Evaluating Co-management Arrangements for Conservancies in the Territory of the Metlakatla First Nation

by

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B.Sc., McGill University, 2010

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in the

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Report No.: 633
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Ethics Statement

The author, whose name appears on the title page of this work, has obtained, for the research described in this work, either:

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Abstract

This study examines the co-management arrangements between the Metlakatla First Nation and the Province of British Columbia, with a specific focus on the implementation of co-management within the new “conservancy” designation. First introduced as a protected area in British Columbia in 2006, the conservancy designation is unique in that the legislation explicitly recognizes the importance of these protected areas for social, ceremonial and cultural uses, while also allowing First Nations and others to pursue opportunities for low-impact, sustainable economic development. Using the conservancies within the Metlakatla First Nation territory as a case study, I evaluate their co-management arrangements against 10 principles of “strong” co-management. I then analyze my results for implications as implementation of conservancy co-management continues on-the-ground, comparing formal rules with informal practices. Last, I identify potential challenges and make recommendations to overcome these challenges so that the Metlakatla First Nation can achieve its vision for conservancies.

Keywords: conservancies; co-management; First Nations; governance; protected areas; Aboriginal peoples
For Anna Usborne – my academic, professional, and personal mentor.
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<td>BC</td>
<td>British Columbia</td>
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<tr>
<td>CMP</td>
<td>Conservancy Management Plan</td>
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<td>COF</td>
<td>Coast Opportunity Funds</td>
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<tr>
<td>CFN</td>
<td>Coastal First Nations</td>
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<tr>
<td>EBM</td>
<td>Ecosystem-based Management</td>
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<tr>
<td>IUCN</td>
<td>International Union for Conservation of Nature</td>
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<tr>
<td>LRMP</td>
<td>Land and Resource Management Plan</td>
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<td>MDC</td>
<td>Metlakatla Development Corporation</td>
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<td>NGO</td>
<td>Non-governmental Organization</td>
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<td>PACMA</td>
<td>Protected Area Collaborative Management Agreement</td>
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<td>SLUPA</td>
<td>Strategic Land Use Planning Agreement</td>
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<td>TEK</td>
<td>Traditional Ecological Knowledge</td>
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<td>TTC</td>
<td>Tsimshian Tribal Council</td>
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<td>WWF</td>
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Chapter 1.

Introduction

The conservancy designation was first introduced as a form of protected area in British Columbia in 2006, as part of an effort to implement a new collaborative land use management approach between B.C. First Nations and the provincial government (B.C. Parks, 2015). Although similar to a Class A provincial park under the Park Act (RSBC 1996, c. 344), the conservancy designation differs in that it explicitly recognizes the importance of these areas to First Nations for social, ceremonial and cultural uses. Conservancies also allow for low-impact, sustainable economic activities such as shellfish aquaculture and wildlife viewing, thereby enabling First Nations to pursue opportunities for economic development. While Class A parks do not preclude First Nations from exercising their Aboriginal rights or from seeking a co-management arrangement with B.C. Parks, it was not until the formalization of collaborative management agreements between individual Aboriginal groups and the province to govern conservancies that B.C. First Nations were more broadly engaged as government entities distinct from other stakeholders in the governance of protected areas under the Park Act.

A number of agreements and policy documents inform and direct the co-management of conservancies, collectively making up what I call the formal “co-management arrangement” between the First Nation(s) and the province. At the highest level, the Land and Resource Management Plans (LRMPs) are sub-regional land use plans that make recommendations to the province regarding the management of public lands and resources. The LRMPs for the North Coast and Central Coast regions of BC contain directions for the protected area designation that would later be called a conservancy. Strategic Land Use Planning Agreements (SLUPAs), between the province and individual First Nations, describe the terms of the government-to-government arrangement and provide more specific direction regarding land use in each territory,
including the delineation of the initial conservancy areas. Protected area collaborative management agreements (PACMAs) are intended to guide the engagement process between First Nations and B.C. Parks – the local agency tasked with implementing the co-management arrangements for conservancies – by defining their roles in planning and managing conservancies. At the lowest level, conservancy management plans (CMPs) are jointly developed between B.C. Parks and the First Nation(s) and outline the shared vision for a particular conservancy, including direction on the type of activities to be allowed in the area. In principle, this collection of agreements and associated policies establishes a framework that provides First Nations an opportunity to plan and manage their protected areas together with the province on a government-to-government basis, and allows for the reinvigoration of traditional practices, sustainable economic development, and new governance relationships (Turner and Bitonti, 2011).

While the conservancy designation marks a shift in provincial government policy concerning protected areas in B.C. by recognizing the central role of First Nations in land and resource management, a variety of institutional and cultural barriers remain for Aboriginal people seeking “strong” co-management arrangements. The concept of “strong” co-management comes from Berkes et al. (1991) who developed a ”continuum of co-management” to describe the range of ways in which co-management occurs in practice: weak co-management is characterized by one-way communication and ultimate state authority, whereas strong co-management is characterized by joint decision making between equal partners. Ideally, such collaborative management offers Indigenous groups the opportunity to regain governance over their traditional lands after decades of state administration, and provides colonial governments with a solution to growing conflicts over natural resources and high costs of centralized regulation (Castro and Nielsen, 2001; Spaeder and Feit, 2005; Ansell & Gash, 2008). However, despite the many co-management processes that have been established in recent decades, there is still a disjuncture between theory and implementation (Nursey-Bray and Rist, 2009). In practice, central governments are often reluctant to cede substantial power to Indigenous groups (Spaeder and Feit, 2005). Moreover, real-world collaborative processes sometimes fail to address underlying conflicts that exist between Indigenous and state actors, including a pre-history of antagonism (Pinkerton et al, 2014; Margerum, 2002; Ansell and Gash, 2008), competing values and expectations (Nursey-Bray and Rist, 2009), and significant
differences in capacity (Schmidt et al., 2012; Bowie, 2013). Furthermore, Indigenous stakeholders must uphold their own cultural systems and laws while being forced to participate in the venues and processes of the Western legal system (Castro and Nielsen, 2001; von der Porten, 2013; Nursey-Bray and Rist, 2009). Indigenous people may also struggle to incorporate traditional knowledge into the dominant scientific and bureaucratic management practices that remain unmodified (Cullen-Unsworth et al., 2012; Spaeder and Feit, 2005; Spak, 2005; Nadasdy, 2003). These political, epistemological, and institutional barriers, while not insurmountable, present practical obstacles to the development of strong collaboration between Aboriginal peoples and state government (Ross et al., 2009).

Although the literature dedicated to collaborative environmental management, Indigenous governance, and protected area management is abundant, research studying the intersection of all three is limited. Similarly, whereas ample information can be found on the shift in land and resource planning in British Columbia in the decade preceding the introduction of conservancies, research on the implementation of the resulting co-management arrangements for conservancies is scarce. These gaps in the literature may largely be due to the relative infancy and uniqueness of Aboriginal – state co-management of protected areas, particularly for B.C. conservancies. My research builds on that of Stronghill (2013) and Stronghill et al. (2015), who evaluated the formal governance structures of conservancies across several First Nation territories by assessing collaborative management plans and associated agreements against the IUCN Principles and Guidelines for Indigenous/Traditional Peoples and Protected Areas. In comparison, my research looks at both the formal and informal institutions and structures that define conservancy governance, focusing on the practical application of the co-management arrangement between the province and a single community, the Metlakatla First Nation. By evaluating both the policy documents and the de facto Metlakatla – B.C. co-management arrangement as it has been implemented thus far, I am able to provide further insight into the challenges and opportunities that face the Metlakatla and similar Aboriginal groups in achieving strong co-management relationships.
1.1. The Case Study

The Metlakatla First Nation is a descendant of the nine tribes of the Coast Tsimshian, now referred to as the Coast Tsimshian Tribes of Metlakatla and Lax Kw’alaams. The Metlakatla membership currently numbers approximately 800, with the majority living in Prince Rupert and about 80 members living seven kilometers northwest of Prince Rupert in Metlakatla Village, Metlakatla’s main Indian Reserve and the heart of their Territory (Metlakatla Land Use Plan, 2014). Metlakatla’s Territory, spanning roughly 20,000 square kilometers of land and sea on the northwest coast of British Columbia, encompasses a diverse range of ecosystems, including steep coastal valleys, rocky shores and fjords, oceanic blanket bogs, and ancient forests (Metlakatla Land Use Plan, 2014). The Territory and natural resources within it have sustained the Metlakatla people and their distinct way of life for millennia. The protection and stewardship of their Territory is Metlakatla’s highest priority (Metlakatla Land Use Plan, 2014).

Metlakatla jointly delineated and designated 28 conservancies after finalizing their Strategic Land Use Planning Agreement (SLUPA) with the province in 2006 (Figure 1). While still in the early stages of planning and implementation, five of the Metlakatla conservancies have collaborative management plans (CMPs) completed and awaiting the Minister’s signature with another two being drafted. As is the case for many B.C. First Nations, for the Metlakatla the conservancy designation and associated collaborative agreements represents a significant step towards self-determination and realizing a more equitable relationship with the province. However, a number of potential political, legal, and socio-economic barriers exist that may hinder Metlakatla’s ability to achieve ideal co-management of their conservancies in practice. I selected the Metlakatla First Nation as my case study due to their progress – relative to other B.C. First Nations – in conservancy management planning and implementation, as well as their expressed desire to address the aforementioned barriers to achieving ideal co-management of their conservancies (Anna Usborne, personal communication, 2012). By evaluating the co-management arrangement between Metlakatla First Nation and the provincial government, focusing on implementation, I identify key barriers and highlight learning opportunities for the Metlakatla in the ongoing planning and management of their conservancies.
While the products of this research are specific to the Metlakatla, many of the lessons and strategies highlighted may be transferrable to other Aboriginal groups in British Columbia. In addition to contributing to the relatively limited body of academic literature regarding conservancy management in B.C., this research also contributes to the broader literature on Indigenous – state co-management arrangements.

Figure 1. Parks and Protected Areas within the Metlakatla First Nation Territory
Source: Metlakatla First Nation (2009); Copyright Metlakatla First Nation; used with permission.
1.2. Research Objectives

I worked with the Metlakatla First Nation to achieve the following objectives:

1. Identify Metlakatla goals and expectations for their conservancies, as expressed in policy documents and by community members.
2. From the academic literature, identify a set of principles for “strong” Aboriginal – state protected area co-management suitable for evaluating the Metlakatla-BC co-management arrangements.
3. Evaluate the Metlakatla – B.C. co-management arrangements for the Metlakatla conservancies against the set of principles for “strong” co-management.
4. Identify challenges and opportunities the Metlakatla face in achieving their goals and expectations as they implement co-management arrangements for conservancies, and make recommendations to strengthen the co-management arrangements.

1.3. Methodological Approach

To achieve the aforementioned objectives, I worked with the Metlakatla First Nation from January 2012 to October 2012. First, I conducted an academic and ethnographic literature review, compiling information on the evolution of protected areas in British Columbia, Indigenous – state co-management of lands and resources, and the historical and cultural context of the Metlakatla community. From the literature I compiled a set of 10 principles of strong protected area co-management and identified associated indicators. I then conducted semi-structured interviews with 18 key informants from the Metlakatla community and the B.C. Parks (the provincial government agency responsible for conservancies). After transcribing the interviews I evaluated both the policy documents and transcriptions against the set of principles and indicators, comparing and contrasting my findings from the two sources. Finally, I analyzed my results for key obstacles and opportunities faced by the Metlakatla in achieving strong on-the-ground co-management of their conservancies, highlighting the implications for conservancy planning and management. In my research I also draw on my experiences as a participant observer. I was hired by the Metlkatla Stewardship Society in the spring of 2013 as the Environmental Assessments Assistant, and I have been employed in that capacity since then.
1.4. Project Development

This project extends a smaller research endeavour that I undertook during a student internship with the Metlakatla in the summer of 2012. My objective in that internship was to provide Metlakatla with an assessment of their capacity to conduct conservancy planning and management within their territory. To achieve this objective, I identified discrepancies between the existing capacity of the Metlakatla and their goals and management strategies for one of their high priority conservancies, K’sgaxl/Stephens Island. I compiled these results into a “CMP Implementation Plan” that highlighted which Metlakatla goals were not being met and suggested steps for the Metlakatla to take in order to implement the K’sgaxl/Stephens Island CMP more effectively. After I completed this initial project, I expanded the scope of my research to consider the larger cultural, political and socioeconomic factors influencing the co-management arrangement between Metlakatla and the province, as it applies to the conservancies within Metlakatla territory.

1.5. Report Outline

The next chapter of this report provides background on Indigenous peoples and collaborative management of protected areas, focusing on the rise of Aboriginal – state co-management of conservancies in British Columbia. Chapter 2 also includes a description of the Metlakatla First Nation and its conservancies. Chapter 3 outlines in more detail the methodology that I employed to evaluate the Metlakatla – B.C. co-management arrangements and includes a discussion about my personal standpoint as a researcher and a description of the limitations of my research. I then present the results of my evaluation in Chapter 4, describing each principle of strong Aboriginal – state co-management, and assessing performance on each indicator based on the policy documents and interviews. In the final chapter, I examine the main factors impeding strong co-management of the Metlakatla conservancies and discuss opportunities for improvement. I also provide an update on the status of conservancy management since I collected my data in 2012, and offer recommendations to strengthen co-management for Metlakatla conservancies.
Chapter 2.  Background

2.1. Indigenous Peoples and Collaborative Management of Protected Areas

Over the past few decades, a shift away from conventional protected area management toward more inclusive arrangements has been observed in many places in the world, in response to changes in environmental and social conditions. While shared governance of natural resources has been championed by both state managers and local communities, the reasons they support this approach often differ (Spaeder and Feit, 2005). In some cases, colonial governments have recognized that conservation or development objectives are unlikely to be met without the support of relevant local communities, and a shared governance regime offers a possible means of extending the capacity of a nation state to govern lands and peoples (Ansell and Gash, 2008; Cox et al., 2010; Ostrom and Cox, 2010). In contrast, local communities may see shared governance as a vehicle for increasing local control over resource decisions which directly affect their lives. This is particularly true for Indigenous peoples who have governed, managed, and conserved land and marine territories for millennia prior to being subjected to colonization. Regardless of the motivation, the trend toward shared governance has prompted a new body of research concerned with assessing the outcomes of various shared-governance arrangements and determining the conditions necessary for their success.

While many kinds of shared governance arrangements exist, my research is concerned with collaborative decision-making arrangements between Aboriginal groups and colonial or formerly-colonial governments. Aboriginal – state protected area co-management, as I will refer to it, is defined by Borrini-Feyerabend et al. (2004) as, “government-designated protected areas where decision making power, responsibility and accountability are shared between governmental agencies and other stakeholders, in particular the Indigenous peoples and local and mobile communities that depend on that area culturally and/or for their livelihoods” (p.34). The terms “cooperative management”, “joint management”, and “collaborative management” (among others) are often used synonymously with “co-management”, but it is important to recognize that the interpretation of these terms differs among different groups. For instance, some Aboriginal
groups prefer to advocate for “joint management” because it connotes an even playing field in which the knowledge and management skills of both parties are valid (Assembly of First Nations, n.d.). Contrastingly, state agencies may prefer more ambiguous terms like “cooperative management”. Although no universally accepted definition exists for co-management, these disparities highlight the continuum of power-sharing between Aboriginal and state agencies – from informal consultation to full and equal sharing of authority – that occurs in practice.

Many researchers agree that Aboriginal – state co-management can be a progressive form of governance that, in theory, promises benefits to both parties to the arrangement. The implementation of these co-management arrangements and the attainment of anticipated benefits, however, has had varying results (Ribot, 2002; Howlett et al., 2009; Berkes, 2010; Cox et al., 2010; Bowie, 2013; Klain et al., 2014). Early attempts to evaluate co-management arrangements often focused on policy and legal documentation, while paying little attention to the unanticipated ways in which these regimes can work in practice (Spaeder & Feit, 2005). More recently, research has critically examined the results of co-management arrangements in practice. Commonly cited causes of the observed discrepancies between Aboriginal – state co-management in theory and in practice include insufficient transfer of power or resources to local communities (Short and Winter, 1999; Tett, Crowther and O’Hara, 2003; Castro and Nielsen, 2001; Warner, 2006); cross-cultural barriers to participation, including disparate technical expertise and distrust between Aboriginal and non-Aboriginal parties (Gunton and Day, 2003; Olsson et al., 2004; Murdock, Weisner and Sexton, 2004; Houde, 2007; Ansell and Gash, 2008); and lack of substantial legislative reform (Hill, 2006; Ansell and Gash, 2008).

2.2. The Rise of Collaborative Management in British Columbia

Prior to the 1990s, parks and protected areas in British Columbia and across Canada were typically established by provincial or federal governments without Aboriginal consent or participation (Calverley, 2009; Dearden and Langdon, 2009; Turner & Bitonti, 2011). Unlike most of Canada, the vast majority of B.C. was settled by colonial
governments without recognizing or addressing Indigenous title, resulting in persistent jurisdictional questions about the management of public lands and resources. Provincial land management in B.C. primarily catered to European settlers and the forestry industry until the last few decades, when the province began looking to a more inclusive approach in response to protests from First Nations and environmental groups, and a series of landmark decisions handed down by Canadian courts (Thielmann and Tollefson, 2009; Joseph, Gunton and Day, 2008). In 1982, a provision was added to the Canadian constitution that recognized and affirmed “existing” Aboriginal rights (Constitution Act, 1982, s. 35). In that same year, the BC and federal governments agreed with First Nations to establish the B.C. Treaty Commission and begin a new treaty negotiation process. Two years later, the BC government established the Land and Resource Management Planning (LRMP) process. The LRMP process was a government led multi-party land use planning process intended to establish strategic land use plans for 23 sub-regions throughout British Columbia.

Although the LRMP process resulted in numerous collaborative land use plans, First Nations were not recognized as governing bodies distinct from other stakeholders in these planning processes until 2002, when certain First Nations were invited to participate in government-to-government negotiations regarding the Central and North Coast LRMPs. Both of these LRMP processes reached consensus agreements in 2005. In that same year the First Nations Leadership Council and the province entered into a “New Relationship” based on three principles: respect, recognition and accommodation of Aboriginal title and rights; respect for each other’s laws and responsibilities; and the reconciliation of Aboriginal and Crown titles and jurisdictions. In contrast to the failures of previous planning models, the government to government negotiations associated with these coastal LRMP processes were perceived by many as successful in reaching consensus agreements with specific land use recommendations (McGee et al., 2006; Low and Shaw, 2011). For example, in a survey completed by 31 of the 36 members that participated in the Central and North Coast LRMP processes, 75% of the respondents perceived the processes as successful; however, only half felt that the final LRMPs addressed the needs of the particular stakeholder group they represented (Cullen et al., 2010). Additionally, a number of discrepancies between the LRMPs and local land use plans were identified by the Coastal First Nations (an alliance of First Nations in the Central
and North Coast regions and Haida Gwaii), necessitating further negotiation of a Reconciliation Protocol, as well as Strategic Land Use Planning Agreements (SLUPAs) between individual First Nations and the province that more specifically differentiated land-use zones and their intended purpose within each First Nation territory (Turner & Bitonti, 2011).

One product of these negotiations was the amendment in 2006 of the Park Act (RSBC 1996, c. 344) and the Protected Areas of British Columbia Act (RSBC 2000, c. 17) to establish a new form of protected area designation, the conservancy. The new designation reflects support by First Nations’ people for the protection of traditional territory from industry and heavy commercial development as well as their desire to practice traditional resource use and participate in small-scale economic opportunities within these protected areas (B.C. Parks, 2015). Legally, a conservancy is provincial Crown land designated under the Park Act for which management and development are constrained by specific provisions. The Park Act states that conservancies are set aside:

a) for the protection and maintenance of their biological diversity and natural environments,

b) for the preservation and maintenance of social, ceremonial and cultural uses of first nations,

c) for protection and maintenance of their recreational values, and

d) to ensure that development or use of their natural resources occurs in a sustainable manner consistent with the purposes of paragraphs (a), (b) and (c). (Park Act, s. 5(3.1))

The identification and management of conservancy areas is guided by a variety of collaborative agreements and policies. Each First Nation’s SLUPA specifies the areas that both the Nation and the province have cooperatively identified as conservancies. Some First Nations have signed protected area collaborative management agreements (PACMAs) that complement their SLUPAs by outlining how the parties will manage the conservancies within their territory and resolve conflicts between each other as they arise. The management of conservancies is guided by conservancy management plans (CMPs), which outline the values, objectives, and allowable activities specific to each conservancy. The process of creating a CMP is intended to be informative and participatory (Turning Point, 2009): the parties (B.C. Parks and the First Nation(s)) agree to a process, timeline, and terms of reference for the plan, seek public input through open houses and online
comment, and cooperatively draft the management plan, which is then submitted to the Provincial government for acceptance (B.C. Parks, n.d.).

