of political sophistication that is indicative of effective governance structures while others are still charting a course toward more responsible and accountable governance practices. Such discrepancies in the degree of readiness and capacity of organizations will necessitate that Aboriginal leaders assess their greatest limitations and abilities in order to build capacity where it matters most.

Share the wealth fiber: Leaders who focus on building capacity at the community level as opposed to concentrating funds into a regional office increase horizontal capacity and demonstrate that community interests have priority over regional administrative growth. Sharing the wealth builds unity, support and trust across communities. These traits translate into greater strength in numbers that also results in increased political power.

Collaborate with planning partners and stakeholders fiber: When Aboriginal leaders initiated dialogue with other Aboriginal leaders in adjacent territories or resolved long-standing issues through discussions with stakeholders, they demonstrated to governments that they have the maturity and ability to resolve issues on their own. As the GBR success case demonstrated, Nation to Nation collaboration is critical because it gives First Nations the power to arrive at mutually beneficial dispute resolutions. It is the closest form of self-determination, autonomy and full decision making power that Aboriginal people have on their lands. In addition, when mutual agreements are arrived at between Nations with overlapping territories, there would be few good reasons for governments to override collaborative decisions. Finally, the GBR Aboriginal organizations that sought stakeholder input prior to their negotiations with government already had arrived at agreements with stakeholders thereby increasing government support for the plans. Governments are beholden to all stakeholders so the greater the collaboration prior to negotiations, the more receptive government will be of balanced plans.

Develop a strategy fiber: Before Aboriginal organizations can develop a strategic approach to negotiations they must first have their houses in order and exhibit strong governance structures. Coastal First Nations is able to strategize at a political level because they have strong governance structures in place that allow them to operate at a higher level of sophistication than most Aboriginal organizations. Organizations that hope to function at the same strategic level

will be required to first develop strong administrative, technical and strategic processes before they can begin to involve political strategy into their negotiations.

Conclusion

The theory behind land use planning has stated that planning is "neither an isolated process nor an end in itself" but that with "the constancy of change," land use plans have to evolve over time, and as they are implemented (Fenge & Rees, 1987, p.12-13). Land use plans are dynamic processes that need to "stand on a firm foundation of mechanisms for monitoring and feedback on the implementation process" (Fenge & Rees, 1987, p.12). Implicit in these statements is the fact that plans are not static documents. They are a starting point for land and resource management but they are expected to change over time. The statements also suggest that appropriate planning processes need to be flexible, include monitoring programs and allow for adaptation as time, knowledge and goals evolve. This all leads us to the same conclusion that one of the BC negotiators arrived at, namely that "The plan itself isn't the critical thing. The critical thing is the governance system" - BC2.

Aboriginal leaders participated in the land use planning process because of the immediate benefits such as the protection of sacred areas but the interviews and case study demonstrated that Aboriginal leaders also sought lasting, long term benefits, namely the establishment of new relationships with governments that would include shared decision making through the formation of new governance structures. The "critical thing" was indeed, the new governance system which would give Aboriginal people greater say in how their land is used and managed.

As demonstrated in the Great Bear Rainforest and the Dehcho, Aboriginal leaders in regions without land use plans have sought to negotiate new land and resource management

approaches through the formation of new governance relationships. This goes hand in hand with the Aboriginal desire to move into a new era, one where laws are no longer imposed on them from the outside, where decision making is shared and where the governance system in place recognizes a formalized role for Aboriginal participants to manage the fate of their traditional territories.

Aboriginal communities have much to gain through the development of their land use plans, however as illustrated in Figure 1, the methods for creating enabling conditions are numerous and may be daunting. Aboriginal leadership could concentrate on the most appropriate fibers for their community or region and seek to promote a well-rounded set of actions or approaches to create an enabling environment for participation. The findings are intended to share lessons learned with Aboriginal leadership who might just be embarking upon the land use planning journey.

It takes courage to push for change, to recognize inequity and to fight for the future of your people. The leaders in British Columbia, the Dehcho and the Sahtu have all laboured differently and have all succeeded to varying extents. First Nations in the Great Bear Rainforest are still engaging in government-to-government negotiations on their land use plans but the Central and North Coast Plans are in their implementation phases. Although the level of Aboriginal participation may have been celebrated in the Dehcho, the region's people are frustrated with the long negotiation process for the finalization of an interim land use plan (before land claim is settled), and they are even further away from a land claim. Eighteen years after the signing of its land claim and in its thirteenth year of plan development, the Sahtu is coming ever closer to a completed plan that it will submit to the SSI, then the territorial and finally, federal government for approval.