The conservancy designation offers gains to Aboriginal governance by explicitly recognizing First Nations’ rights to traditional use of their lands, providing for the opportunity to obtain much needed economic benefits, and formalizing a framework for shared decision-making with the provincial government. However, critics argue that a number of shortcomings with the framework threaten to weaken the co-management agreement upon implementation. For one, some aspects of the LRMPs and overarching management framework are nebulous and lack a clear framework for implementation, as several participants of the LRMP planning process reported (Cullen et al., 2010). While some short-term funding was promised to each Coastal First Nation by the province through the Coast Opportunities Fund (COF), long-term economic development strategies supported by the COF are only vaguely presented in the collaborative agreements and have yet to be realized (Low and Shaw, 2012). Furthermore, capacity within the First Nations’ governments and communities to implement the co-management agreements may be insufficient to deliver lasting effects (Rozwadowska 2010; Turner and Bitonti, 2011; Low and Shaw, 2012). This is particularly true of monitoring and enforcement capabilities, as many First Nations not only lack the training but also the authority to effectively monitor their territories and enforce regulations (Natcher and Davis, 2007). When considered alongside the diminishing capacity of the B.C. Parks agency due to reductions in funding and personnel (McCutcheon, 2009), implementing the conservancy designation in practice appears daunting.

2.3. The Case Study: The Metlakatla First Nation Conservancies

In this section, I first provide a brief history of the Metlakatla First Nation, followed by a description of contemporary Metlakatla governance and administration. I then discuss the various attributes of the Metlakatla conservancies and conclude with an explanation of the process by which Metlakatla and B.C. Parks collaboratively develop CMPs and manage the Metlakatla conservancies.
2.3.1. History

The name “Metlakatla” is derived from a Tsimshian Sm’algyax word meaning “a passage connecting two bodies of water”, in reference to the saltwater passage where Metlakatla’s main Indian Reserve, known as Metlakatla Village, is now located. Metlakatla is one of two First Nations that comprise the Coast Tsimshian, who traditionally occupied the territory shown in Figure 1 as nine autonomous tribes. Each tribe owned villages in Metlakatla Pass, accessed territory along the Skeena River and its tributaries, and had other summer village and resource-gathering camps throughout the territory. For 50 years after Europeans first visited the Prince Rupert area in the 1780s, the nine tribes participated in commercial trade with the ships that entered their territories, relocating 30 km north to Fort Simpson when the Hudson’s Bay Company established a trading post there in 1834. Two years later, between 1836 and 1837, a smallpox epidemic swept through Fort Simpson killing an estimated one third of the population and devastating the nine tribes (Patterson, 1994). Five years after arriving at the Fort in 1857 and witnessing the drunkenness and prostitution prevalent in the area, Missionary William Duncan led 250 followers to establish a Christian community at one of the old village sites on Metlakatla Passage (Brock, March 2000, p.6). After smallpox hit the region again in 1862, killing hundreds of Tsimshian at Fort Simpson but only five at Metlakatla, the population of the safe haven soared to 600 (Galois, 1997/8). For the next 20 years, the community at Metlakatla was prosperous and industrial development grew. It wasn’t until 1887 that hostilities between Duncan and the Church of England spurred him to lead 800 Tsimshian followers from the community to “New Metlakatla”, Alaska, in pursuit of religious freedom under U.S. protection (Miller, 1998). Present-day members of the Metlakatla First Nation are the descendants of those who remained in Metlakatla Village.

The early 20th century brought disaster, disease, and economic exclusion to the Metlakatla people. By 1905, most of the public buildings at Metlakatla had been destroyed by fire, and the village declined in importance. Despite the essential role that First Nation’s labour played in the early years of the commercial fishing and canning industry in B.C., the Province of British Columbia and the government of Canada entered into a memorandum of understanding in 1912 to create a white-settler dominated fishery (Menzies and Butler, 2008). Reserves that were set aside in the 1870s and 1880s were
subject to constant revision following the Dominion Indian Affairs Settlement Act of 1919 and the British Columbia Indian Lands Settlement Act of 1920, which gave the provincial and federal governments the power to cut off lands without consent or compensation. Around this time, an influenza epidemic resulted in more deaths among Aboriginal people than for any full year leading up to or following it (Kelm, 1999). Furthermore, in 1920, under the Indian Act, it became mandatory for all Aboriginal children to attend a residential school and illegal for them to attend any other educational institution (Miller, 2012). Residential schools were government-sponsored church-run schools established to assimilate Aboriginal children into mainstream Canadian society. Across Canada approximately 150,000 children passed through the residential system, often after being forcibly removed from their homes. Many of these children experienced emotional, physical, and sexual abuse at the hands of their administrators (CBC News, 2008). By 1986, most residential schools had either been closed or turned over to local bands (Miller, 2012), but their legacy continues to disrupt First Nations’ communities generations later. Residential schools systematically undermined Aboriginal culture by removing children from their families so that many students grew up without experiencing a nurturing family life and without the knowledge or skills to raise their own families, giving rise to transgenerational trauma (Evans-Campbell, 2008).

The latter half of the 20th century saw important gains in regards to Aboriginal rights and title in Canada. First Nations gained the right to vote, antiquated bans on potlach ceremonies were lifted, residential schools were abolished, and a number of landmark rulings from the Supreme Court of Canada contributed to the advancement of Aboriginal rights and title.

In 1993, Metlakatla began treaty negotiations with BC and Canada, along with six other Tsimshian First Nations as part of the Tsimshian Tribal Council (TTC). Upon the dissolution of the TTC in 2005, Metlakatla continued negotiations with a subset of that group until 2008 when Metlakatla stepped away from treaty negotiations because the federal government removed fish as a topic for negotiation. Metlakatla First Nation
individually re-entered treaty negotiations in 2011, stressing the importance of the topic of fish, and is now in stage four of the six stage treaty process\(^1\) (MGC Strategic Plan, 2015).

### 2.3.2. Contemporary Governance

Today, Metlakatla First Nation actively exercises its sovereign Aboriginal rights and title to, and jurisdiction and stewardship authority over, lands, waters and resources within their traditional territory. Four organizations administer these rights for the roughly 800 Metlakatla members, including the Metlakatla Governing Council (MGC), the Metlakatla Development Corporation (MDC), the Metlakatla Treaty Office (MTO), and the Metlakatla Stewardship Society (MSS) (established in 2012, immediately following my data collection). The MGC – comprised of an elected chief and six councillors, each of whom serve three-year terms – functions as the representative government and a service organization for the Metlakatla membership. The MTO has a mandate to represent the best interests of the Metlakatla members during treaty negotiations with the province and Canada, and consists of a Treaty Coordinator, Chief Negotiator, and Assistant Negotiator. The MDC, established in 1989, functions as the business arm of the Metlakatla First Nation, actively seeking and participating in economic development opportunities, mainly in the Prince Rupert area at this time. The MDC also supports ongoing capacity development for the membership through the First Nation Training and Education Centre, the development of a careers database for members, and the provision of training and employment opportunities via its business ventures (MGC Strategic Plan, 2015). Prior to the establishment of the MSS, the MGC, MDC and MTO also managed non-profit initiatives such as the community fisheries program, land and marine use planning, and environmental assessments. In response to increased industrial development and consequent environmental pressures, Metlakatla leadership recognized the need for a separate organization with a mandate to enhance, manage, and protect Metlakatla’s lands and resources and to support the Metlakatla membership in securing access to economic opportunities and benefits that flow from using those natural resources. As such, the MSS was established in the fall of 2012. The MSS has five departments: Aquatics (Fisheries), Land and Marine Use Planning (including conservancy management), Guardian

\(^1\) As of 2015, the federal government has re-engaged in fish negotiations. On the topic of fish, Metlakatla is negotiating collectively with two other First Nations, Kitselas and Kitumkalum.
Watchmen, Environmental Assessments, and Social Enterprises. All four of the Metlakatla administrative organizations have interconnected mandates and, with the exception of the MGC, are each guided by separate boards that often consist of members of the other organizations for continuity. Importantly, all of the Metlakatla administrative organizations are housed in one building located in Metlakatla Village.

2.3.3. Planning for and Managing Metlakatla’s Conservancies

The Metlakatla conservancies encompass numerous culturally and ecologically significant sites. Of these, seven conservancies have CMPs that are either approved, finalized, or in draft stages. While four conservancies that have management plans are relatively small and have few conflicting uses and user groups, three are relatively large with more complex issues. The Khutzeymateen Inlet and Inlet West Conservancy, the only Metlakatla conservancy with an approved CMP, must balance the conservation of important grizzly bear habitat with recreation, hunting, and wildlife viewing opportunities. Lucy Island Conservancy and Ksgaxl/Stephens Islands Conservancy are both highly contested areas that have multiple uses and user groups, and have already encountered conflict in the draft stages of CMP creation. Lucy Island is not only a critical seabird nesting habitat, the eggs of which the Metlakatla traditionally harvested (Stewart and Stewart, 2001), but it also contains important archaeological sites and offers a range of recreational opportunities (British Columbia, Lax Kw’alaams First Nation, and Metlakatla First Nation, 2014). Ksgaxl/Stephens Islands also have potentially conflicting ceremonial, recreational, and conservation needs (British Columbia, Lax Kw’alaams First Nation, and Metlakatla First Nation, 2013a). Similar disputes can be expected to arise as the Metlakatla continue to address other contested areas, and will likely translate to challenges experienced during CMP implementation and on-the-ground co-management of the conservancies.

The identification of areas for conservancy classification has been undertaken jointly between Metlakatla First Nation and the province, and the process of developing and implementing conservancy management plans has also been a cooperative effort. B.C. Parks describes the typical process as four part: pre-planning; initial planning; draft management plan; and final management plan (B.C. Parks, n.d.). During the pre- and initial planning stages, B.C. Parks compiles all existing management commitments and
government-to-government agreements, reviews existing information about the protected area’s values and potential management issues, and produces a project plan to guide the process of developing the conservancy management plan (B.C. Parks, n.d.). In the draft management plan stage, B.C. Parks generally prepares the initial draft CMP (using the established B.C. Parks management plan template), which contains the previously identified interests and issues as well as the management direction for the conservancy in the form of a vision, management objectives and strategies, and a zoning plan (B.C. Parks, n.d.). B.C. Parks then sends the initial draft – which is largely science-based with a focus on the ecological and recreational aspects of the conservancy – to the First Nation’s conservancy management board representatives, who review the plan and input applicable traditional knowledge and Metlakatla management strategies (Metlakatla staff member, personal communication, 2012). The B.C. Parks’ and First Nation’s representatives continue to circulate the draft CMP back and forth, revising and incorporating information, before eventually providing the draft plan for public review and comment. The final management plan stage involves the review of all submissions received during the public review, and subsequent plan revision if and as required, followed by the final review and approval of the draft CMP by both provincial and First Nations’ decision makers. While the process detailed above describes how CMP development is usually undertaken, there is nothing, save capacity, that restricts First Nations from initiating the process.
Chapter 3. Methodology

3.1. Research Approach

To fully understand the vision of the Metlakatla people for their conservancies, and the past and present context of the Metlakatla – B.C. co-management arrangement, I accessed a variety of complementary information sources, including ethnographic works, and policy documents and agreements relevant to the Metlakatla conservancies. To assemble a set of principles and indicators of a “strong” co-management arrangement, I conducted a wide-ranging review of literature on co-management and Indigenous protected areas. I rounded out my understanding of Metlakatla’s goals and expectations for their conservancies, as well as the experiences of participants in the Metlakatla – B.C. co-management arrangement, by conducting semi-structured interviews with key informants within the Metlakatla community and the local B.C. Parks office. I transcribed the interviews and evaluated the “de facto” co-management arrangement revealed by the interviews against my assembled set of principles. I also examined all available Metlakatla conservancy management plans and higher level agreements, and evaluated the “de jure” co-management arrangement set out in those documents against my principles. I then compared the two evaluations and analyzed them, in consideration of the Metlakatla’s goals and expectations, for key insights and lessons that the Metlakatla can apply to ongoing conservancy co-management with the province.

3.1.1. Community-Based Case Study

To assess the strength of the Metlakatla-B.C. Parks co-management arrangement and identify specific issues and practical solutions, I conducted a community-based case study with the Metlakatla First Nation. This approach is appropriate given the importance of the cultural and institutional context to the research questions, as well as the use of multiple methods for collecting data (Yin 1993; Hartley, 2004). This approach is also in keeping with the commonly held belief that First Nation’s research should involve continuous interaction between the researcher and stakeholders to ensure that the latter ultimately benefit from the experience (Archibald et al., 1995; Darou et al., 2000). Though
narrow in focus, the community-based case study approach generated rich research results that should contribute to the Metlakatla First Nation’s conservancy initiatives and inform other B.C. First Nations pursuing the co-management of protected areas within their territories.

The community-based approach, also known as community-based participatory research, is appropriate given that I draw on multiple perspectives through multiple data collection methods in order to holistically consider the co-management of the Metlakatla conservancies. This approach allowed me to engage in the Metlakatla conservancy management planning process as an intern, reviewing current CMPs, attending stewardship meetings, and taking inventory of the resources and capacity available to Metlakatla. I interacted with staff and community leaders on a daily basis, enabling me to better understand the nuances involved in a First Nations’ approach to resource planning and management. Further, researching in the community allowed me to encourage community member involvement, contribute to the capacity building processes of the Nation and generate community interest in conservancies through informal discussions.

3.1.2. Researcher Role and Perspective

By engaging in participatory social sciences research, my role as a researcher and my perspectives as an individual influence the research process and shape my interpretation of the data (Blaikie, 2000). Before embarking on my research, it was important for me to be self-aware and realistic about my own ‘observational standpoint,’ defined by Clark (2002) as an individual’s value orientations and biases resulting from myriad factors such as personality, disciplinary training, experiences, and epistemological assumptions. Caelli et al (2003) argue that, at a minimum, qualitative research investigators should explicitly identify their disciplinary affiliation, what brought them to the question (their motives), and the assumptions they make about the topic of interest. This practice, known as reflexivity, is particularly important in situations of cross-cultural research in which cultural lenses exert powerful influences (Soto, 2006, p.24). Accordingly, I aimed to be critically self-aware and reflect on my own background and experiences throughout the research process.
In pursuing a Masters of Resource Management degree I was particularly drawn to policy and planning issues, especially those involving Indigenous land and resource management. After my graduate supervisor put me into contact with Anna Usborne, a graduate of the School of Resource and Environmental Management and the Environmental Assessments Coordinator for the Metlakatla Development Corporation, the three of us worked together with Harold Leighton, Metlakatla Chief Councilor, to develop my research question: how can the Metlakatla achieve a strong co-management arrangement and realize their goals and expectations for their conservancies with the Province of B.C.? Given that my research affiliation is with the Metlakatla, my work focuses on the opportunities and challenges and opportunities facing the Nation in managing their conservancies. However, I strive to maintain objectivity when analyzing the co-management arrangement between Metlakatla and B.C. Parks.

As a Caucasian, middle-class individual who was born and raised as an expatriate outside of Canada, I possessed neither first-hand experience with First Nations in Canada nor extensive familiarity with the co-management of protected areas in the province when I began my research. However, I spent my childhood in developing countries – many of which have experienced colonization – that face the burden of alleviating country-wide poverty through rapid industrialization while struggling to combat the impacts of environmental decline. As the daughter of a geophysicist contributing to the occupation and industrialization of the countries I called home, I grew to have an inherent understanding of the conflict between the need for development and the need for conservation; the persistence of powerful elites to maintain ‘business as usual’ and the urgency of the marginalized to change the status quo. The duality I experienced growing up is undoubtedly the source of my desire to seek out solutions to such great contradictions of resource management through policy and collaboration.

Certain aspects of my identity may have influenced my interactions with interview participants and my interpretation of situations and information. My exposure to and understanding of many cultures likely helped me connect with interviewees, and my eagerness as a young student to learn about Tsimshian culture and governance seemed to make people feel at ease and willing to share their thoughts and stories with me. However, my youth and inexperience as a social-scientist combined with my unequivocal
status as an outsider (to Metlakatla and to the north coast) may have created distance between myself and my interview subjects, resulting in less candid responses. In my analysis of information I did not attempt to resolve all conflicting or discrepant information from different sources and respondents, an exercise that involves judgment decisions by the researcher that may be inappropriate or ill-advised in a cross-cultural setting. Instead, I explored differences I found in my analysis and chose to present the range of perspectives. Nevertheless, in keeping with my desire to be as accurate in my reporting of results as possible, I have regularly included direct quotations to present the authentic voice of participants.

3.2. Methods

3.2.1. Literature and Document Review

I began my research by conducting an academic and ethnographic literature review in order to familiarize myself with the evolution of conservancies as a type of protected area in British Columbia and understand Metlakatla’s historical and contemporary connection to their territory. I then expanded my literature review for the purpose of assembling a set of principles of strong co-management from the body of research applicable to Aboriginal – state protected area co-management. I discovered that the existing literature is wide-ranging – some research focuses on process aspects of co-management while other research focuses on outcomes or pre-requisites, some authors provide detailed guidance on day-to-day collaborative relationships while others provide a broader perspective. By excluding literature that was overly broad or specific, such as examples of co-management of a specific resource, I found common themes and perspectives applicable to a setting where an Aboriginal group (Metlakatla First Nation in this case) co-manages a protected area with a state agency. I assembled 10 principles and associated indicators for strong Aboriginal – state co-management (discussed further in section 5.3.1).

In order to assess the strength of the de jure co-management arrangement between Metlakatla and the province, I evaluated all seven of the available Metlakatla conservancy management plans (one approved, four final, and two draft CMPs) and
several associated high level agreements against my set of principles. I reviewed the following CMPs: Khutzeymateen Inlet and Inlet West (approved); Manzanita Cove (final); Thulme Falls (final); Wales Harbour (final); Zumtela Bay (final); Lucy Island (draft); and Ksgaxl/Stephens Islands (draft). The associated high level agreements that I reviewed included the 2006 North Coast Land and Resource Management Plan, the 2006 Metlakatla Strategic Land Use Planning Agreement, the 2009 Coastal First Nations Reconciliation Protocol, and the 2007 Metlakatla – B.C. Protected Area Collaborative Management Agreement. Some of the principles of strong protected area co-management relate mainly to de facto (in practice) aspects of co-management and have limited applicability to the de jure (formal rules) aspects, such as the principle of continuity and dedication. In lieu of data concerning the practical application of co-management within conservancies, Stronghill (2013) addressed this issue by making predications about the implications of the policy documents and agreements. However, as my research includes interview data and participant observation that reveal de facto aspects of conservancy co-management, I instead chose not to evaluate the policy documents and agreements against certain principles and indicators, providing a rationale in each instance.

3.2.2. Key Informant Interviews

To identify the goals and expectations of Metlakatla community members for the co-management of their conservancies, and to find out how implementation of the co-management agreements was transpiring, I interviewed 18 key informants. I used a combination of targeted diversity sampling and convenience sampling (non-probability sampling methods), in order to identify potential interviewees. As my goal was to gain understanding of the Metlakatla conservancies by seeking perspectives across a range of stakeholders, I sought interviews with the following: Metlakatla Governing Council or Development Corporation employees (6), targeting individuals directly involved in conservancy planning and management; Metlakatla youth (2), elders (5), and other community members (2); and B.C. Parks employees (3). Due to time constraints and limited access to the wider population, I selected interviewees within each stakeholder group based on a combination of their availability and their potential knowledge of the subject matter.
The interviews were guided by an interview protocol (Appendix A), which I developed in an iterative process with the objective of collecting data relating to each of aspect of strong co-management, while allowing for additional information to emerge through open-ended discussion. The indicators for each principle helped guide my formation of interview questions, as did the standards written into the relevant legal and policy documents. For instance, in order to ascertain how well interviewees perceived the Metlakatla – B.C. co-management arrangement was protecting the ecology and culture within the conservancies, I asked the following question:

At the moment, how well do you think the following commitments, outlined in the Metlakatla – B.C. Protected Area Collaborative Management Agreement, are being addressed on a scale of 1 to 5, 1 being 'not well at all', 5 being 'very well', and 0 being 'I don't know':

- The Parties will work together to sustain the long-term ecological integrity and stewardship of the lands, waters, and resources of the conservancies.

- The Metlakatla will continue to have access to the lands and resources within the Conservancies as necessary for the exercise of their Aboriginal interests, subject to measures for conservation and public safety that satisfy common law requirements.

Interviews combined semi-structured and open-ended questions, and took place in either the Metlakatla Administrative Building (located in Metlakatla Village on the main reserve) or at the interviewee’s home. For 10 of the 18 interviews I was aided by Briannon Leighton, a junior employee with the Metlakatla administration, who helped me connect with potential Metlakatla interviewees and worked to bridge any communication barriers between the interviewees and myself. I asked each of the interviewees to sign a consent form prior to the start of the interview, at which time they indicated if they wished to remain anonymous. If the participants approved, I recorded and later transcribed the interviews; otherwise, I took notes by hand.

3.3. Analysis

3.3.1. Selection of Principles and Indicators

By reviewing academic literature on Aboriginal – state co-management arrangements, I compiled a list of criteria for a strong co-management arrangement
against which I could evaluate the Metlakatla-B.C. arrangement. As the conservancy designation is relatively new, there is very little literature available that discusses the effectiveness of the collaborative agreements that govern conservancies in B.C. Consequently, I broadened my search to literature concerning area-based co-management (i.e. parks and protected areas) taking place in Commonwealth countries in order to establish a set of assessment criteria relevant to Metlakatla’s co-management arrangement and the institutional framework within which they are embedded.

A number of key differences exist between co-management of specific resources and co-management of geographical areas, chief of which is the degree of complexity involved. While multiple local interests, government agencies, and environmental threats characterize both arrangements, these issues are compounded for the co-management of areas in which several contested species/resources exist. As a result, the identification of strategies for resource-specific co-management, such as employing self-regulated harvest quotas for a single species, is often relatively straightforward and the results easily measured. In contrast, problems typical of protected area co-management, such as the pursuit of sustainable economic development, are often met with ambiguous strategies that require more time to implement and produce results that cannot be quantified simply. I drew my principles and indicators from the literature on co-management arrangements that are relevant to protected area planning and management, and excluded resource-specific arrangements. The resulting list of principles and indicators captures the wide-ranging values and competing interests characteristic of Aboriginal – state protected areas.

To be effective, co-management agreements should be tailored to the political context within which they exist. Accordingly, I limited my research to case studies of co-management between Aboriginal groups and Commonwealth governments. These governments, such as that of Canada and British Columbia, are founded on a set of 16 ‘core beliefs’, including democracy, human rights, rule of law, sustainable development, and protecting the environment (Commonwealth Charter, 2013). Commonwealth countries also share similar histories of colonialism, considered a key dynamic in Aboriginal – state co-management arrangements.
I began with the framework developed by Thomson (1998), largely based on the work of Hawkes (1996), as my core set of principles and indicators. Thomson's framework is highly applicable to my research, as he developed the model for the purposes of evaluating the protected area co-management arrangement between First Nations in Yukon, Canada, and the Yukon Government. Moreover, Thomson developed his framework by reviewing two broad bodies of literature similar to the literature I reviewed: that pertaining to northern co-management initiatives (which inherently involve Indigenous peoples) and that relating to protected area management. Each of Thomson's final set of nine protected area co-management principles has been explicitly referred to by multiple researchers as being a necessary component of both successful protected areas and co-management regimes (Beazley, 1997; Mitchell, 1997; Nesbitt, 1997; McComb, 1997; Thompson, 1997; Hawkes, 1996; Pinkerton, 1996; Roberts, 1996; Peepre, 1995; Bailey, 1994; Berkes, 1994; Haugh, 1994; Joe, 1994; MacLachlan, 1994; Notzke, 1994; Witty 1994; Cordell, 1993; Davey 1993; Fenge, 1993; Kofinas, 1993; Craig, 1992; Wells and Brandon, 1992; Berkes et al., 1991; Weaver, 1991; Erasmus, 1989; Pinkerton, 1989; Caulfield, 1988; Garratt, 1984; McNeely and Miller, 1984). Based on the literature, Thomson assigns key, measurable attributes to each principle, which I have adopted as indicators for the nine principles as well. I looked for support for, and critiques of, these nine principles in the literature published since Thomson's work. I also looked in this literature for any additional principles applicable to the Metlakatla-B.C. co-management arrangement. One additional principle, equitable opportunities for community contribution, and four associated indicators were added based on my continued literature review. The final list of principles and indicators, discussed in the next chapter, was assembled from a total of six works relating to Aboriginal – state protected area co-management arrangements in Commonwealth countries (Table 3.1) and includes ecological and cultural protection, clearly defined boundaries, shared information, continuity and dedication, management flexibility and responsiveness, conflict resolution, enforcement, governmental support, equitable opportunities for community contribution, and economic development for the benefit of the community.
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<tr>
<th>Principle</th>
<th>Indicators</th>
<th>Source</th>
</tr>
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<tbody>
<tr>
<td>Ecological and Cultural Protection</td>
<td>Adoption of ecosystem approach to management (both cultural and ecological protection given weight)</td>
<td>Hawkes (1996)</td>
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<td></td>
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<td>Thomson (1998)</td>
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<td>Gardner (2001)</td>
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<td>Olsson et al. (2004)</td>
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<td>Timko and Satterfield (2008)</td>
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<td>Critical wildlife/resources are protected</td>
<td>Thomson (1998)</td>
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<td>Beltrán (2000)</td>
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<td>Timko and Satterfield (2008)</td>
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<td></td>
<td>Cultural values are promoted and enhanced</td>
<td>Hawkes (1996)</td>
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<td>Thomson (1998)</td>
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<td></td>
<td></td>
<td>Beltrán (2000)</td>
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<td></td>
<td></td>
<td>Gardner (2001)</td>
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<tr>
<td></td>
<td>Management plans are developed and implemented</td>
<td>Thomson (1998)</td>
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<td>Beltrán (2000)</td>
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<td>Gardner (2001)</td>
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<td></td>
<td></td>
<td>Timko and Satterfield (2008)</td>
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<td></td>
<td>Protected area design is functional and effective in achieving cultural and ecological protection</td>
<td>Hawkes (1996)</td>
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<td>Gardner (2001)</td>
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<tr>
<td>Clearly Defined Boundaries</td>
<td>Biophysical and cultural boundaries (&quot;users&quot;) are well-defined</td>
<td>Thomson (1998)</td>
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<td>Allowable and non-allowable activities are clear and understood</td>
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<td>Policies and procedures in place and followed for cooperative decision making</td>
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<td>Olsson et al. (2004)</td>
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<td>Traditional Ecological Knowledge (TEK) is integrated into decision making</td>
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<td>Olsson et al. (2004)</td>
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<td></td>
<td>Protected area information is made available to the community and users</td>
<td>Thomson (1998)</td>
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<td>Olsson et al. (2004)</td>
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<td>Timko and Satterfield (2008)</td>
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</tbody>
</table>
| **Equal and cooperative relationship between parties** | Thomson (1998)  
Beltrán (2000)  
Gardner (2001) |
| --- |
| Coordination of efforts between institutions and internal departments | Hawkes (1996)  
Thomson (1998)  
Olsson et al. (2004) |
| **Continuity and Dedication** | Thomson (1998)  
Gardner (2001)  
Olsson et al. (2004) |
| Dedicated core group advancing the process of implementation | Thomson (1998)  
Gardner (2001)  
Olsson et al. (2004) |
| Continuity of knowledge, skills, & interest in key actors over time | Thomson (1998)  
Olsson et al. (2004) |
| **Management Flexibility and Responsiveness** | Thomson (1998)  
Olsson et al. (2004) |
| Strategies are established and implemented and standards are met over time | Hawkes (1996)  
Thomson (1998)  
Beltrán (2000)  
Gardner (2001)  
Olsson et al. (2004) |
| Government is committed to new structures and processes | Hawkes (1996)  
Thomson (1998)  
Beltrán (2000)  
Gardner (2001)  
Olsson et al. (2004) |
| User or resource concerns and conflicts are responded to quickly | Hawkes (1996)  
Thomson (1998)  
Olsson et al. (2004) |
| **Conflict Resolution** | Thomson (1998)  
Beltrán (2000)  
Gardner (2001)  
Timko and Satterfield (2008) |
| Prescribed method for negotiating conflicts is established and effective | Thomson (1998)  
Beltrán (2000)  
Gardner (2001)  
Olsson et al. (2004) |
| Structures and processes foster trust, respect, and understanding | Thomson (1998)  
Gardner (2001) |
| **Enforcement** | Thomson (1998)  
Beltrán (2000)  
Gardner (2001)  
Olsson et al. (2004) |
| Agreements have necessary legal and community support | Hawkes (1996)  
Thomson (1998)  
Beltrán (2000)  
Gardner (2001)  
Olsson et al. (2004) |
| Enforcement activities are shared | Hawkes (1996)  
Beltrán (2000)  
Gardner (2001) |
| **Governmental Support** | Thomson (1998)  
Beltrán (2000)  
Gardner (2001)  
Olsson et al. (2004) |
| Adequate financial and technical support to implement protected area mandates and agreement provisions | Thomson (1998)  
Beltrán (2000)  
Gardner (2001)  
Olsson et al. (2004) |
| **Equitable Opportunities for Community Contribution** | Equitable representation of community members in leadership positions for the protected area | Hawkes (1996)  
Thomson (1998)  
Olsson et al. (2004)  
Timko and Satterfield (2008) |
| --- | --- | --- |
| Opportunities for education/training for Indigenous community members | Beltrán (2000)  
Gardner (2001)  
Timko and Satterfield (2008) |
| Adequate opportunity is provided for community contribution and feedback | Thomson (1998)  
Beltrán (2000)  
Olsson et al. (2004)  
Timko and Satterfield (2008) |
| Combined traditional and western institutions and decision-making mechanisms | Hawkes (1996)  
Beltrán (2000)  
Gardner (2001) |
Beltrán (2000)  
Timko and Satterfield (2008) |
| Community derives adequate direct and indirect economic benefit from area | Hawkes (1996)  
Thomson (1998)  
Beltrán (2000)  
Gardner (2001)  
Timko and Satterfield (2008) |
| Incentive systems for sustainable development for Indigenous community | Hawkes (1996)  
Beltrán (2000)  
Gardner (2001) |

I chose to evaluate the Metlakatla – B.C. co-management arrangement against the above set of principles and indicators instead of the goals and expectations I ascertained from the Metlakatla interviewees for several reasons. First, as I will discuss further in my Evaluation Results chapter, the goals and expectations expressed by interviewees were fairly narrow in focus, perhaps due to the limited knowledge about conservancies possessed by many community members or perhaps due to the relatively small number of interviews I was able to conduct. In contrast, I was able to review a relatively large number of academic documents during my literature review which presented me with a list of potential principles and associated indicators that encompassed a broader range of aspects related to strong Aboriginal – state protected area co-management than the
Second, the Metlakatla members I interviewed were not all united in their goals and expectations for the conservancies. For example, while a few interviewees indicated the desire to exclude all non-First Nations from benefiting from the resources within their protected areas, the majority indicated a desire to allow the conservancies to be respectfully shared by all. Last, by cross-referencing the Metlakatla interviewees’ goals and expectations for their conservancies against my set of principles I determined that the majority of the goals expressed by the interviewees were included within the set of principles. Using the previous example, the views of those interviewees who desired to exclude non-First Nations from the conservancies is encompassed by the principle of economic development for community benefit, which requires that the Indigenous community consent to all non-Indigenous development proposals.

3.3.2. Application of Principles and Indicators

I chose to adopt the rating system that Stronghill (2013) used in her evaluation of conservancy governance. The same system was previously used by Ellis (2008) and Zeiger (2012) in their evaluations of Canadian and German sustainability planning, respectively. I assigned a rating for each indicator based on my assessment of the CMP documents and higher-level agreements (where required), and another rating for each indicator based on my assessment of the 18 interviews:

- Fully met (3) = no deficiencies
- Largely met (2) = no major deficiencies
- Partially met (1) = no more than one major deficiency
- Not met (0) = two or more major deficiencies

I then assigned an overall rating for each principle based on the average of the scores for all of the indicators for that principle. Those indicators for which a rating could not be appropriately given based on the nature of the indicator and the data source reviewed were excluded from the average.
3.4. Limitations of Research

Being both qualitative and case study focused, my research has a number of limitations. Due to its nature, the quality of qualitative research is heavily dependent on the individual skills of the researcher (Willig, 2001). Qualitative research is more easily influenced by the researcher's personal biases and idiosyncrasies. As such, rigor is more difficult to maintain, assess, and demonstrate. By acknowledging and accounting for my epistemological background and standpoint as a researcher (section 5.1.2) I attempted to address, but also be transparent about, biases I bring to the research. In addition, the collection and analysis of qualitative research can be time-consuming and expensive, which can limit the number of participants (Griffin, 2004). Similar limitations are inherent in research based on a single case study in terms of its generalizability to situations outside the specific research case. In light of this, I have taken the approach of Brinkhurst (2013), reporting the results of my research “humbly and in a way that recognizes this limitation and does not attempt to generalize findings beyond what can be considered externally valid” (p.68). I also included several interview questions that required the interviewee to use a Likert scale in their response, as the Likert scale is an efficient method of data collection that produces quantitative results that are easy to analyze and easily understood (Hasson and Arnetz, 2005; Bertram, 2006). However, Likert scales are susceptible to a number of potential biases, such as the tendency of participants to avoid extreme response categories (central tendency bias), to agree with statements as presented in order to “please” the survey administrator (acquiescence bias), and to portray themselves in a more socially favourable light rather than being honest (social desirability bias) (Bertram, 2006). I attempted to lessen these biases by asking individuals to rate the importance they placed on certain aspects of conservancy planning and management (e.g., ecological protection), or how well those aspects are being fulfilled in practice, instead of asking individuals to indicate their level of agreement with certain statements (which may elicit the acquiescence or social desirability bias). Furthermore, I used the data I obtained from the Likert scale interview questions to complement the qualitative data I obtained through the open-ended interview questions; I did not rely solely on the former alone to substantiate my interpretations.
In addition to collecting my interview data from a relatively small sample, my research may also be limited in the representativeness of interviewees of the Metlakatla membership. Aboriginal communities are not homogeneous and often a wide range of perspectives and values exists within a community (Natcher and Hickey, 2002). Gaps in my interview sample include children, members residing within the inland territory and outside of the territory, and members with operating park use permits (PUPs). I also regret not being able to interview provincial representatives responsible for negotiating collaborative agreements and resolving disputes at a high level. I attempted to maximize the amount of information I could obtain from a small sample by selecting interviewees suggested to me by a Metlakatla staff member intimately involved in conservancy planning and management. In this way, it was more likely that interviewees would have information related to conservancy management and planning that would be useful to my research.
Chapter 4. Evaluation Results

In the sections below, I present the results of my evaluation of the Metlakatla – B.C. conservancy co-management arrangements. First, I compare and contrast the goals and expectations of the Metlakatla people for their conservancies, as expressed in policy documents and by the Metlakatla community members I interviewed, with the goals and expectations for the conservancies as expressed by interviewees from the B.C. Parks agency. In the subsequent sections, I report on my evaluation of the Metlakatla – B.C. co-management arrangement against each of the 10 principles and associated indicators of strong Aboriginal – state protected area co-management. I begin each section with a description of the principle and its indicators, followed by the results of my evaluation of the de jure co-management arrangement (as set out in the high-level agreements and policy documents) and the de facto co-management arrangement (as described in the interviews). I conclude with a summary of my evaluation results.

4.1. Goals and Expectations for the Metlakatla Conservancies

As expressed in the policy documents, the shared vision of the Metlakatla people and the province for the Metlakatla conservancies reflects the legislated priorities: the protection of cultural and ecological values, the preservation of Metlakatla’s Aboriginal interests, and the development of compatible economic opportunities for the benefit of the Metlakatla First Nation. However, as expressed by interviewees, the vision of the Metlakatla people for their conservancies extended further. My first interview question asked about the interviewees’ goals and expectations for their conservancies. Of the nine Metlakatla interviewees who valued the protection of ecological values, four specified the protection of ecological values from development and five specified for future generations. Another three of eight who valued the maintenance of their Aboriginal interests in the form of traditional use rights expected that the conservancies will promote traditional use practices. The protection of archaeological and heritage resources was mentioned by seven Metlakatla interviewees, either because those resources represent the cultural and spiritual history of their ancestors (4) or because they function as legal proof of continuous
Metlakatla occupation (3). Six members discussed their expectation that the protected areas will eventually be included in treaty negotiations, while two explicitly stated their vision for Metlakatla ultimate sovereignty over conservancy lands and resources. None of the Metlakatla interviewees responded to this initial question by discussing the value of promoting recreation within conservancies, another of the legislated priorities.

In contrast, the B.C. Parks interviewees closely echoed the definition of the conservancy designation in legislation. All three responded to my question about their goals and expectations for the Metlakatla conservancies by referring to the protection and maintenance of ecological values and traditional use activities; one indicated protection of ecological and cultural values from development. Two of the three B.C. Parks respondents mentioned the importance of maintaining recreational values within conservancies, one of whom attributed this to the fact that disallowing recreation activities altogether would not be enforceable.

Based on my interviews, the views expressed by representatives of B.C. Parks more closely mirrored those expressed in the policy documents and agreements in comparison to those of the Metlakatla membership. Additionally, the perspectives of the Metlakatla interviewees deviated from the de jure “shared vision” in that one of their objectives was to eliminate the need for a co-management agreement by ultimately assuming total governance of their conservancies. With the exception of this objective, the goals expressed by the Metlkatla interviewees were generally represented in the de jure documents, although not specifically (e.g. the de jure documents call for protection of ecological and cultural values but do not specify that the protection is for future generations or from development). The noted differences between B.C. Parks and Metlakatla interviewees – and between Metlakatla interviewees and the policy documents – in their vision for the conservancies sets the stage for inquiry into the contrast between conservancy co-management in principle and in practice.

4.2. Ecological and Cultural Protection

The first principle selected to evaluate the Metlakatla – B.C. co-management arrangement is ecological and cultural protection. Table 4.1 presents a summary of the
evaluation results for this principle and its indicators, followed by a detailed description of the principle and my evaluation results.

**Table 4.1. Evaluating Conservancy Co-management – Ecological and Cultural Protection (3=Fully Met, 2=Largely Met, 1=Partially Met, 0=Not Met)**

<table>
<thead>
<tr>
<th>Principle</th>
<th>Indicators</th>
<th>Interview Evaluation</th>
<th>Policy Document Evaluation</th>
<th>Overall Score (Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ecological and Cultural Protection</td>
<td>Adoption of ecosystem approach to management (both cultural and ecological protection given weight)</td>
<td>2</td>
<td>3</td>
<td>2 (1.7)</td>
</tr>
<tr>
<td></td>
<td>Critical wildlife/resources are protected</td>
<td>1</td>
<td>3</td>
<td>Largely met</td>
</tr>
<tr>
<td></td>
<td>Cultural values are promoted and enhanced</td>
<td>0</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Management plans are developed and implemented</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Protected area design is functional and effective in achieving cultural and ecological protection</td>
<td>2</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

Co-management is most likely to succeed when both local ecosystems and cultural systems are valued and afforded protection (Hawkes, 1996). Given their long associations with and deep understanding of their traditional territories, it is important that Indigenous peoples be equal partners in the development and implementation of conservation strategies, which should incorporate their rights to traditional, sustainable use of their lands and resources (Beltran, 2000). In fact, the IUCN defines a protected area as:

*A clearly defined geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values* [emphasis added]. (Dudley, 2008, p.8).

The B.C. Park Legacy Panel and the Panel on the Ecological Integrity of Canada’s National Parks each published reports in 1999 and 2000, respectively, which echo the IUCN sentiment regarding the protection of natural and cultural resources – with emphasis and priority placed on the former. More recently, the ecosystem approach to management of protected areas strives to give weight to both protecting critical wildlife and ecological resources as well as promoting cultural values (Hawkes 1996; Gardner, 2001). The joint
creation and implementation of management plans between Aboriginal and state governments that list the ecological and cultural values of a protected area and outline strategies to protect and enhance them is a critical aspect of effective co-management. Not only do management plans help both parties to define and then achieve the mandate of the protected area, they provide a mechanism for thinking about threats and opportunities, monitoring progress towards goals, and promoting discussion between the parties (Thomas and Middleton, 2003). However, if a protected area or network of protected areas has not been designed in careful consideration of the physical, legal and institutional context, management effectiveness in terms of the extent to which it is protecting values and achieving goals may prove futile (Hockings et al. 2006).