All processes have proven to be longer, harder and far more complex and frustrating than originally envisioned. However, as land use planning evolves across the country and engages greater numbers of Aboriginal groups in processes of shared land and resource management, the lessons learned have demonstrated that a structured technical approach to land use planning, strong and unified leadership and good governance structures can create a foundation for creating enabling conditions for aboriginal organizations, community members and leaders to participate more successfully in land use planning process.

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Appendix 1. Interview Questionnaire

Hello,

Thank you for taking the time to participate in this sixty minute voluntary interview.

My name is Ida Mak and I am conducting these interviews as a part of my Master's thesis at Royal Roads University in the Environment and Management program.

I work as the Communications Coordinator and Planner at the Sahtu Land Use Planning Board based out of Fort Good Hope.

Today I am here/calling you because in my thesis. I am talking to Aboriginal leadership in the Sahtu, BC and the Yukon. I hope to identify ways that Aboriginal organizations and communities can participate more actively in the land use planning process. This will allow land use plans to be more reflective of Aboriginal values and interests.

I will ask you questions about 4 main areas. I would like you to:

1) Identify what a successful land use plan (goals, values and interests of Aboriginal communities) and what successful Aboriginal participation would look like.

2) From this picture of success, how would your organization or community could get there? What are the main steps to be taken or what would a roadmap to success include?

3) What are some internal challenges or barriers to successful participation?

4) How have you or could overcome these barriers and challenges? Do you have any insights you would like to share with other Aboriginal leaders about ways to create conditions or an environment that would promote active Aboriginal participation?

The interview is completely voluntary and you can choose to skip over any questions. You may also stop this interview at any time. There will be no financial remuneration but I will share the final results with you and the community through an Executive Summary and you will certainly be welcome to a copy of my thesis.

The interview will take about 1 hour, depending on the length of the answers you give me. When you answer the questions, please remember that I would like to focus on areas that Aboriginal communities and organizations have control over. I would like to focus on how communities can structure their internal processes to participate actively in the planning process.

Introduction

1) Can you tell me about your leadership experience in relation to land use planning?

    a. Please start with your current position and explain how your positions relate to land use planning. Then please describe the other involvements you have had.

2) Can you explain to me how the position of leadership that you are currently in allows you to be involved in the process of land use planning

    a. externally (dealing with the Board, Committee or other land use planning body)

    b. internally within your community and organization (ie. do you sit in on meetings in council where you talk about land use planning issues before they are brought to the Board?)

3) What do you see as your role in this process? Has your role changed during the process?

4) Why do you participate in the process?

Theme 1: Defining Success: Identifying Goals, Values, Interests and a Vision

1) Let's talk about the final outcome of the land use plan. What would success look like? What would a successful plan look like?

    a. What do you think the land use plan will accomplish?

    b. What are some of the values and interests that you would like most represented or see reflected?

    c. What would a vision of the future 100, 200 or 500 years look like?

    d. How can the plan help you get there?

    e. What would your top goals be for the plan?

2) Given this picture of success that you've just painted, how do you get there?

    a. What are some of the steps you would have to take within your organization and community to create the building blocks for getting there?

    b. Can we go through this step by step? (give an example)

    c. At each step of the way, can you tell me what would be required in terms of resources, personnel, money, expertise, etc. and whether your organization is able to provide each of the items. This will be your roadmap to success.

    d. Now can we talk about your organization's internal processes?

    e. Who is involved in land use planning feedback?

    f. What are your positions and how do your jobs and duties relate to each other?

    g. How do you share information with each other?

    h. How do you consult the public/community or do you?

    i. Who makes decisions on things like feedback? At any point do things go through the board? Council? The public?

    j. What is your decision-making process like when it comes to feedback?

k. What do you think about the way you are currently organized for participation (internally)? Is it working? Has it worked better in other situations? How?

l. How are your communications processes? How do you share info, feedback, make sure that everyone who should know knows?

m. How do you make sure that you're representing the interests of the participants?

n. How is power structured in your organization?

o. Does this change how much someone can particiapate in the process or how much say someone has?

p. Can you explain to me how the hierarchy in your organization and community works? Can you explain what this means for how feedback trickles back up to the planning board?

q. How do you think you could be better structured internally to provide feedback on the plan?

r. What modifications could occur on an internal level that is achievable without significant resources, to produce a team that could provide us with more feedback?

s. How do you check the government and industry feedback and make sure that you protect your values?