The Park Act specifies that conservancies are set aside for both environmental protection and the preservation of social, ceremonial, and cultural uses. Similarly, all Metlakatla conservancies fall under the NCLRMP and SLUPA, both of which state that they are based on the principles of ecosystem-based management (EBM), defined in the documents as an adaptive approach to managing human activities that seeks to ensure the coexistence of healthy, fully functioning ecosystems and human communities (NCLRMP, 2005). All seven of the CMPs reviewed describe values pertaining to cultural heritage and biological diversity, and contain subsections that outline specific conservation and cultural preservation strategies. For example, the Khutzeymateen Inlet and Inlet West CMP contains strategies to ensure the conservation of Grizzly Bears and their habitat, such as conducting research on the potential impact of sea level rise on Grizzly Bear habitat and food supply, as well as strategies to promote traditional and sustenance uses and harvesting activities, such as delivering annual community workshops that facilitate the sharing of management issues and traditional knowledge. While it is somewhat premature to evaluate the functionality and effectiveness of the Metlakatla conservancies individually and as a network, the policy documents indicate that conservancy areas were jointly delineated in consideration of this specific management intent. For example, the NCLRMP recommended the establishment of 18 large and 37 smaller protection areas, many of which later appear as conservancies in the Metlakatla – B.C. PACMA, resulting from several months of government-to-government discussions about the values and strategic management direction for the areas. Similarly, the seven available Metlakatla CMPs each describe the process by which the conservancy was
jointly delineated and the rationale for its design. However, 21 of Metlakatla’s 28 conservancies lack management plans in even draft form, representing a significant limitation in achieving ecological and cultural protection within those protected areas.

My interview results indicate that while an ecosystem approach to management has been adopted by both parties in theory, protection of the ecological and cultural values within Metlakatla’s conservancies is far from adequate, and is not afforded equal weighting. Although each interviewee placed a high level of importance (4 or more, on a Likert scale from 1 to 5) on the protection and maintenance of the natural environment as well as social, ceremonial and cultural uses of conservancies, the majority reported inadequate protection of ecological integrity and incorporation of traditional knowledge within the Metlakatla conservancies. For instance, 14 of the 15 Metlakatla interviewees agreed that the four purposes for which conservancies are intended align with their own vision for conservancies, although they might assign different priority weightings. However, when asked to rate the current level of protection, monitoring, and evaluation afforded to ecological and cultural values in practice, 10 interviewees agreed that it was inadequate (a rating of 2 or less). Furthermore, only four Metlakatla respondents felt that B.C. Parks and Metlakatla were working together adequately (a rating of 4 or more) to preserve the ecological integrity of the land, waters, and resources of the conservancies. Finally, although the conservancies are relatively new and finalized CMPs even more so, some interviewees reported trends of decreasing traditional use by members and failed strategies to rebuild species.

4.3. Clearly Defined Boundaries

The second principle selected to evaluate the Metlakatla – B.C. co-management arrangement is clearly defined boundaries. Table 4.2 presents a summary of the evaluation results for this principle and its indicators, followed by a detailed description of the principle and my evaluation results.
Table 4.2. Evaluating Conservancy Co-management – Clearly Defined Boundaries (3=Fully Met, 2=Largely Met, 1=Partially Met, 0=Not Met)

<table>
<thead>
<tr>
<th>Principle</th>
<th>Indicators</th>
<th>Interview Evaluation</th>
<th>Policy Document Evaluation</th>
<th>Overall Score (Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clearly Defined Boundaries</td>
<td>Biophysical and cultural boundaries (&quot;users&quot;) are well-defined</td>
<td>1</td>
<td>2</td>
<td>Partially met (1.3)</td>
</tr>
<tr>
<td></td>
<td>Allowable and non-allowable activities are clear and understood</td>
<td>1</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Regulatory authority and jurisdictional responsibility is clear and appropriate</td>
<td>0</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>

Strong co-management of a protected area is more likely when biophysical boundaries and user groups are well-defined and stable, applicable regulations are clear and understood, and the regulatory authority and jurisdictional responsibility is clear and appropriate. Not only should the geographical space of the protected area be readily identifiable, local users should also distinctly belong to a community (often based on kinship or ethnicity) so that it is understood which individuals have the right to withdraw resources from the area (Hawkes, 1996; Timko & Satterfield, 2008; Cox et al., 2010; Klaine et al., 2014). In order to ensure that the ground-rules for collaborative management are mutually agreed upon, Aboriginal and state managers should clearly identify each other’s roles and responsibilities early on in the process (Gardner, 2001; Halpenny et al., 2004; Cullen et al., 2010). This is especially important for creating a shared understanding of stakeholder interests and commitment to collaborative management, as parties with unrealistic expectations may lose faith in the arrangement and remove themselves from the process if their expectations are unfulfilled (Mabee and Hoberg, 2006; Ronmark et al., 2007). Finally, it is important for the protected area legislation to be clear about jurisdiction with respect to the land and sea areas included in the protected areas system in order to avoid legal and institutional conflicts later on (Lausche, 2011). Protected areas and ecosystems often cross jurisdictional boundaries, and significant inconsistencies may arise, making inter-jurisdictional cooperation and management particularly complicated (Canadian Parks Council, 2011; Bauman et al., 2013).

Of the high level agreements and policy documents reviewed, the purpose, location, and management intent for different land designations, including conservancies,
is more detailed in the PACMAs than in the broader LRMPs and SLUPAs. The NCLRMP includes a map demarcating the originally established conservancies across multiple First Nations territories. The SLUPA provides a description of land use zones and potential designations and their purpose and excluded uses. The Metlakatla – B.C. PACMA contains an updated map of protected area designations as well as a provision for the chosen representatives of each party to make recommendations on the boundaries, legal descriptions and names for proposed protected areas. Arguably, however, the only clear descriptions of the biophysical and cultural boundaries of Metlakatla conservancies are in each individual conservancy management plan (of which there are only 7, and not all of these are complete). While the Park Act legally defines the explicit purpose for which conservancies are set aside, more detailed information on allowable and non-allowable activities that correspond with the management direction of individual conservancies can only be found in the CMPs. The biophysical boundaries of the conservancies and the potential benefits within them are well-defined, but the authorized local users are not a distinct homogeneous community. Metlakatla members belong to a user group of which membership is clear, but the right to access and utilize natural resources within the conservancies has not been granted to the Metlakatla alone. Non-First Nations people may also access and engage in commercial resource development within the conservancies, and the question of allocating permits between First Nation and Non-First Nation applicants, for which there is no clear provision in the policy documents, poses a significant challenge for conservancy co-management (Stronghill et al., 2015).

The identification of conservancy areas in Metlakatla territory was undertaken jointly by Metlakatla and the province, but interview responses suggest that the majority of community members were unaware of the location or boundaries of most Metlakatla conservancies. Of the 15 Metlakatla members interviewed, seven either acknowledged that they did not know the location of more than a handful of conservancies or unknowingly referred to areas as conservancies incorrectly. Ten respondents, including two Metlakatla staff members, admitted to knowing little about allowable and non-allowable activities within conservancies, citing lack of access to information and technical jargon as barriers to understanding the rules.
Perhaps the most concerning lack of clarity was the overlapping and indistinguishable jurisdictional boundaries characteristic of Metlakatla’s coastal conservancies. Eight respondents (including two B.C. Parks representatives) either directly or indirectly alluded to the intertidal “grey area” where the federal government has authority over dive fisheries (e.g., geoduck, abalone) but the provincial government has authority over the foreshore seabed from which these resources are harvested. Although this jurisdictional dispute existed prior to 2006, it has been further exacerbated by the conservancy designation: without the cooperation of federal agencies, Metlakatla and the province cannot effectively negotiate boundaries, implement species restoration strategies, or enforce a ban on commercial harvesting within the intertidal area. For Metlakatla members with little knowledge of high-level policy issues, interview responses suggested that the effect of this jurisdictional problem was to diminish their trust in all levels of government, as well as their support for protected areas in general. For instance, one Metlakatla youth interviewee explained, “For Stephen’s Islands anyways, they [DFO] don’t care who goes there. Like for sports fishermen, they can do whatever, apparently.” A Metlakatla elder interviewee also expressed her distrust in the Crown, saying, “We have to be very protective of our resources, because we did have a lot taken away from us, ya know? We were almost stripped. By the government.” Metlakatla and the province continue to coordinate efforts in lobbying for incorporation of key marine resources under the conservancy designation, where ideally they would be afforded more protection and tighter management controls.

Another impediment to clearly defined boundaries and jurisdictional responsibility arises from the shared territory between Metlakatla and the other Coast Tsimshian First Nation, Lax Kw’alaams. Due to the overlapping land claims by Metlakatla and Lax Kw’alaams, more than half of the Metlakatla conservancies are shared with Lax Kw’alaams. While each Nation has separate collaborative management agreements with the province, the two Nations do not have such an agreement with each other, which contributes to confusion about their roles and responsibilities in conservancy planning and management. Metlakatla and Lax Kw’alaams have addressed this issue thus far by making de facto arrangements regarding which First Nation will take the lead on planning and managing specific conservancies with the province. For instance, based on the high level of traditional use by the Lax Kw’alaams membership of Lax Kwaxl/Dundas and
Melville Islands Conservancy it was agreed between the First Nations’ leadership that Lax Kw’alaams would lead the planning and management of that conservancy. Correspondingly, as Ksgaxl/Stephens Islands Conservancy (Lax Kwaxl/Dundas and Melville Islands Conservancy) serves as a similarly important area of traditional use to the Metlakatla membership, it was agreed that Metlakatla would lead the co-management of that conservancy. Although these de facto arrangements have functioned thus far, should a disagreement arise between Lax Kw’alaams and Metlakatla or a conservancy management issue emerge, the de facto arrangements may not endure and could create conflicts for which no formal resolution process exists.

4.4. Shared Information

The third principle selected to evaluate the Metlakatla – B.C. co-management arrangement is shared information (communication). Table 4.3 presents a summary of the evaluation results for this principle and its indicators, followed by a detailed description of the principle and my evaluation results.

Table 4.3. Evaluating Conservancy Co-management – Shared Information (3=Fully Met, 2=Largely Met, 1=Partially Met, 0=Not Met)

<table>
<thead>
<tr>
<th>Principle</th>
<th>Indicators</th>
<th>Interview Evaluation</th>
<th>Policy Document Evaluation</th>
<th>Overall Score (Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shared Information</td>
<td>Policies and procedures in place and followed for cooperative decision making</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Traditional Ecological Knowledge (TEK) is integrated into decision making</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Protected area information is made available to the community and users</td>
<td>0</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Equal and cooperative relationship between parties</td>
<td>1</td>
<td>2</td>
<td>Partially met (1.3)</td>
</tr>
<tr>
<td></td>
<td>Coordination of efforts between institutions and internal departments</td>
<td>1</td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

Effective information sharing requires that communication between the co-management parties, and between these parties and their constituencies, be open, transparent, and regular. Not only should First Nation and state managers have access to
and understanding of each other’s knowledge bases, there should be policies and procedures for cooperative decision-making in place and followed to ensure that both scientific knowledge and traditional ecological knowledge are reflected in decision-making processes (Hawkes, 1996; Gardner, 2001; Halpenny et al., 2004; Hockings et al., 2006; Mabee & Hoberg, 2006). While land and resource management has long been governed by western/scientific standards, a co-management arrangement that considers TEK and fosters cross-cultural education for both parties can contribute to a more holistic understanding of the ecological and social dynamics functioning within a protected area (Hawkes, 1996; Halpenny et al, 2004). Also, building traditional knowledge into the collection and analysis of information that directs decision-making encourages user compliance with the terms of the co-management arrangement, particularly when the local users have contributed to data collection and analysis (Pinkerton 1989; Ostrom, 1990; Berkes, 1994; Gardner, 2001). Aboriginal and state managers should therefore facilitate local participation in decision-making processes by making protected area information readily available to the community and ensuring mechanisms are in place for two-way communication between managers and users (Timko and Satterfield, 2008; Cullen et al., 2010). Perhaps most importantly, decision-making processes should recognize and provide for equal participation and authority for Aboriginal and state managers (Beltran, 2000; Olsson et al., 2004; Carlsson and Berkes, 2005; Mabee and Hoberg, 2006; Ansell and Gash, 2008). Analysts often use the level of decision making authority afforded to Aboriginal partners in co-management to assess the strength of the arrangement (Pinkerton, 1989; Pomeroy and Berkes, 1997; Mabee and Hoberg, 2006; Bauman et al., 2013). Unfortunately, co-management arrangements for protected areas in Canada are not typically characterized by equal sharing of decision-making power as ministers are often legislatively bound to retain final decision-making authority (Gardner, 2001; Mabee and Hoberg, 2006).

While it is true that the Metlakatla – B.C. co-management arrangement is also subject to legislation that impedes true power-sharing, the collaborative agreements and policy documents that guide Metlakatla conservancy management all reference policies and procedures for cooperative decision making. In the vision statement for the New Relationship, announced in 2005, the province commits to reconciliation of Aboriginal and Crown titles and jurisdictions and to establish processes and institutions for shared
decision making. Following that, the SLUPA and subsequent PACMA entered into by Metlakatla and the province in 2006 both recognize the parties diverging views with respect to sovereignty, title and ownership. However, the SLUPA explicitly states that, along with the NCLRMP, it does not address final reconciliation of Provincial and First Nation assertions of title and rights. Conversely, the 2009 CFN – B.C. Reconciliation Protocol sets the basis for a more collaborative and coordinated approach to decision-making, providing an engagement framework for land and resource decision making that is supposed to be “more efficient, effective, and responsive to the interests of each Nation or First Nation and the province” (CFN – B.C. Reconciliation Protocol, 2009, p.3). Regardless of these policies and procedures put in place for cooperative decision-making, ultimate decision-making authority rests with the province (Bird, 2011).

The importance of TEK is acknowledged in each of the collaborative policy documents, but there is little evidence of the actual use of traditional knowledge in the higher-level agreements. In the CMPS, specific management planning efforts that incorporate scientific knowledge and TEK are outlined, such as information on ecological attributes, values and issues within the Khutzeymateen conservancies gathered by a technical team that included representatives from First Nations, the Ministry of Environment, and the Nature Conservancy of Canada. In another example, the CMPS of the other four Metlakatla conservancies with finalized management plans commit to “supporting research that contributes to the site specific historical and ethnographic knowledge” via collaborative field assessments and community mapping of cultural and heritage sites.

Interviewees highlighted numerous pitfalls to effective information sharing between hierarchies and across stakeholder groups, in turn impacting the fulfillment of several additional principles of effective co-management. Ten interviewees (4 MFN staff, 1 B.C. staff, 3 elders, 2 youth) cited inadequate community engagement by the Metlakatla administration as a factor when discussing the lack of member involvement in conservancy planning and management and their desire to be more involved (6 out of 9 Metlakatla community members expressed this desire). For inter-agency communication, 4 out of 6 MFN staff and 2 out of 3 B.C. Parks staff indicated that communication was poor to moderate. Similarly, information sharing within agencies appears to be poor, with 5 out
of 6 MFN staff reporting poor to moderate intra-agency communication and all 3 B.C. Parks staff reporting inadequate top-down information within the government. Perhaps the best evidence of the lack of transparency and poor communication in the B.C.-MFN co-management arrangement is the frequency with which interviewees answered, “I don’t know” when asked about a variety of topics, most notably: the allocation of PUPs (13); their personal understanding of conservancy regulations (8); the adequacy of MFN-B.C. information sharing (7); how they deal with conflict between co-managing parties (9); and whether or not conservancy management is equally informed by TEK and science (6). This lack of knowledge among stakeholders, particularly MFN community members, is a clear indication of inadequate communication and education, which has negative implications for achieving clearly defined boundaries, enforcement of policies, community contribution, and community economic development.

4.5. Continuity and Dedication

The fourth principle selected to evaluate the Metlakatla – B.C. co-management arrangement is continuity and dedication (leadership). Table 4.4 presents a summary of the evaluation results for this principle and its indicators, followed by a detailed description of the principle and my evaluation results.

| Table 4.4. Evaluating Conservancy Co-management – Continuity and Dedication (3=Fully Met, 2=Largely Met, 1=Partially Met, 0=Not Met) |
| --- | --- | --- | --- |
| **Principle** | **Indicators** | **Interview Evaluation** | **Policy Document Evaluation** | **Overall Score (Average)** |
| Continuity and Dedication | Dedicated core group advancing the process of implementation | 2 | N/A | Largely met (2) |
| | Continuity of knowledge, skills, & interest in key actors over time | 2 | N/A | |

A central aspect in the success of co-management arrangements is the attitudes of the key actors involved. A core group of individuals who remain dedicated to co-management, consistently work toward implementation of the agreement, and maintain a positive outlook is widely seen as a critical factor in furthering the collaborative process (Burger et al. 2001; Frame, Gunton, and Day 2004; Gunton and Day 2003; Lasker and
When leaders make a solid commitment to honor the protocols of the agreement and demonstrate willingness to work as a team, trust is enhanced between all parties, and conflicts relating to the issue of ultimate authority are often assuaged (Ostrom 1990; Halpenny, 2004; Olsson, 2004; Gardner, 2001). Individuals who possess unique skills or knowledge applicable to protected area management, facilitate horizontal and vertical linkages between parties, or are viewed by the community as key stewards, can be instrumental in collaboration and agreement implementation (Olsson, 2004). It is important, however, that these individuals have access to adequate support and resources in order to be able to fulfill their role as advocates for the protected area.

The principle of continuity and dedication applies to the actions and qualities of individuals over time, so it could not be assessed from the policy documents. The PACMA specifies representatives that Metlakatla and B.C. Parks each must assign to cooperatively make recommendations to both parties on the planning and management of the protected areas, but beyond that the policy documents do not include provisions that speak to the dedication of key individuals or ensuring continuity of knowledge and skills. Accordingly, I relied on the results of my interviews in assessing the fulfillment of this principle.

When asked who in the community they saw as an advocate or activist for the management of Metlakatla’s conservancies, interviewees repeatedly pointed to three Metlakatla staff members. David Leask, Metlakatla Marine and Land Use Plan Implementation Manager and Collaborative Management Board (CMB) representative, was named by the most respondents (4 MFN staff, 3 B.C. Parks staff, 2 elders, 1 youth, and 1 other community member). Metlakatla’s Chief Councilor, Harold Leighton, was named by five respondents (4 MFN staff, 2 B.C. Parks staff, and 2 elders). While herself a member of Gitxsan First Nation, Barbara Petzelt, Metlakatla’s lead Treaty Negotiator who also serves as a CMB representative, was mentioned by five respondents (2 MFN staff and 3 B.C. Parks staff). The primary reason offered for naming a specific leader was that they possess good communication skills (4 respondents), further evidencing the value community members place on regular and meaningful information sharing. Although it is
encouraging that a core group of conservancy advocates emerged from the interviews – with only two interviewees unable to name an advocate – responses also point to a number of capacity challenges faced by leadership, including a lack of personnel (8), limited access to government support (3), and a lack of knowledge/expertise (2). With respect to B.C. Parks, as a result of budget cuts and reduced personnel there is a limited selection of individuals from which a champion of conservancy planning and management may emerge. Currently, advocacy for conservancy planning and management defaults to the Area Supervisor, who is largely responsible for developing CMPs, coordinating patrols, and implementing CMP strategies in collaboration with Metlakatla representatives. The Area Supervisor receives managerial support from the Section Head and operational support from the Park Rangers, but is ultimately responsible for leading conservancy planning and management. While it may not be surprising that the Area Supervisor expressed discontent with the conservancy advocate role defaulting almost entirely to himself, it is interesting to note that some MFN staff interviewed also expressed frustration with the unwavering continuity of conservancy advocates within B.C. Parks, pointing to a number of impasses that have occurred as a result of working repeatedly with the same limited number of individuals.

4.6. Flexibility and Responsiveness

The fifth principle selected to evaluate the Metlakatla – B.C. co-management arrangement is flexibility and responsiveness. Table 4.5 presents a summary of the evaluation results for this principle and its indicators, followed by a detailed description of the principle and my evaluation results.

Table 4.5. Evaluating Conservancy Co-management – Flexibility and Responsiveness (3=Fully Met, 2=Largely Met, 1=Partially Met, 0=Not Met)

<table>
<thead>
<tr>
<th>Principle</th>
<th>Indicators</th>
<th>Interview Evaluation</th>
<th>Policy Document Evaluation</th>
<th>Overall Score (Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Flexibility and Responsiveness</td>
<td>Strategies are established and implemented and standards are met over time</td>
<td>0</td>
<td>2</td>
<td>Partially met (1.4)</td>
</tr>
</tbody>
</table>
A successful co-management arrangement will be flexible and responsive to the dynamic nature of the cultural, environmental and institutional systems involved. Aboriginal communities with historical continuity in resource management practice flexibility and responsiveness through the evolving body of traditional ecological knowledge that is passed from generation to generation (Olsson et al., 2004). Incorporating TEK into management strategies is one way of being responsive to changing social and ecological environments. However, the expected evolution of both parties’ objectives, combined with uncertainties regarding the effects of future climate change and other factors, underscores the need for an adaptive co-management model that includes mechanisms to monitor and revise management plans over time (Timko & Satterfield, 2008; Halpenny et al, 2004; Carlsson and Berkes, 2005; Cullen et al., 2010). Flexibility in the agreement should also extend to the actual process of decision-making, and the policy instruments applied, to support the continued devolution of authority to the local community and allow for First Nations’ traditional approaches to conservation. Integrating First Nations’ customs into official meetings, such as having meetings opened by an elder on the planning committee or having meetings take place in a ceremonial building or space, respects traditions and can keep the process from becoming overly bureaucratic (Ostrom, 1990; Reed, 1990; Mabee and Hoberg, 2006; Timko and Satterfield, 2008). The co-management arrangement should also support flexible institutions and the gradual decentralization of power in order to tighten feedback loops between on-the-ground monitoring and reporting by local users and adaptive management responses (Borrini-Feyerabend et al., 2004; Olsson et al., 2004; Carlsson and Berkes, 2005; Bauman et al., 2013).

As with the principle of shared information, when reviewing the policy documents for indicators of management flexibility and responsiveness I found that these documents generally mirror the sentiments of the New Relationship, which declares the province’s commitment to developing new structures and processes of decision-making with First Nations, with the intent to work towards First Nation self-determination over traditional
lands and resources. The Reconciliation Protocol states the intent to provide a framework for land and resource decision making that is more efficient, effective and responsive to the interests of First Nations. However, along with the SLUPA and the PACMA, the Reconciliation Protocol also states that it does not change the positions of the parties regarding jurisdiction, responsibilities and/or decision-making authority, somewhat contradicting the spirit of the New Relationship. The Metlakatla CMPs each contain the commitment to establishing management strategies and operational workplans that may be adjusted based on monitoring and evaluation on an ongoing basis to ensure stated objectives and results are achieved. The management objectives and strategies, however, are often vague (e.g. “conduct/support research that provides assessments and inventories of ecosystems, ecological communities and species of conservation concern”). Additionally, the CMPs call for adaptive management practices and processes in response to possible effects of climate change, and commit to the review and revision of the management plans if necessary to address improvements in local and regional knowledge and the results of conservancy management and monitoring. Nevertheless, it is impossible to accurately gauge from the agreements or policy documents whether the parties will work together in practice to respond efficiently and effectively to user or resource concerns and conflicts.

While three interviewees felt unqualified to comment on the adequacy of monitoring and evaluation of the conservancies by B.C. Parks and Metlakatla, 10 of the remaining 15 interviewees felt that monitoring and evaluation by the parties are either fulfilled poorly or not at all. Those who felt knowledgeable enough to comment linked the poor monitoring to a lack of capacity (physical, human, and financial) within both agencies (3 MFN staff and 2 B.C. Parks staff), incomplete knowledge (i.e., baseline data) about the majority of conservancies (3 MFN staff and 1 B.C. Parks staff), and the relative infancy of the co-management arrangement (1 MFN staff, 1 B.C. Parks staff, and 1 elder). When asked what course of action they would take if a permitted activity was negatively affecting a conservancy or their activities within it, the most common response was that they would report the issue to Chief and Council (4 MFN staff, 2 elders, and 2 other community members). An additional six interviewees – including, interestingly, a B.C. Parks Ranger – were unaware of the protocol for reporting and responding to local community or resource concern. Management responsiveness on the ground appears weak, as
evidenced by three interviewees involved in monitoring and compliance activities (2 B.C. Parks staff and 1 MFN staff) who stated that they would outsource enforcement action to a higher authority (e.g., DFO) rather than take immediate action themselves if they encountered a situation of non-compliance in the field. Worse yet is the ability to respond quickly to local community and resource concerns at the policy level, a process that some interviewees feel is hindered by a disconnect between policy-makers and decision-makers (2 MFN staff, 2 B.C. staff), the province’s lack of demonstrated commitment to collaborative governance (4 MFN staff), and the fact that the province remains the ultimate decision-making authority (3 MFN staff, 2 B.C. staff). Based on interviewee responses, it would appear that the level of flexibility afforded to on-the-ground managers is largely constrained by the extent to which higher level managers decentralize authority to local agencies, which in turn impacts the level of responsiveness that those local agencies can exercise when issues arise. While the Chief affords the Metlakatla operational managers a high degree of authority and flexibility, the province has not afforded B.C. Parks managers the same autonomy, which hinders the level of engagement that occurs between the parties and the quality of responsiveness to conservancy issues that they can offer.

4.7. Conflict Resolution

The sixth principle selected to evaluate the Metlakatla – B.C. co-management arrangement is conflict resolution. Table 4.6 presents a summary of the evaluation results for this principle and its indicators, followed by a detailed description of the principle and my evaluation results.

| Table 4.6. Evaluating Metlakatla Conservancy Co-management – Conflict Resolution (3=Fully Met, 2=Largely Met, 1=Partially Met, 0=Not Met) |
|---|---|---|---|
| Principle | Indicators | Interview Evaluation | Policy Document Evaluation | Overall Score (Average) |
| Conflict Resolution | Prescribed method for negotiating conflicts is established and effective | 0 | N/A | Partially met (1) |
| Conflict Resolution | Structures and processes foster trust, respect, and/or understanding | 1 | N/A |  |

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Given that co-management regimes are often established in settings of prolonged conflict, it is essential that co-management agreements have policies and mechanisms in place to work through conflicts as they emerge – or re-emerge. Establishing mutually agreeable conflict resolution mechanisms within Aboriginal – state co-management regimes is particularly challenging. Not only are these co-management processes typically rooted in western legal and cultural traditions (Cullen et al., 2010; Stevenson, 2004), the history of mistrust between First Nations and state government agencies makes it very difficult to develop the mutually respectful working relationships necessary for effective dispute resolution (Singleton 1998; Treseder and Krogman 2000). Despite these challenges, successful conflict resolution can still be achieved if the parties demonstrate a genuine commitment to processes that are culturally sensitive (Gardner, 2001; Mabee and Hoberg, 2006), easily accessible, low-cost and adhere to reasonable timelines (Hawkes, 1996; Cox et al., 2010). Additionally, Singleton (2000) posits that when the agencies directly involved in co-management have relatively high independence from the larger political structures of which they are a part, they have more flexibility to negotiate conflict resolution. Finally, while strong co-management strives for consensus, both parties should agree upon an alternative method of decision-making and dispute resolution to fall back on if consensus cannot be reached, such as hiring an impartial mediator or facilitator (Pinkerton, 1989; Singleton, 2000; Saarikoski et al., 2013).

Understanding the quality of conflict resolution processes within a co-management arrangement inherently requires an assessment of the parties lived experience in carrying out such a process (Saarikoski et al., 2013). Nevertheless, the collaborative agreements and management plans can be evaluated for the presence of robust dispute resolution mechanisms. Each of the documents reviewed provide for consensus-based decision-making and acknowledge that successful implementation of the co-management arrangement will depend upon the parties’ ability and willingness to recognize and resolve differences which arise between them. The SLUPA and Reconciliation Protocol provide additional detail on dispute resolution, outlining a five step process and various forums to which disputes can be brought, such as the Coastal First Nations Land and Resource Forum. However, the Land and Resource Forum is regionally based (as it is available to all Coastal First Nations), and therefore it not readily accessible for local conflicts. The SLUPA also contains a provision for enlisting the services of a mediator or facilitator, but
only if both parties mutually agree to both the process of mediation and the mediator/facilitator chosen. If all attempts to resolve the dispute prove unsuccessful, the policy documents state that either Party may provide notice of the dispute to their respective senior representatives (i.e., the Minister and the First Nation Chief), who may proceed to make a decision based on their respective laws and policies. What is not explicitly stated is that as ultimate decision-making authority rests with the province; the Minister’s decision is likely to prevail over that of the First Nation, except when the province infringes on Aboriginal rights or title without properly consulting and accommodating the First Nation. The CMPs themselves also include directions for resolving conflict that arises in co-managing the conservancies, however, these provisions are vague in comparison to the higher level agreements discussed above.

Perceptions about the state of the relationship between Metlakatla and B.C. Parks varied across interviewees, and a distinction was apparent between relationships at the operational level and the upper-management level. In regard to the former, 4 MFN staff and 2 B.C. Parks staff reported that the parties maintain a good relationship at the operational level which, according to 2 MFN staff interviewees, is because B.C. Park field staff are “fair”. Conversely, 8 respondents (5 MFN staff, 1 B.C. Parks staff, and 2 elders) characterized the relationship between Metlakatla and B.C. upper-management as “substandard”, due either to the uncooperative nature of B.C. Parks management (5 MFN staff), the turmoil associated with these new co-management arrangements (1 MFN staff, 1 elder), or the differing standards of good co-management held by B.C. and Metlakatla (1 MFN staff). However, all but one of the respondents who reported a substandard upper-management relationship also said that the relationship has improved over time, primarily as a result of conservancy planning and management (7 respondents). In contrast, 7 interviewees (4 MFN staff, 2 B.C. Parks staff, and 1 elder) pointed to the poorly established, inefficient dispute resolution process as the source of frustration and ill-will between the parties.

4.8. Enforcement

The seventh principle selected to evaluate the Metlakatla – B.C. co-management arrangement is enforcement. Table 4.7 presents a summary of the evaluation results for
this principle and its indicators, followed by a detailed description of the principle and my evaluation results.

Table 4.7. Evaluating Metlakatla Conservancy Co-management – Enforcement (3=Fully Met, 2=Largely Met, 1=Partially Met, 0=Not Met)

<table>
<thead>
<tr>
<th>Principle</th>
<th>Indicators</th>
<th>Interview Evaluation</th>
<th>Policy Document Evaluation</th>
<th>Overall Score (Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enforcement</td>
<td>Agreements have necessary legal and community support</td>
<td>1</td>
<td>2</td>
<td>Partially met (1.5)</td>
</tr>
<tr>
<td></td>
<td>Enforcement activities are shared</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
</tbody>
</table>

Achieving adequate and appropriate enforcement—Aboriginal – state is a particularly challenging but critical component of an effective co-management arrangement for protected areas. Conventional enforcement techniques are impractical in this context as Aboriginal – state protected areas are often characterized by small, dispersed populations, of which a relatively large portion are resource users and continue to have cultures that are intrinsically bound up with the protected area (Njootli, 1994; Morgan and Henry, 1996; Thomsson, 1998). For these reasons, in order to achieve protected area management objectives there must be both community support and legal support for the protected area and co-management agreement (Thomsson, 1998), and the appropriate enforcement agents (whether state or Aboriginal or both) must have sufficient monitoring and enforcement capabilities, in terms of funding, resources, and access to training (Gardner, 2001; Singleton, 2000). As Aboriginal peoples are often “the experts” with respect to the natural history of the area, supported by generations of experience in managing the resources, they are ideally situated to provide effective management, monitoring and enforcement (Gardner, 2001). Therefore, while it is necessary for the state to possess the necessary resources for monitoring and enforcement (Singleton, 2000), it is equally important that Aboriginal community members be engaged in on-the-ground protected area management and be provided with the training and authority to enforce regulations, if they desire to do so (Pinkerton, 1989; Ostrom, 1990; Reed, 1990; Gardner, 2001; Nursey-Bray and Rist, 2009).

Each of the Metlakatla’s active CMPs outlines strategies for sharing monitoring of vulnerable cultural heritage and ecological sites, recreational use, and permitted
commercial harvesting activities within the conservancies. More specifically, these agreements refer to monitoring by Coast Tsimshian guardians and/or Ministry of Environment park rangers. As all of the CMP processes sought and incorporated the opinions of local users in the management plans, community support of these enforcement strategies is likely. Furthermore, the Coast Tsimshian guardians, a program which operates under the Coastal Guardian Watchmen Network, is made up of knowledgeable local First Nation community members (Metlakatla staff member, personal communication, 2012). The mandate of the Guardian Watchmen is “to protect the health of our cultural and natural resources by monitoring resource use in our territory and helping to enforce rules and regulations” (Metlakatla staff member, personal communication, 2012). However, with the exception of the Khutzeymateen CMP, the term “enforcement” is not specifically referred to in the management plans, leaving room for interpretation of the actual jurisdiction of the Coast Tsimshian guardians. Moreover, although the Khutzeymateen CMP calls for the enforcement of Grizzly Bear Viewing Standards of Practice, sanctions are not specified. Instead, all five CMPs have vague provisions for the Metlakatla and provincial government to “meet as required” to resolve issues revealed by management and monitoring operations. As such, the principle of enforcement will likely only be partially upheld upon implementation of the CMPs.

Despite a noticeable lack of knowledge among interviewees regarding the conservancy designation, interview results suggest that the Metlakatla community is largely supportive of conservancies, with the exception of some elders. Two elders interviewed admitted to being resistant to federally and provincially imposed designations and rules because they sometimes conflict with traditional harvesting (1 elder), or because they distrust western science-based decision-making (1 elder). However, of the 11 Metlakatla members that reported having little to no knowledge of the conservancy policies, 4 expressed their willingness to comply. When asked to rate how well the Parties ensure that “the conservancies are available for use in accordance with the common laws and policies of the Parties, the PACMA, and any management plans developed” (the 6th PACMA commitment), answers widely ranged from “not well” (3 MFN staff and 1 youth) to “very well” (1 MFN staff and 5 elders), to “I don’t know” (1 MFN staff, 1 elder, and 1 youth). Responses were also divided on how well the parties are enforcing the 7th PACMA commitment to not allow commercial harvesting of resources in the Conservancies, with
the exception of mutually agreed upon sustainable activities; 5 respondents (2 MFN staff, 1 B.C. Parks staff, and 2 youth) responded “not well”, while 7 (2 MFN staff, 1 B.C. Parks staff, 2 elders, and 2 other Metlakatla members) responded “well” or “very well”. Eight respondents who felt that commercial harvesting was not being adequately prevented provided anecdotal evidence of intertidal harvesting, an area where jurisdictional authority is overlapping. When taken into consideration along with the limited enforcement capabilities of field staff (discussed in section 6.1.5), it is apparent that the MFN conservancies, while provided for essentially in legislation, do not have the necessary legal and practical support to be effectively enforced in accordance with conservancy policies.

4.9. Governmental Support

The eighth principle selected to evaluate the Metlakatla – B.C. co-management arrangement is governmental support. Table 4.8 presents a summary of the evaluation results for this principle and its indicators, followed by a detailed description of the principle and my evaluation results.

<table>
<thead>
<tr>
<th>Principle</th>
<th>Indicators</th>
<th>Interview Evaluation</th>
<th>Policy Document Evaluation</th>
<th>Overall Score (Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Governmental Support</td>
<td>Adequate financial and technical support to implement protected area mandates and agreement provisions</td>
<td>1</td>
<td>3</td>
<td>Largely met (2)</td>
</tr>
</tbody>
</table>

For co-management agreements between Indigenous peoples and the state to be effective, both parties need adequate political, financial, and technical support that enables them to participate on an equal footing (Beltran, 2000; Olsson, 2004). Given that the historical Aboriginal – state relationship in British Columbia has given rise to the present socio-economic disparity between First Nations and other British Columbians (British Columbia, 2005b), it is the responsibility of the province to empower First Nations to actively participate in the collaborative governance process. Beyond unequal access to funding and physical resources, First Nations are often underrepresented in co-
management arrangements due to a lack of organizational infrastructure (Hockings et al., 2006; Ansell and Gash, 2008). Taken together, these power imbalances can diminish the expectations of disadvantaged stakeholders, in turn affecting their willingness to participate (Gunton and Day 2003; Imperial 2005; Ansell and Gash, 2008). More specifically, if stakeholders cannot see a direct relationship between their participation and concrete, tangible, effective policy outcomes, their incentives to continue engaging in collaborative management will decrease (Brown, 2002). Thus, governmental support that enhances First Nation institutional capacity and creates incentives for First Nation participation is a major determinant of strong co-management (Beltran, 2000).

Each high level agreement that guides the co-management of the Metlakatla conservancies contains commitments by the province to provide financial support for the First Nation. The Reconciliation Protocol, SLUPA, and PACMA commit the province to providing either the Coastal First Nations or Metlakatla relatively small funding amounts for the purpose of initial implementation of the agreements (e.g., for meeting expenses and administrative assistance). The Reconciliation Protocol also calls for the implementation of carbon offset revenue sharing associated with the additional carbon sequestration provided by the creation of the protected areas, a significant fund to be shared between the province and each of the Coastal First Nations annually. Perhaps the greatest level of financial support available to the signatory First Nations of the NCLRMP is the Coast Opportunity Funds (COF), a $120 million fund established to ensure the ecological integrity of the Great Bear Rainforest and to invest in sustainable business and community based employment initiatives to support the communities therein (Coast Opportunity Funds, 2012; Low and Shaw, 2012). Half of the COF was donated by private philanthropic donors and remains in a conservation endowment fund dedicated to the protection and management of ecosystems, and the remainder of the COF was donated by the provincial and federal government and placed into the Coast Economic Development Fund, dedicated to supporting sustainable business ventures and economic development within First Nations’ communities.

Based on the high-level policy documents reviewed, it would appear that a number of funding opportunities have been made available to Metlakatla as a result of signing the aforementioned agreements. Upon further consideration, however, this financial support is less of a boon to conservancy co-management than it first appears to be. Not only does
much of the funding need to be applied for annually, requiring applications outlining specific programs or projects which clearly show how staffing and expertise will be adequately sourced in order to sustain them, the funds must support a long list of competing stewardship initiatives, leaving only a fraction that gets assigned to conservancy co-management. Furthermore, while the province and Coastal First Nations share the carbon offset revenues, it is not clear what proportion of that funding is channelled to B.C. Parks conservancy co-management activities. As discussed in the preceding sections, co-management is often hindered when one party lacks capacity comparable to the other party, an important consideration given that it is not clear how much funding will be provided to B.C. Parks for this purpose. Finally, regardless of financial support, in the absence of commensurate technical support from the province in terms of organizational capacity (e.g., access to information, and operational staff training), implementation of the agreements in practice may prove challenging.

Responses to interview questions clearly indicate that the Metlakatla organizations and community members do not feel adequately supported by the government. Although 13 of the 16 interviewees who felt knowledgeable enough to comment said that financial support from the government was moderate to adequate, it was apparent that political and technical support has been less forthcoming. Three respondents (including 1 B.C. Parks staff) stated that the Metlakatla were disadvantaged in the co-management arrangement by a lack of access to the technical support available to B.C. Parks staff. Already disadvantaged by their inexperience operating within a bureaucratic system, according to 1 MFN staff member interviewed, the Metlakatla agencies have been especially disheartened by the lack of political support offered by the province. Interviewees not only felt that the government was resistant to increasing Metlakatla’s governance authority (2 MFN staff), but that it prioritized recreation and other non-Aboriginal endeavors over Metlakatla rights and title (2 MFN staff, 1 youth). One Metlakatla staff member felt the government was “reneging on their commitment to a New Relationship,” and other interviewees mentioned the government’s resistance to address outstanding high-level policy issues (3 MFN staff and 3 B.C. parks staff) or support sustainable economic development opportunities for Metlakatla in practice (4 MFN staff and 1 B.C. parks staff). Similarly, 4 interviewees emphasized the vague policies put forward by provincial policy-makers in the PACMA, namely the lack of guidance provided to achieve prescribed mandates such as consensus decision-making (2 MFN Staff, 1 B.C. Parks staff) and
“equitable” allocation of PUPs (3 MFN staff and 1 B.C. Parks staff). For their part, it is clear that B.C. Parks operational managers and field staff did not feel supported by their own senior management. All three B.C. Parks staff members who were interviewed reported inadequate program funding, personnel, and guidance from policy makers in order to implement effective collaborative governance with First Nations; a view which was supported by three Metlakatla staff members. In a concise summary of the issue, one B.C. Parks interviewee explained,

A lot of these agreements, like I say, were signed off at a higher level, and basically there's some support and training to make them work, but within a capacity framework it's not enough.