3) Are there any internal challenges or barriers that you or your organization face?

a. If we were to go through your roadmap to success, what would be some of the main challenges that you would face?

b. Can you explain to me where they come from?

c. How do they fit in to your current organization or system?

  d. Have they always been a part of the process?

  e. Are they in your other processes as well?

  f. Have you tried dealing with them in the past?

4) How can you overcome these challenges/barriers?

  a. Is there a way to overcome these challenges?

  b. Is there a way to make them less strong?

  c. Would they be relatively easily addressed or are they larger systemic issues?

  d. Do you have solutions that you have been thinking of? Wanting to work out?

  e. Is there anything that you have tried that has worked?

  f. Have you heard of others attempting to address these issues? Has it worked?

  g. If we were now to go through your roadmap to success and address each of the main issues, how could each of them be addressed?

5) Do you feel overall, that this is achievable?

6) How close do you feel to being able to reach success?

7) Is there anything else that you would like to speak to?

8) Do you have any questions for me?

Thank you for your participation. There will not be a follow-up. I will be transcribing these recorded notes and will then destroy the tapes once the thesis is published. When the thesis is published, I will send it to you if you wish to have a copy of it. Your name will not be mentioned since all the identities will be kept confidential. I will then produce an Executive Summary of the primary learnings and will be forwarding it electronically to our SLUPB distribution list. I will also make paper copies available to those people who participated in the study such as yourself. If you would like a paper copy, you just need to tell me so.

Thank you again for your time. I really appreciate it. I hope that this is beneficial to all northern communities in the process of land use planning. Hopefully this will also be useful to those communities that are dealing with similar processes. Mahsi cho.

Appendix 2. Letter of Invitation and Consent Form

Researcher:

Ida Mak

Faculty Supervisor:

Derek Thompson

Date of letter sent

Dear Sir or Madam,

RE: Letter of Invitation and Consent to Participate in a Voluntary Study: Enhancing the Representation of Aboriginal Values and Interests in Regional Land Use Planning

My name is Ida Mak. I am the Communications Coordinator and Planner for the Sahtu Land Use Planning Board in the Northwest Territories. I am also completing a Master's degree in Environment and Management at Royal Roads University. As a part of my degree, I am conducting a voluntary research study with members of the Aboriginal and Métis Leadership in BC and the NWT and with staff and government officials involved in land use planning.

Purpose

The goal of my research is to gain insight on how Aboriginal and Métis governments, organizations and communities structure themselves to participate in land use planning processes. Understanding how some groups have been successful at voicing their concerns in the planning process will ideally provide insight for other such groups to do the same.

Duration of Participation

Participation in this research consists of an informal semi-structured telephone interview, to be scheduled at a time that is convenient for you. The duration of the interview is roughly 60 minutes but will vary depending on the length of your answers.

Procedure

Members of Aboriginal and Métis organizations, Aboriginal and Métis leaders, and government officials will be asked to identify:

5) What a successful land use plan would look like (goals, values and interests of Aboriginal and Métis communities);

6) How Aboriginal and Métis governments, organizations or communities can get there;

7) How Aboriginal and Métis governments or organizations are structured to provide feedback and respond to land use planning staff and Boards;

8) Main internal challenges, barriers or obstacles that groups face along the way;

9) How these barriers and challenges can be overcome.

I will take notes and the interview will be audio recorded.

Privacy, Confidentiality and Anonymity

The tapes, notes and any other identifying materials will be accessible only by me. If you chose, you may decline to be recorded. Upon publication of my thesis all identifying material will be destroyed. Your name will not appear in print as the identity of all participants will remain confidential. You may skip questions or choose to withdraw from the research at any time.

Verification of Authenticity of Research

If you would like to verify the authenticity of this research project, please contact my thesis supervisor, Derek Thompson at Royal Roads University. His contact information is listed at the beginning of this letter.

Benefits

There is no financial remuneration for participating in this interview. My final thesis will be available electronically. I will produce an Executive Summary to highlight key insights and findings. As a participant, you will automatically be sent a copy of the Executive Summary via email. This document will be forwarded to all relevant organizations in the Sahtu. Other individual or organization can also receive an electronic copy by my emailing me.

If you agree to participate in this study, please provide your written consent by printing off this letter and faxing a signed copy to me. Thank you for your time.

My sincere regards,

Ida Mak

I hereby agree to voluntarily participate in Enhancing the Representation of Aboriginal Values and Interests in Regional Land Use Planning as described above. In signing this I am aware that I am giving my free and informed consent to participate in the study.

_____

Full Name (please print)

_____

Signature

_____

Date