As I posited earlier in this section, this statement makes it clear that in the absence of sufficient technical support from the province to improve the organization capacity of both Metlakatla and B.C. Parks, the two parties have struggled to implement the co-management arrangement at the operational level.

4.10. Equitable Opportunities for Community Contribution

The ninth principle selected to evaluate the Metlakatla – B.C. co-management arrangement is equitable opportunities for community contribution. Table 4.9 presents a summary of the evaluation results for this principle and its indicators, followed by a detailed description of the principle and my evaluation results.

Table 4.9. Evaluating Metlakatla Conservancy Co-management – Equitable Opportunities for Community Contribution (3=Fully Met, 2=Largely Met, 1=Partially Met, 0=Not Met)

<table>
<thead>
<tr>
<th>Principle</th>
<th>Indicators</th>
<th>Interview Evaluation</th>
<th>Policy Document Evaluation</th>
<th>Overall Score (Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equitable Opportunities for Community Contribution</td>
<td>Equitable representation of community members in leadership positions for the protected area</td>
<td>2</td>
<td>N/A</td>
<td>Partially met (1.2)</td>
</tr>
<tr>
<td></td>
<td>Opportunities for education/training for Indigenous community members</td>
<td>0</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Adequate opportunity is provided for community contribution and feedback</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>
Combined traditional and western institutions and decision-making mechanisms | 1 | 2

Collaborative management structures also have to take into account the importance of contributions from the broader community whose interests are impacted by the establishment of the protected area (Timko and Satterfield, 2008). Failure to communicate protected area goals to local users or incorporate community feedback into protected area management can undermine the legitimacy of collaborative strategies and outcomes (Beierle and Konisky 2001; Geoghegan and Renard 2002; Ansell and Gash, 2008). This is particularly true for protected areas that aim to balance multiple objectives (e.g., conservation and sustainable use) and multiple user groups (e.g., First Nations and non-First Nations), often disproportionately impacting local Indigenous people through direct loss of access to traditional areas or increased competition for resources (Timko and Satterfield, 2008). For these protected areas, local Indigenous people in particular should have a proportional representation in protected area governance and decision-making. Involving partners and local people in protected area planning and management can also help increase their understanding of the issues managers are trying to deal with and can make them more supportive of the protected area. Community participation can be solicited in a variety of ways, by hosting community meetings and establishing online feedback mechanisms or through more meaningful opportunities, such as through the employment of Aboriginal peoples in management positions.

Due to the nature of this principle and associated indicators, which relate more to demonstrated aspects of co-management, I chose to rely more heavily on the results of my interviews in assessing the fulfillment of this principle by the Metlakatla – B.C. co-management arrangement. Specifically, I did not evaluate the de jure co-management arrangement for equitable representation of community members in leadership positions or for the uptake of education and training by community members, as both are community-based indicators that are dependent on the policies and actions of the Metlakatla administration and their membership. However, since many of the policy documents require that opportunities for feedback on planning and management are provided, including from First Nations, I chose to assess the policy documents against this indicator. I found that this indicator is only partially met by the de jure co-management
arrangement because little detail is given in the policy documents regarding the quality of opportunities that must be provided for feedback or how the First Nations demographic will be targeted. The last indicator of this principle – combined traditional and western institutions and decision-making mechanisms – is largely met by the high level agreements. Not only does the New Relationship commit the province and First Nations to mutually develop processes and implement new institutions and structures to achieve recognition of the need to preserve each First Nations’ decision-making authority, the NCLRMP and MFN – B.C. PACMA include similar commitments. However, one major deficiency remains – the agreements do not specify which traditional institutions and customs the parties will work to reconcile (e.g., traditional ban on bear hunting versus provincial promotion of trophy hunting), nor do they indicate the manner in which reconciliation should take place (e.g., how to make decisions based on both traditional knowledge and scientific data).

Of the 11 Metlakatla members interviewed that were not employed in conservancy planning and management, nine reported attending a community meeting where information on conservancies was provided and solicited, one of which (a youth interviewee) also participated in a species rebuilding effort. Two interviewees, both elders, reported no involvement in any aspect of conservancy management and planning because they were unaware of opportunities to participate. When the same 11 Metlakatla members were asked if they were satisfied with their reported level of involvement, three (all elders) responded that they were satisfied, while eight responded that they would like to be more involved (2 MFN, 2 elders, 2 youth, and 2 others). The need for better community engagement was recognized by all four Metlakatla staff members directly engaged in conservancy work, but opinions on how to remedy the issue were divided. Four community members (1 elder, 1 youth, and 2 others) suggested that community meetings should be held more frequently – particularly in Metlakatla village (1 elder and 1 other). Conversely, four Metlakatla interviewees (2 MFN staff, 1 elder, and 1 youth) felt that community meetings are ineffective at soliciting feedback because the general lack of knowledge about conservancies within the community discourages members from voicing their opinion among their peers. As one youth lamented, “We don’t even know any history or whatever of these places. We just know we go there for preserving food.” Not surprisingly, the proportion of Metlakatla members that held positions related to
conservancy management activities was fairly low. While the majority of interviewees expressed a preference for Metlakatla members to fill leadership roles (2 MFN staff, 3 elders, 1 youth), it was generally recognized that the uptake of the moderate amount of leadership opportunities offered to the membership was very low (this view was expressed by 3 MFN staff, 4 elders, and 2 youth). The lack of Metlakatla members with direct influence over the management decisions for protected areas, combined with a lack of involvement by members, further exacerbates the issue of the expressed lack of knowledge of conservancies and their purpose.

4.11. Economic Development for Community Benefit

The last principle selected to evaluate the Metlakatla – B.C. co-management arrangement is economic development for community benefit. Table 4.10 presents a summary of the evaluation results for this principle and its indicators, followed by a detailed description of the principle and my evaluation results.

Table 4.10. Evaluating Metlakatla Conservancy Co-management – Economic Development for Community Benefit (3=Fully Met, 2=Largely Met, 1=Partially Met, 0=Not Met)

<table>
<thead>
<tr>
<th>Principle</th>
<th>Indicators</th>
<th>Interview Evaluation</th>
<th>Policy Document Evaluation</th>
<th>Overall Score (Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Economic Development for Community Benefit</td>
<td>Equitable allocation of sustainable development opportunities between Indigenous and non-Indigenous users</td>
<td>1</td>
<td>3</td>
<td>Partially met (1.3)</td>
</tr>
<tr>
<td></td>
<td>Community derives adequate direct and indirect economic benefit from area</td>
<td>1</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Consent of Indigenous community for all non-Indigenous development proposals</td>
<td>0</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Incentive systems for sustainable development for Indigenous community</td>
<td>0</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>

A well-formed co-management arrangement will enable Aboriginal community members to derive significant direct and indirect economic benefits from the protected area (Hawkes, 1996; Thomson, 1998; Singleton, 2000; Nursey-Bray and Rist, 2009). Beyond maintaining traditional livelihood opportunities from the direct harvest of
resources, Aboriginal community members should be hired for operations and management of the land and resources (Hawkes, 1996; Timko & Satterfield, 2008). In order to facilitate this, preferential hiring of local users should be encouraged and employment opportunities should include a training/capacity-building focus, as many First Nations lack the education or experience that participation in a western management system requires (Halpenny et al, 2004; Mabee & Hoberg, 2006; Timko & Satterfield, 2008). Additionally, governments should design and implement economic incentive systems for conservation and sustainable use of Indigenous protected areas and ensure that those aboriginal communities benefit fully from the economic and employment opportunities associated with the existence of protected areas (Beltran, 2000). Most importantly, it is critical that any wealth generated by improved stewardship and management be recirculated back into the local community (Pinkerton 1989; Ostrom 1990; Reed 1990).

As the sustainable use, development and commercial exploitation of natural resources is permitted in conservancies, subject to specified restrictions, achieving community economic development is at least a legal possibility. The finalized CMPs show that the Metlakatla intend to act upon these opportunities, by engaging in tourism and guiding activities, commercial filming, commercial aquaculture, commercial fishing, seaweed and herring/roe-on-kelp harvesting, log salvage, and the harvest of non-timber forest products. The CMPs further indicate the provincial government’s willingness and commitment to support these initiatives. For example, the Khutzeymateen CMP states a shared goal of providing Metlakatla “with enhanced opportunities to access and develop suitable economic development activities” (p.19). The government promises to “work with the [Metlakatla] to identify and secure opportunities for training First Nations people to become guides, guardians, interpreters, and ecotourism operators” (p.20). However, although it is clear that the province encourages economic benefit flows from the conservancies to local users through direct use of resources or employment as junior-level staff, there is a lack of clear incentive systems for sustainable development for First Nations in the policy documents reviewed.

In practice, it does not appear that the Metlakatla community has greatly benefitted economically from the establishment of the conservancies. Despite the fact that every Metlakatla interviewee indicated that opportunities for training and leadership positions
were important to them (choosing 4 or more on a Likert scale of 5), ten respondents felt that the training opportunities offered to assist in deriving economic benefits from Metlakatla’s protected areas were inadequate (3 or less on a Likert scale of 5) and six felt that current leadership positions were not adequately available to them (3 or less on a Likert scale of 5). In terms of receiving an equitable allocation of sustainable development opportunities within the conservancies directly in the form of PUPs, while the majority of respondents (12 Metlakatla and one B.C. Parks) did not know enough about the process of PUP allocation to comment, three Metlakatla staff members and two B.C. Parks staff agreed that PUPs are not being allocated equitably between Metlakatla and non-Metlakatla applicants. Five Metlakatla interviewees felt that the low uptake of economic opportunities by Metlakatla members was due to either poor communication of those opportunities to the community by the Metlakatla administration (1), lack of motivation or commitment from the members (5), or a lack of mentorship initiatives available to members (3). Another Metlakatla respondent attributed the lack of community economic benefits from the protected areas to be a result of the provincial government backing out of its commitment to help Metlakatla in deriving those benefits. Regardless of which party is to blame for the issues surrounding the allocation of PUPs, one Metlakatla staff member directly involved in reviewing PUP proposals made it clear that Metlakatla does not consent to every non-Indigenous development proposal that receives approval within the conservancies, the final indicator of economic development for community benefit.

4.12. Evaluation Summary

The results of my evaluation of the policy documents and interviews reveal that, overall, seven of the principles of strong Aboriginal – state protected area co-management are partially met and three are largely met by the Metlakatla – B.C. co-management arrangements (see Appendix B). No principle is fully met and no principle is not met at all. The results indicate that a number of major and minor deficiencies – at least one deficiency pertaining to each principle – exist in the co-management arrangements. For the most part, these deficiencies relate to the de facto arrangement arising from implementation of the CMPs and higher-level agreements. While my review of the policy documents (the de jure co-management arrangement) resulted in an average indicator rating of 2.7 out of 3,
my review of the interviewee responses (describing the de facto co-management arrangement) resulted in an average indicator rating of 0.9 out of 3. No indicator received a higher de facto rating than de jure rating. Thus, the evaluation shows that although there are some ways in which the de jure arrangement could be improved, it generally establishes a reasonably good foundation for strong co-management. However, the de facto arrangement resulting from the implementation of these high-level agreements and policy documents falls far short of the standards for strong co-management. In the next chapter I suggest possible factors underlying this divergence, and discuss opportunities for the Metlakatla to improve the management of their conservancies in practice.
Chapter 5. Discussion

In this research I used an evaluation framework consisting of 10 principles of strong Aboriginal – state protected area co-management to evaluate the arrangements between the Metlakatla First Nation and the Province of BC for co-management of conservancies in Metlakatla traditional territory. I found that the conservancy management plans and higher level agreements (the de jure arrangement) establish a reasonably good foundation for strong co-management. In practice, however, the implementation of this de jure arrangement has resulted in a de facto management arrangement that falls far short of the principles of strong co-management. In the following sections I discuss four main factors that appear to be contributing to this divergence, impeding strong co-management in practice for Metlakatla conservancies: the failure of the province to institute shared governance, the misalignment of Metlakatla and provincial institutional hierarchies, the lack of knowledge of, and interest in, conservancies among many members of the Metlakatla community, and the limited capacity of both Metlakatla and provincial agencies to collaboratively manage conservancies. I identified these factors based on my interviews and my own observation of the de facto co-management arrangement over a period of 4 years working with the Metlakatla, first as an intern and then as an Environmental Assessment Assistant. I discuss each of these factors and the co-management principles affected, and offer recommendations for improvement based on my research findings as well as research and evidence presented by others.

5.1. Failure to Institute Shared Governance

While official policy documents and government proclamations associated with the “New Relationship” appear to mark a shift in BC policy toward shared governance of protected areas between First Nations and the provincial Crown, the results of my interviews indicate that the provincial government has not been willing to institute fully shared governance for Metlakatla conservancies. Through the New Relationship, announced in 2006, B.C. committed “to reconciliation of Aboriginal and Crown titles and jurisdictions,” and agreed “to establish processes and institutions for shared decision-making about the land and resources and for revenue and benefit sharing” with First
Nations regarding their traditional territory. The Protected Area Collaborative Management Agreement (2006), Reconciliation Protocol (2009), and Metlakatla conservancy management plans all contain similar pledges to implement shared decision-making and provide equitable economic opportunities for First Nations. Nevertheless, according to my interview data, in the roughly five years since the New Relationship was established, the province has failed to deliver on these promises to the satisfaction of the Metlakatla First Nation.

Metlakatla staff members that I interviewed indicated that they felt that they were being rebuffed by the province in their efforts to address policies that conflict with Metlakatla’s core laws and customs, to determine mutually agreeable dispute resolution processes, and to develop mutually acceptable arrangements for sharing benefits, including resource revenue sharing. Already at a disadvantage in terms of ultimate decision-making authority, MFN staff members reported feeling increasingly frustrated by the province’s resistance to negotiate the term length and type of Park Use Permit allowed in the conservancies, and the proportion of benefits – either through PUPs or through revenue-sharing agreements with proponents that hold PUPs – that flow to Metlakatla. Whereas Metlakatla negotiators pushed for a shorter length of term for PUPs in order to allow management responsiveness to any impacts that may arise as a result of permitted activities, one MFN staff reported,

In a lot of areas, B.C. Parks wants longer term permits because they don’t want to have to keep revisiting those issues. Our issue is that what if a operator isn’t following their permit guidelines, or what if the operations is detrimental after a time to what we are trying to protect within the Conservancies?

Another MFN staff member commented on negotiating economic benefits with the province, stating,

We’re getting push back from the province on [access to opportunities]. As an example, the Khutzeymateen bear viewing -- we had an agreement that Metlakatla and Lax Kw’alaams would get 50% of the bear viewing days, and now we’re being pushed back to about 25%.
These responses mirror the findings of research in other settings, which indicate that when significant power imbalances in shared governance arrangements exist, the process will be prone to manipulation by the stronger actor, ultimately leading to distrust (Warner, 2006; Ansell and Gash, 2008) and disincentives to participate in collaborative processes (Gunton and Day 2003; Imperial 2005; Ansell and Gash, 2008).

Despite the New Relationship’s guiding principle to achieve institutional integration and collaboration in all aspects of planning and management, there is a tendency for Metlakatla and B.C. Parks staff to “work together, separately”. For instance, 3 MFN staff and 2 B.C. Parks staff interviewed described an division of labour that occurs between the agencies in their daily operations that extends to incorporating TEK and scientific information into CMPs, sharing information with their respective constituents, and implementing management strategies. In addition to contradicting the intention of furthering mutual understanding and shared values, the consequence of splitting tasks between the agencies is that the activities assigned to the agency with the least capacity – in this case, typically the Metlakatla agency – are often ineffectively executed. Four interviewees (2 Metlakatla and 2 B.C. Parks staff) identified the need for Metlakatla and B.C. Parks to realize efficiencies by cooperating more in the development of CMPs. One concern is that if the parties do not work together in planning and implementing management strategies for the conservancies, the economic interests of other British Columbians will win out over the interests of the Metlakatla when competition for resources increases along the north coast. As one MFN staff articulated,

The good thing about it is that there isn’t a lot of development out there right now. But I mean, with all the Port and Ridley Island development there is going to be a really big influx of people and a lot more users. And you know, once there is some spatial conflicts around areas of traditional harvest and recreational users and things like that is that I can foresee some conflicts around that, and I don’t think there are any processes around some of that stuff.

Despite difficulties in realizing shared governance in practice, there have been some improvements in collaboration between Metlakatla and B.C. Parks. MFN staff members told me that the hiring of a past B.C. Parks employee to work with Metlakatla to develop the conservancy management plans had the benefit of increasing understanding between the two agencies, and improving knowledge of the Provincial bureaucratic
system among Metlakatla managers, in particular about how to access certain leverage points available to Metlakatla in negotiations. This new employee’s unofficial role as a liaison may have contributed to the recognition by Metlakatla conservancy advocates that ultimate decision-making authority rests with high-level policy makers and not the B.C. Parks employees tasked with upholding their organization’s mandate in dealings with the Metlakatla.

Pinkerton (2003) succinctly describes the distinction between shared governance in policy and in practice, stating that “[e]nabling legislation can lay the groundwork for such a partnership, but it is in the implementation of the legislation that one finds the ‘proof of the pudding’” (p. 67). There are many examples globally of this difference. While the problem of failure to implement shared governance commitments is not uncommon, strategies developed in one co-management setting to address this problem may not work in other settings because of differences in the contexts. One strategy to close the Aboriginal – state power gap that may be suitable to the Metlakatla context comes from the co-management of sea cucumber and geoduck fisheries between Kitasoo First Nation and Fisheries and Oceans Canada (DFO) on the central coast of B.C.. Klaine et al. (2014) assessed the Kitasoo – DFO co-management arrangement and concluded that the First Nation’s rigorous collection of data on the two species over 10 years, resulting in increased knowledge and scientific capacity within the Nation, increased local legitimacy to the point that First Nation’s managers were able to counteract a DFO management decision. Another approach to gaining equity in an Aboriginal – state co-management arrangement can be gleaned from northern Canada, where quasi-judicial organizations (such as the Yukon Water Board) have been designed to bring significant aboriginal influence to bear in land and wildlife decisions. These boards have requirements for equitable representation from federal, territorial, and Aboriginal stakeholders, and have substantially enhanced Aboriginal involvement in and influence over government decisions affecting the wildlife and environment of traditional Aboriginal lands (White, 2008).

5.2. Misalignment of Institutional Hierarchies

Another factor that has impeded strong co-management in practice for the Metlakatla conservancies is that there has been insufficient transfer of authority and
resources to local representatives within the provincial agencies. While decentralization of governance authority is an emerging trend in natural resource management, it has had varying results being implemented in practice (Bixler, 2014; Ambus and Hoberg 2011; Berkes 2010; Larson and Soto 2008). In theory, decentralization is intended to increase participation, empowerment, and accountability of local communities and government; allow for more efficient management, and sustainable resource management outcomes that are tailored to the local context; and reduce local poverty through equitable access to resources. In practice, however, central governments have often undermined the objectives of decentralization by transferring management responsibilities to local jurisdictions without providing commensurate resources (Pomeroy & Berkes, 1997), or limiting the kinds of powers that are transferred, or choosing local institutions that serve and answer to central interests (Ribot et al., 2006). In Canada, current governance frameworks for co-management with First Nations are guided by the Indian Act, an outdated colonial administrative institution that aimed to dominate Aboriginal populations and exploit their land and other resources (Zurba, 2014). Not surprisingly, if co-management arrangements are built on the same structural basis and institutional preconditions of the colonizing governing body, the local relevance and collaborative possibilities are limited (Robards and Lovecraft, 2010).

While the Metlakatla – B.C. Protected Area Collaborative Management Agreement and B.C. – Coastal First Nations Reconciliation Protocol appear to signal a decentralization of governance for the areas designated as conservancies, responses from Metlakatla and B.C. Parks interviewees – and a close examination of the policy documents – indicate that the current co-management institutions are not achieving the objectives of decentralization. One Metlakatla employee explained:

"We have this collaborative management agreement. Basically, right now the way it is, they manage and we cooperate. That’s what they call a ‘collaborative management agreement.’ And we’re trying to change that so that we’re equals at the table.

In addition to retaining ultimate decision-making authority, the provincial government has demonstrated resistance to reconciling western policies with Metlakatla traditional policies. It is not difficult to understand why Metlakatla managers would become disillusioned with this co-management arrangement, as the literature shows that
incentives decline if stakeholders do not expect the collaborative process to yield meaningful results (Bradford, 1998; Geoghegan and Renard, 2002; Schneider et al., 2003; Warner, 2006; Ansell and Gash, 2008). What is interesting is that B.C. Parks representatives appear to be similarly frustrated by the lack of power afforded to them by the Ministry to find creative, collaborative solutions. As one B.C. Parks respondent said,

Myself, personally, I try to find ways to step outside of the box and find solutions, but sometimes you're just pushed back in that box, that this is the policy or this is the legislation. And it's, you know, I'm a ministry employee, I sign an oath to represent that, and that's my job. And that's not always the answer they want to hear at the table.

Instead of devolving decision-making authority to B.C. Parks to allow for flexibility and responsiveness to regional co-management contexts, representatives tasked with implementing the co-management agreement in an operational sense remain unequipped to address controversial policies at the heart of government-to-government conflict. One Metlakatla interviewee emphasized,

We need new people on the Provincial side of the table. They [B.C. Parks representatives] just don't have the ability to make decisions at their level. We need actual decision makers.

A B.C. Parks representative echoed the complaint:

A frustration I've heard from the First Nations is that I come to the table with all the best intentions but I don't have the authority to on-the-spot make a decision necessarily or set direction...I'm like the used car salesman having to go to my boss, and saying to them, 'I don't know, maybe he'll take this offer maybe he won’t, I’ll be back in 10 minutes.'

In addition to creating distance between representatives of regional provincial agencies and aboriginal decision-makers, the province has neglected to establish mutually agreeable mechanisms and institutions to address important equity and accountability concerns. Such mechanisms and institutions are noted aspects of positive shared governance arrangements (Larson and Soto, 2008). For instance, while the province and policy documents commit to consensus decision-making and the ‘equitable’ allocation of economic benefits to First Nations, guidance on how to realize these concepts in practice has been limited. As one Metlakatla staff member described, “I mean, there's
the economic opportunities and that stuff, but there needs to be some sort of process around that. I mean, they threw out the term about 'equitable access' and nobody knows what that stuff is.” Their B.C. Parks’ counterpart shared their confusion, stating,

What is equitable? Like with the Khutzeymateen bear viewings -- should the First Nations get 50% of the opportunities or all of it and then they decide how to use it? Or a quarter? Or a third? What is ‘equitable’? I’m not sure that I know.

As a result, Metlakatla staff have become embittered with the process and have begun to look outside of the co-management institution for other means of achieving their objectives, such as through legal recourse or the implementation of independent strategies, both of which are hindered by capacity constraints (Metlakatla staff member, personal communication, 2012). A similar lack of transparency and assiduity exists for the complex issue of overlapping government jurisdiction characteristic of coastal conservancies, discussed in Section 6.1.2. Again, due to the conflicts and poor communication between different levels of government and the unwillingness of the federal and provincial government to address the issue of intertidal jurisdiction, on-the-ground management responsibility and authority over some of Metlakatla’s most important resources remains uncertain.

Polycentric governance is one of several concepts that has been proposed in the literature as an alternative means to improve Aboriginal – state shared governance. This governance model involves coordinating horizontal and vertical linkages, such as existing networks and hierarchies of authority that influence the co-management arrangement, into one institution with multiple centers of authority (Bixler, 2014; Lebel et al., 2006). Metlakatla is a member of such an institution – the Coastal First Nations Great Bear Initiative (CFN-GBI) – the collective of eight First Nations that signed the 2009 Reconciliation Protocol with the Provincial Government in 2009. The Reconciliation Protocol commits the parties to a framework for government-to-government land and resource decision making that includes the ‘Land and Resource Forum’, a forum with senior representatives of First Nations and the provincial government that makes decisions about how the Reconciliation Protocol will be implemented across the territories (CFN-GBI, n.d.). If a CFN-GBI First Nation and the provincial government reach an impasse with regards to a land and resource decision, the issue is to be elevated to the
forum to assist in resolving the dispute. The Forum has gone largely unused however, possibly due to the vague guidelines for dispute resolution put forward in the Forum’s Terms of Reference, the difficulty in convening senior representatives from each First Nation, and perhaps most importantly the ultimate decision-making authority of the provincial government.

In lieu of more substantial devolution of power, and rather than waiting for incremental change to occur through consensus-building processes, Aboriginal groups may choose to engage in ‘constructive conflict’ as a means of forcing more rapid institutional change (Ojha et al., 2010). Conflict may include formal submissions of protest to government agencies, accompanied by direct on-the-ground actions (or threats thereof), such as sit-ins or roadblocks, that draw attention to the uneven distribution of power and benefits derived from natural resource use (Brahm, 2004). After failing to make substantial progress with the province of Newfoundland and Labrador through consensus-building processes, the Innu Nation of Labrador, Canada, finally achieved their key objectives by carrying out acts of constructive conflict. The resulting interim forest management agreement signed by the Innu Nation and the province most notably provides the joint designation of a 3 million ha protected area network and the establishment of a 2.2 million ha cultural protected network and accompanying cultural protected areas strategy (Maclean et al., 2015). Although the actual decision-making authority that the Innu can exercise over forest management is limited because the entirety of those powers are given by the province and not established as rights, by securing this platform the Innu Nation is now in a better relative position to advance territorial claims while addressing social, economic, and political inequities (Maclean et al., 2015).

5.3. Multidimensional Barriers to Community Participation

Although the lack of member participation in conservancy use, planning and management was a coherent message from interviewees, it not clear which factors have been most important in limiting community participation. The majority of Metlakatla respondents self-reported an average of five or fewer visits to conservancies each year, and an even greater number of Metlakatla respondents estimated that the average Metlakatla community member visits the conservancies at the same frequency or less.
Similarly, half of the Metlakatla respondents felt that the uptake of leadership and training opportunities by the membership has been low. The reported barriers to members visiting conservancies include limited and/or decreasing access to transportation, the remoteness of many of the conservancies, and low interest in traditional use activities. The most common reasons cited for limited community participation in conservancy planning and management include poor member engagement by the Metlakatla administration, member disillusionment with the efficacy of Metlakatla initiatives, and low levels of contemporary education and traditional knowledge within the community.

While barriers to member participation in conservancy planning, management, and use appear to relate to a variety of individual, economic, and social factors, a common theme that may underlie many of the aforementioned issues is that of transgenerational trauma. Numerous researchers of Aboriginal communities that have experienced historical trauma have observed the effects transmitted across generations through the same mechanisms by which culture is generally transmitted (Duran et al., 1998; Ralph et al., 2006; Robertson, 2006; Whitbeck et al., 2004; Bombay et al., 2014). Once transmitted across several generations, the effects of the original trauma – such as the impact on family functioning, the association with parental physical and mental illness, and alienation from culture and society – can become embedded in the culture and lead to community dysfunction (Duran et al., 1998; Robertson, 2006; Whitbeck et al., 2004; Memmott et al., 2001). For instance, it has frequently been suggested that the lack of traditional parental role models among Residential School survivors in Canada impeded the transmission of positive child-rearing practices and actually instilled negative parenting practices (Evans-Campbell, 2008). Furthermore, the residential school system has been a major factor in the loss of First Nation languages, traditional knowledge and customs in subsequent generations, values which are often rooted in a geographical place (Simpson, 2004).

Given that for decades Metlakatla children were forced from their homes and into the Indian Residential School System, where many were mentally and physically abused (Kelm, 1996), it is not surprising that several interviewees reported substance abuse, lack of motivation to complete training or other education, and a loss of intergenerational transfer of traditional ecological knowledge within the Metlakatla community. When asked
if the Metlakatla administration provides enough training and educational opportunities to the membership, one interviewee, an elder and residential school survivor, responded:

They are offering, it’s just that people aren’t taking it. I think they’re afraid to take that step. I always tell them, you know, when I left residential school, I was told, ‘That’s it. That’s as far as you’re going. Don’t even try to get any further than grade nine.’ Now there are all kinds of opportunities, but... I think they just... I don’t know, just afraid to take that step.

By identifying transgenerational trauma as an underlying impediment to community participation in conservancy activities, the Metlakatla administration can focus on reconstructing the cultural fabric that has been worn thin by the Residential School System. Instead of dedicating resources to secondary (but more discernable) barriers, such as simply subsidizing member transportation to conservancies and thus potentially creating a dependency, the Metlakatla departments can work towards reconnecting elders with youth, reviving traditional harvesting, and generating an interest in Metlakatla culture and community among children. Another elder interviewed alluded to the link between intergenerational knowledge transfer and participation in conservancy management:

You know, we need all those 20 and 30 year olds to get the heck to school. I think a heart-to-heart talk with the elders... These people, they know a lot of stuff. Of how we should conserve our land areas and you know, our resources. In particular, to protect our resources.

The importance of reconnecting the younger community members to traditional knowledge and the cascading benefits it could have is recognized among some of the Metlakatla staff and elders. Exasperated with the observed drop-off in participation among Metlakatla children as they reach adulthood, one elder interviewee summed up the phenomenon:

Laziness! Just laziness. Look at this weekend. I had 300, maybe 400 people over in the community this week. It was the canoe journey. And I was so proud of all these young, 10, 11, 12 year olds, 13 year olds. I mean the 10 and 11 year olds peeled me 150 pounds of potatoes. But no parents. I can't get the parents out. It's so hard. Some of them are on welfare and I say to them, ‘You know what, this will alleviate, you know, the cost of living for the winter. You get all your fish, you get all your seaweed, you'll get all your clams, preserve your berries, and you'll have all this. You could save a lot of money preserving and freezing.’ So
I don't know... it’s a challenge. And it's the alcohol and drug problem, big time. Big time.

While it will likely require considerable time and a combination of strategies to overcome a deeply-rooted, community-wide issue like transgenerational trauma, interview responses from Metlakatla community members and staff suggest that there are some simple changes and initiatives that could be implemented in the short-term to improve MFN-membership engagement. Cornwall (2008) explains that individuals often exclude themselves from participating in community affairs because they lack confidence in their knowledge of the issues and ability to contribute, they lack a connection to the issues or community, or they do not feel that they can effect change by participating. One interviewee clearly pointed out the importance of strengthening the connection between policy, place, and people in order to overcome these barriers and improve community participation:

We talk about all of these things and we know what our ideas are behind it to protect it, to preserve it, to make it flourish, to enhance things so we don't lose it, but it's a totally different -- it would mean a lot more for us to be able to get out there, to actually see it and to be there and to experience it. To then go, ‘Yes! Now this is something that is really super important!’

Another interviewee extensively involved in conservancy work re-emphasized the importance of reviving traditional knowledge and re-establishing a sense of place within the community in order to generate community interest in conservancies, stating:

I think we need to actually bring some of our members out to the conservancies and get onto the land. I mean, it was an eye opening experience just for me, just 'cause when we did our first patrol out at Stephens was... I've never been to lots of those areas and I think it's just an eye-opening experience about all the cultural features that are out there. The level of use that used to be out there is just so much more compared to what it is now that I think it would encourage our membership to get more involved if they knew what was out there.

The above Metlakatla sentiments correspond with a broader recent movement toward decolonization and the revitalization of Aboriginal culture which, according to contemporary scholars, is inherently tied to a ‘sense of place’ (Brookes, 2006; Curthoys, 2007; Lowan, 2009). Other key factors in the decolonization process include the
revitalization of Aboriginal languages, recognizing the importance of the land, privileging Indigenous voices, and involving elders in education (Friedel, 2011; Simpson, 2004; Simpson 2002). Several Metlakatla staff, youth, and elders interviewed expressed a desire for the Metlakatla administration to facilitate the revival of Tsimshian culture, and suggested a number of place-based initiatives that incorporate one or more key aspects of decolonization.

One of the proposed initiatives, the implementation of youth outdoor field trips that emphasize the historical, cultural, and ecological importance of the conservancies visited, has been explored elsewhere in Canada with positive outcomes and clear recommendations for improvement. This type of cultural revival is based on the understanding that traditional knowledge comes from the land through the relationships Aboriginal peoples develop with their natural surroundings (Simpson, 2004; Henderson, 2000). As Lowan (2009) explains, “if the intention is to impart cultural knowledge, it is most effective to teach in the area that the culture developed [...] A deeper understanding of their community’s landscape helps to foster a stronger sense of place for contemporary Aboriginal youth” (p. 47). In his study about Outward Bound Canada’s Giwaykiwin program for Aboriginal youth, Lowan (2009) found that while the majority of participants did gain a connection to the land, it was gleaned more from unguided personal experience rather than from culturally grounded instruction. To maximize benefits to youth, he therefore concluded that Indigenous education programs must be designed from an Indigenous perspective, and suggested the program undergo a fundamental shift to courses based on Aboriginal traditions. In her study of a non-formal place-based learning program for Cree youth in Edmonton, Friedel (2011) found that there is a deep commitment by youth to foster a relationship to place and traditional Cree identity, but that programs should focus on creating a tribal sense of belonging that incorporates traditions (such as oral tradition) while allowing for evolving contemporary concepts of “being” and “place”. Again, Friedel (2011) notes the critical importance of oral tradition, substantial elder involvement, and a focus on culturally inherent ways of teaching and learning.

Other initiatives suggested by interviewees to strengthen Metlakatla members’ connection to their conservancies include the establishment of a traditional seasonal seaweed harvesting camp at Stephens Island Conservancy and the construction of lodge-
type facilities at remote conservancy locations to enable overnight visits. In regards to the former initiative, Turner and Turner (2008) conducted a study of First Nations of coastal British Columbia that have experienced alienation from their lands and food resources over the past 150 years, and note that the loss has been accompanied by an erosion of cultural practices relating to food production, preparation and management, as well as increases in dietary health problems due to the “nutrition transition” to packaged, processed, high-calorie foods. One such First Nation, the Gitga’at First Nation (a Tsimshian Nation), tackled the issue of traditional food revival by implementing the “Gitga’at Plant Project” in which grades 9-12 Tsimshian students researched a particular plant known to have cultural importance to their people, by consulting with elders and communities members, conducting literature reviews, and making observations in the field. In her evaluation of the Project, Thomson (2004) found that students, teachers, and community members felt the Project was a success in generating the transmission of knowledge between elders and youth, in promoting learning through oral tradition, and in improving confidence and collective pride among the student participants. Metlakatla could take key aspects of the Gitga’at Plant Project, such as combining contemporary methods with traditional methods of learning and bringing back the language of the food in stories and discourse, and apply them to a seasonal seaweed harvesting camp.

5.4. Limited Organizational Capacity

Although repeatedly identified as a critical factor for effective co-management, recent assessments of the planning and implementation of protected area collaborative management agreements point to challenges in achieving adequate capacity for the co-managing parties (Stronghill et al., 2015; Rozwadowska, 2010; Joseph, Gunton and Day, 2008). Overwhelmingly, capacity constraints – including limited funding, resources, personnel, technical expertise, and administrative capabilities – are experienced by Aboriginal co-managers. In her assessment of conservancy co-management between the province and the Squamish, L’il’wat and In-SHUCK-ch First Nations, Rozwadowska (2010) interviewed provincial and First Nation representatives who all indicated that First Nations communities do not have the capacity to manage conservancies on their own due to limited human and financial resources, experience in protected area management, or
technical expertise and organizational skills. Responses from Metlakatla interviewees paralleled those of the In-SHUCK-ch and Squamish Nations. When asked if Metlakatla currently has the human resources to properly manage the conservancies, one staff member responded, “At this time, no.” In regard to technical expertise, another interviewee stated, “We know that there are gaps in the knowledge and expertise, and we’d like to fill those, but again, it comes back to funding.” Another Metlakatla respondent highlighted the challenges of navigating western bureaucracy: “You know, we're still learning the system I guess, and still learning where the leverage points are, and we're getting better at it. But it's a slow process.”

B.C. Parks’ staff may be better versed in western politics, they also face barriers to effectively managing protected areas and engaging with First Nations. As economic climates shift and governance trends toward decentralization, government agencies tasked with implementing co-management agreements have experienced capacity constraints (Castro & Neilsen, 2001; Turner & Bitonti, 2011). While the amount of land protected in B.C. tripled between 1977 and 2000, the number of B.C. Parks’ employees fell by 10% (Boyd, 2003, p. 180). The result has been reduced monitoring and enforcement capabilities of Park Rangers, particularly in remote areas (Turner & Bitonti, 2011), as well as the loss of key cross-cultural programs and initiatives (B.C. Parks staff member, personal comment, 2012). One Metlakatla interviewee recognized the shared situation:

The province has told us they don't have the boats, the staff, the resources to do anything out on the land to protect it. And right now Metlakatla, we're kind of using our members to be the people out on the land to let us know what's happening out there. We're not set up the way we should to monitor. We're just putting the infrastructure together now, and the staff, and getting the resources to purchase the equipment.

One B.C. Parks staff member emphasized the strain on capacity his department faces, describing the impacts it has had on relationship building and the overall advancement of the Metlakatla – B.C. Protected Area Collaborative Management Agreement:
There's a hundred other things to do outside collaborative management; I have a whole area to run and a million dollars in assets to maintain. And there's four staff to keep on top of and developing their skills, and then my own career and skill sets and training I've got to keep up with. And then the regulatory requirements of training and certifications... You add it all up and see what's left to build the relationships as far as time and resources and it's not much. I think we should have dedicated staff that deal with the collaborative management implementation and sort of making it work, not on the side of the desk of an Area Supervisor. Because every time there's an issue, you need a solution, and then we're dealing with policy and going up the food chain to get direction. And a lot of these agreements, like I say, were signed off at a higher level, and basically there's some support and training to make them work, but within a capacity framework not enough.

This last point illustrates what Anderson (2000) describes as “decentralization without empowerment,” in which policies of decentralization are promulgated with little reform of the overall legal, administrative, and fiscal frameworks, rendering the relevant agencies unable to provide adequate logistical support for basic activities (Castro and Neilsen, 2001; Ribot; 2002; Lindsay, 2000; Berkes, 2010). The failure of the centralized Provincial government to devolve adequate power and provide commensurate resources to local authorities within the same Ministry (i.e., B.C. Parks), let alone Aboriginal authorities, has undermined the ability of both parties to uphold the commitments of the Protected Area Collaborative Management Agreement or the principles of effective co-management of protected areas.

For the Metlakatla conservancies, the aspects of co-management most affected by capacity constraints include information sharing between B.C. Parks and Metlakatla, community engagement by Metlakatla, monitoring and enforcement by both parties, and opportunities for community economic development. One Metlakatla staff member acknowledged,

Everybody is doing three or four jobs it almost seems, and just kind of putting that time aside to engage with community at all seems to fall lower on the priority list than some of the day to day stuff that we need to do.

Prioritizing joint monitoring and enforcement activities has also been hampered by a lack of human and financial resources within both agencies. One interviewee confirmed,
“I think we’re both underfunded and we both have capacity issues in order to do that. I think we just need more people on the ground. We need to find some efficiencies in working together and I think we could be doing a way better job.” Another MFN staff member pointed out that improving conservancy management begins at the planning stage, currently hampered by a lack of scientific and traditional knowledge within B.C. Parks and the Metlakatla administration, respectively:

Another thing is that none of this stuff was ever monitored or there was never any baseline data for any of it. I mean, in terms of scientific knowledge and things like that it's almost like a new frontier in terms of just knowing exactly what's going on on some of these outer islands. I mean, we don’t know a lot about lots of the cultural history and the cultural features on the inland side of thing too. It's one of those things that we're just kinda starting to really start getting connected back to the land and starting to learn about the history and the culture out there too.

Given the overlapping jurisdictions present in the context of coastal conservancies, it is also noteworthy that similar top-down capacity constraints have been observed in the main federal stewardship agency Fisheries and Oceans Canada (DFO), further weakening management efforts along the coast. According to one Metlakatla staff interviewee,

The DFO budget's been cut in B.C. here, about 300 million dollars. So they've lost the majority of their staff, they've lost the majority of the people that we work with, the technicians, most of them are going. So there are very few that can work with us now on the pilot projects. They don't even monitor us anymore, they're so short of staff.

While some interviewees are adamant that finalizing a treaty is the only means of improving territory-wide stewardship, the near-term establishment of the Metlakatla Stewardship Society was also heralded as a vehicle for resolving a number of the capacity issues faced by the MFN administration. By bringing together a number of departments (fisheries, referrals, and Guardian Watchmen) and their respective resources, and by taking advantage of the funding opportunities available to such an organization, Metlakatla may be able to realize efficiencies in managing the territory’s natural resources and create opportunities for increasing capacity. One of the first actions planned by the MSO is to hire a Stewardship Director to represent an additional level in the Metlakatla institutional hierarchy. The Stewardship Director would in turn be responsible for filling and managing
key positions, such as a communications coordinator – to be tasked with improving internal and external information sharing – and a cultural heritage manager – who will direct CMP development and ensure incorporation of TEK. However, as a Metlakatla interviewee pointed out, building capacity within the MSO does not necessarily equate to increased capacity within the Metlakatla community:

One problem we’re going to have is hiring Metlakatla members to fit into what’s required in those positions. So we’re going to have to look at, how do we build the capacity to do that? It has got to be part of the whole process on how we hire and how we build the capacity or mentor staff to bring them up.

Training and paying community members to conduct research is one way of building capacity within the community while simultaneously increasing the conservancy knowledge base and improving community participation and economic development (Garnet et al, 2009). Establishing partnerships with other organizations, such as non-profits and academic institutions, is an important aspect of this type of capacity building, as they can offer technical training, innovation and knowledge transfer, infrastructure and administrative support (Berkes, 2010). While constrained by their own capacity limitations, community-oriented research provides an opportunity for collaboration with B.C. Parks and DFO and a potential means for realizing efficiencies in data collection between them.

5.5. Conservancy Co-management Circa 2015

Since the conclusion of my primary research and the establishment of the Metlakatla Stewardship Society in the fall of 2012, both the Metlakatla administration and the province have experienced a major shift in priorities in response to the changing economic and political climate. In response to the B.C. Jobs Plan put forth by the liberal government in 2011, which emphasized the growth and diversification of B.C.’s natural gas sector, 8 liquefied natural gas projects (including export terminals and pipelines) proposed within Metlakatla territory entered into provincial and/or federal environmental assessments by 2013. As a result, one of the top priorities of the MSO became engaging with proponents and government agencies in an effort to assess liquefied natural gas (LNG) proposals, with the consequence of shifting attention away from less pressing
initiatives like co-managing the conservancies. A similar shift took place within the Ministry of Environment, as staff were pulled from less demanding pertinent agencies (e.g., B.C. Parks) to those demanding attention (e.g., B.C. Environmental Assessment Agency). In May of 2013, I was hired by the MSO to fill the role of Environmental Assessments Assistant, and over the past three years I have observed that there has been very little implementation of the conservancy strategy, as none of the four finalized conservancy management plans have been signed by the province and no additional progress has been made on completing the two draft CMPs or drafting any new CMPs.

Though no longer the focus of strategic action, conservancy planning and management can benefit from the gains realized by the MSO in the LNG environmental assessment processes. By negotiating capacity agreements with proponents to enable Metlakatla to participate in the environmental assessment (EA) process for each project, the MSO has become a financially self-sustaining organization with the monetary resources to hire additional staff, improve organizational capacity, and pursue a number of environmental and socio-economic research initiatives. Among the key positions that have been filled are Stewardship Director, Communications Coordinator, Lands Manager, Chief Financial Officer, and an additional Environmental Assessments Assistant. Although the increase in personnel and the establishment of new departments has been largely positive, adding to the technical and administrative capacity of the Metlakatla organizations, staff workloads have remained extremely high, an indication of the large list of stewardship priorities that face Metlakatla. When necessary, the MSO has sought external expertise and created a network of relationships and partnerships with consultants, academic institutions, and non-governmental organizations. These partnerships have been instrumental in conducting multiple traditional land use studies, environmental baseline studies, socio-economic assessments, and perhaps most noteworthy, a cumulative effects management (CEM) program. While geared toward the proposed location of various LNG projects (mainly centered around Prince Rupert), the expectation is that these studies, in particular the CEM program, will one day extend territory-wide. The CEM program has been designed to plan for, assess, and respond to changes in priority environmental, social, economic, and cultural/governance values. From its conception, Metlakatla community members have been intimately involved in program development, and will continue to be as phases of the program are rolled out,
including an annual membership survey/census and biophysical assessments. Through data collection and monitoring, and by engaging all of the Metlakatla organizations in a unified initiative, the CEM program has the potential to benefit the planning and management of the Metlakatla conservancies.

In addressing the four main factors underlying deficiencies in conservancy co-management discussed earlier in this chapter, the MSO has had mixed results. Metlakatla First Nation has undoubtedly made gains in overall capacity, adding several new personnel and physical resources, and improving staff knowledge and expertise through new hires and increased training opportunities for staff. Despite these increases in overall capacity, however, the Metlakatla Guardian Watchman Program has not grown or increased its operations related to conservancies. This is at least in part due to the recent shift in priorities from protected area management to LNG projects, the proponents of which have not been willing to provide funding for the Guardian Watchmen or for protected area planning or plan implementation. Similarly, while Metlakatla First Nation is effectively gaining leverage and power in decision-making through advances being made in Aboriginal rights case law in Canada, First Nations have also experienced a recent setback with respect to parks and protected area legislation. In 2014 the BC Park Amendment Act was passed, giving the Minister of Environment the ability to issue park use permits for activities that are not necessarily related to the park or protected area mandate, including “research”, which could be for any type of “feasibility study” for any kind of “prescribed project”. In regard to the knowledge and interest demonstrated by community members, there is evidence that the Metlakatla have improved in stewardship awareness and participation in community engagement opportunities. The MFN administration now employs numerous methods of sharing information with and receiving feedback from the community, including monthly newsletters, community meetings to update the community on industry and stewardship activities, and an active Metlakatla website. Although the focus is not on conservancies but on coastal stewardship and traditional use in general, knowledge and awareness of Metlakatla territory and the ecological and social impacts it may be facing appears to be improving among the membership. Further, should priorities re-align with those of co-management of conservancies in the future, the avenues for communication and community participation are now more firmly established and can be used for any stewardship purpose.
5.6. Concluding Remarks

The conservancy designation, together with the province’s commitment to a New Relationship based on collaborative planning and management with First Nations, represents a promising shift in government policy toward a more inclusive, equitable approach to protected area management. For the Metlakatla First Nation, the legal and policy documents that establish the governance of their conservancies and their co-management arrangement with the province explicitly recognize Metlakatla’s right to traditional use and to sustainable economic development of their lands and resources. The higher-level agreements that guide their co-management arrangement also provide Metlakatla with an opportunity to have a greater role in decision-making related to their protected areas. Nevertheless, a number of barriers have prevented these agreements and policy documents from translating to strong co-management of the Metlakatla conservancies in practice. The process of implementing the agreements and policies has revealed that many of the province’s commitments to a New Relationship, such as decentralizing more authority to First Nations and developing strategies to increase First Nation sustainable economic development, are not being fulfilled in practice. Neither Metlakatla nor B.C. Parks, the local provincial agency tasked with implementing the co-management arrangements, have received sufficient resources to be able to achieve many of these commitments. Furthermore, as other economic interests have come to the forefront in the province, resources dedicated to conservancy management have drastically decreased for both Metlakatla and the provincial government, and even the conservancy legislation that once seemed so encouraging has been weakened to accommodate the new economic interests. However, positive changes have occurred recently in the overall capacity of the Metlakatla administration as well as communication with and interest from the community regarding territory stewardship. Continuity and dedication of leadership remains strong, as demonstrated by interviewees as well as my own personal experience as a Metlakatla employee. While conservancies are not the current priority for the Metlakatla, undoubtedly many of the positive changes seen within the Metlakatla administration and membership will be beneficial to strengthening conservancy planning and management if they resurface as a community priority.
Although the focus of the Metlakatla and the province has shifted from conservancies recently, there is long term value in continued investment in conservancy planning and management. Expanding the Guardian Watchman Program and implementing the environmental and cultural management strategies already outlined in the existing CMPs will increase Metlakatla’s technical expertise on the ground as well as their practical authority within the territory. Developing CMPs for conservancies with key ecological, cultural or economic values, particularly for the conservancies at the outskirts of Metlakatla territory, will demonstrate Metlakatla’s interest in these areas, which could improve Metlakatla’s strength of claim, potentially facilitating treaty implementation and eventual management of the conservancies without the province. Prioritizing sustainable development within the conservancies could increase economic benefits flowing to the community, thereby increasing the overall capacity of the First Nation. As Metlakatla gets closer to finalizing a treaty and gaining sole jurisdiction over some of their conservancies, anticipated to take place within the next two years, some of the issues stemming from co-management with the province will become irrelevant. Until then, however, reprioritizing conservancy planning and management in order to benefit from what few resources the province has to offer will be important for Metlakatla to ensure the continued protection of their ecological and cultural values within the conservancies.
References


___: 2013b. Manzanita Cove Conservancy Management Plan (Draft).

___: 2013c. Thulme Falls Conservancy Management Plan (Draft).

___: 2013d. Wales Harbour Conservancy Management Plan (Draft).

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*Ethnohistory* 45: 657.


*Park Act*, RSBC 1996, c 344.


*Protected Areas of British Columbia Act*, RSB.C. 2000, c 17.


Appendix A.

Interview Protocol

My interviews were guided by the interview protocol below, in which indicators for each principle helped guide my formation of interview questions.

<table>
<thead>
<tr>
<th>Principles and Indicators</th>
<th>Interview Questions</th>
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</table>
| **Ecological and Cultural Protection**         | • Given that the Metlakatla and B.C. Parks are currently working on several conservancy management plans, how well do you think the following management principles and commitments (outlined in the Protected Area Collaborative Management Agreement) are being addressed?: *(Scale of 1-5, 0=don’t know)*  
  o The Parties will work together to sustain the long-term ecological integrity and stewardship of the lands, waters, and resources of the Conservancies.  
  o The Parties will be informed by the best available TEK, technical information, and science  
  o The Metlakatla will continue to have access to the lands and resources within the Conservancies as necessary for the exercise of their Aboriginal interests, subject to measures for conservation and public safety that satisfy common law requirements.  
  o The Conservancies will be available for use in accordance with the common laws and policies of the Parties, the PACMA, and any management plans developed (ex. existing Park Use Permit activities operate in accordance with the relevant Conservancy’s policies)  
  o The parties agree that there will be no commercial harvesting of resources in the Conservancies except in accordance with the above the common laws and policies of the Parties, the PACMA, and any management plans developed.  
  • How well do you think Metlakatla and B.C. Parks can monitor and evaluate the 4 conservancy management priorities *(Scale of 1-5 or 0 = don’t know)*  
  o The protection and maintenance of biological diversity and natural environments  
  o The preservation and maintenance of social, ceremonial and cultural uses of first nations  
  • Do you feel that you receive enough benefits from the areas now designated as conservancies?  
  • How well do the B.C. Parks Conservancy priorities align with your personal priorities?  
  How well do you think it aligns with the Metlakatla Governing Council (MGC) priorities? |
| **Clearly Defined Boundaries**                  | • How well do you feel you understand Conservancy rules and regulations? How well do you think others understand them?  
  • Approximately how many times a year do you visit the areas now designated as Conservancies within Metlakatla Traditional Territory? How many times a year do you think other Metlakatla members do? |
<p>| <strong>Indicators</strong>                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Adoption of ecosystem approach to management (both cultural and ecological protection given weight) |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Critical wildlife/resources are protected      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Cultural values are promoted and enhanced      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Management plans are developed and implemented |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Protected area design is functional and effective in achieving cultural and ecological protection |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Biophysical and cultural boundaries (“users”) are well-defined |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Allowable and non-allowable activities are clear and understood |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |</p>
<table>
<thead>
<tr>
<th><strong>Shared Information</strong></th>
<th><strong>In what way were/are you involved in the management of the Conservancies?</strong></th>
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<tbody>
<tr>
<td>• Regulatory authority and jurisdictional responsibility is clear and appropriate</td>
<td>• Policies and procedures in place and followed for cooperative decision-making</td>
</tr>
<tr>
<td>• In what way were/are you involved in the management of the Conservancies?</td>
<td>• Traditional Ecological Knowledge (TEK) is integrated into decision-making</td>
</tr>
<tr>
<td>• What opportunities are you aware of for community members to participate in the Conservancy planning and management process?</td>
<td>• Protected area information is made available to the community and users</td>
</tr>
<tr>
<td>• Do you feel that there is enough opportunity for all community members to participate in the planning and management process?</td>
<td>• Equal and cooperative relationship between parties</td>
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<td>• How would you describe the relationship between Metlakatla and B.C. Parks?</td>
<td>• Coordination of efforts between institutions and internal departments</td>
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<tr>
<td>• How important do you think the following aspects/resources are for co-managing the conservancies (Scale of 1-5, 0=don’t know):</td>
<td>• How well do you think the Metlakatla currently fulfill/possess each of the following aspects/resources (Scale of 1-5, 0=don’t know):</td>
</tr>
<tr>
<td>• Lines of communication (between MFN admin and community, amongst MFN admin, between MFN admin and B.C. Parks)</td>
<td>• Lines of communication (between MFN admin and community, amongst MFN admin, between MFN admin and B.C. Parks)</td>
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<tr>
<td>• How do you feel about the way park use permits are allocated?</td>
<td>• Staff members</td>
</tr>
<tr>
<td>• If a park use permitted activity was negatively affecting the conservancies and your activities in them, how would you go about addressing it (terminating it)?</td>
<td>• Knowledge and expertise</td>
</tr>
<tr>
<td>• In your opinion, who in the community do you see as the biggest advocate and activist for management of the Conservancies?</td>
<td>• What kind of role do you see the new MSO serving in solving some of the capacity concerns identified in the previous question?</td>
</tr>
<tr>
<td>• Management Flexibility and Responsiveness</td>
<td>• What kind of role do you see the co-management board serving in solving some of the capacity concerns identified in the previous question?</td>
</tr>
<tr>
<td>• Strategies are established and implemented and standards are met over time</td>
<td>• How do you feel about the way park use permits are allocated?</td>
</tr>
<tr>
<td>• Government is committed to new structures and processes</td>
<td>• If a park use permitted activity was negatively affecting the conservancies and your activities in them, how would you go about addressing it (terminating it)?</td>
</tr>
<tr>
<td>• User or resource concerns and conflicts are responded to quickly</td>
<td>• In your opinion, who in the community do you see as the biggest advocate and activist for management of the Conservancies?</td>
</tr>
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<td>• How do you feel about the way park use permits are allocated?</td>
</tr>
<tr>
<td><strong>Continuity and Dedication</strong></td>
<td>• Staff members</td>
</tr>
<tr>
<td>• Dedicated core group advancing the process of implementation</td>
<td>• Knowledge and expertise</td>
</tr>
<tr>
<td>• Continuity of knowledge, skills, and interest in key actors over time</td>
<td>• What kind of role do you see the new MSO serving in solving some of the capacity concerns identified in the previous question?</td>
</tr>
<tr>
<td>• In your opinion, who in the community do you see as the biggest advocate and activist for management of the Conservancies?</td>
<td>• What kind of role do you see the co-management board serving in solving some of the capacity concerns identified in the previous question?</td>
</tr>
<tr>
<td><strong>Conflict Resolution</strong></td>
<td>• How do you feel about the way park use permits are allocated?</td>
</tr>
<tr>
<td>• Prescribed method for negotiating conflicts is established and effective</td>
<td>• If a park use permitted activity was negatively affecting the conservancies and your activities in them, how would you go about addressing it (terminating it)?</td>
</tr>
<tr>
<td>• How do the MGC and the province deal with conflicts between them?</td>
<td>• In your opinion, who in the community do you see as the biggest advocate and activist for management of the Conservancies?</td>
</tr>
<tr>
<td>• Do you think the process of creating the CMPs has improved trust, respect, and/or understanding between the Metlakatla and the province?</td>
<td>• How do you feel about the way park use permits are allocated?</td>
</tr>
</tbody>
</table>
Structures and processes foster trust, respect, and understanding

Enforcement
- Agreements have necessary legal and community support
- Enforcement activities are shared

<table>
<thead>
<tr>
<th>Question</th>
<th>Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>What do you think the purpose of the conservancies should be? What are your goals and expectations for the Metlakatla conservancies?</td>
<td>Scale of 1-5, 0 = don’t know</td>
</tr>
<tr>
<td>B.C. Parks describes a Conservancy as land set aside for 4 priorities. How important are the following priorities to you? (Scale of 1-5, 0 = don’t know)</td>
<td>The protection and maintenance of biological diversity and natural environments</td>
</tr>
<tr>
<td></td>
<td>The preservation and maintenance of social, ceremonial and cultural uses of first nations</td>
</tr>
<tr>
<td></td>
<td>The protection and maintenance of recreational values</td>
</tr>
<tr>
<td></td>
<td>The development or use of natural resources in a sustainable manner</td>
</tr>
<tr>
<td>How well do the above priorities for the Conservancies align with your personal priorities?</td>
<td></td>
</tr>
</tbody>
</table>

Governmental Support
- Adequate financial and technical support to implement protected area mandates and agreement provisions

<table>
<thead>
<tr>
<th>Question</th>
<th>Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>How important do you think the following aspects/resources are for co-managing the Conservancies? (Scale of 1-5, 0 = don’t know)</td>
<td>Funding</td>
</tr>
<tr>
<td></td>
<td>Physical resources (ex. boats, computers, etc.)</td>
</tr>
<tr>
<td></td>
<td>Knowledge and expertise</td>
</tr>
<tr>
<td>How well do you think the Metlakatla currently fulfill/possess each? (Scale of 1-5.)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Funding</td>
</tr>
<tr>
<td></td>
<td>Physical resources</td>
</tr>
<tr>
<td></td>
<td>Knowledge and expertise</td>
</tr>
</tbody>
</table>

Equitable Opportunities for Community Contribution
- Equitable representation of community members in leadership positions for the protected area
- Opportunities for education/training for Indigenous community members
- Adequate opportunity is provided for community contribution and feedback
- Combined traditional and western institutions and decision-making mechanisms

<table>
<thead>
<tr>
<th>Question</th>
<th>Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>In what way were/are you involved in the management of the Conservancies? Would you like to be more involved? (Probe: did you go to community meetings? Do you physically participate in management of the Conservancies?)</td>
<td></td>
</tr>
<tr>
<td>What opportunities are you aware of for community members to participate in the Conservancy planning and management process?</td>
<td></td>
</tr>
<tr>
<td>The Metlakatla and B.C. Parks have signed a Protected Area Collaborative Management Agreement which is supposed to direct the creation of the conservancy management plans. At the moment, how well do you think the following commitments (outlined in the PACMA) are being addressed?</td>
<td></td>
</tr>
<tr>
<td>The Parties will be informed by the best available TEK, technical information, and science</td>
<td></td>
</tr>
<tr>
<td>How well do you think the Metlakatla currently fulfill/possess each? (Scale of 1-5.)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Capacity building and leadership opportunities</td>
</tr>
<tr>
<td></td>
<td>Education and training opportunities</td>
</tr>
<tr>
<td>Do you have any concerns, comments, or suggestions with regard to conservancies or the development and implementation of the Metlakatla conservancy management plans?</td>
<td></td>
</tr>
</tbody>
</table>

Economic Development for Community Benefit
- Equitable allocation of sustainable development opportunities between Indigenous and non-Indigenous users

<table>
<thead>
<tr>
<th>Question</th>
<th>Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>How important do you think the following conservancy priorities are? (Scale of 1-5 or 0 = don’t know)</td>
<td>The development or use of natural resources in a sustainable manner (ex. commercial shellfish harvesting and new seashore charters ecotourism ventures)</td>
</tr>
<tr>
<td>Community derives adequate direct and indirect economic benefit from area</td>
<td></td>
</tr>
<tr>
<td>Consent of Indigenous community for all non-Indigenous development proposals</td>
<td></td>
</tr>
<tr>
<td>Incentive systems for sustainable development for Indigenous community</td>
<td></td>
</tr>
<tr>
<td>How well do you think Metlakatla and B.C. Parks can monitor and evaluate the following conservancy management priorities (Scale of 1-5 or 0 = don't know)</td>
<td></td>
</tr>
<tr>
<td>The development or use of natural resources in a sustainable manner (ex. commercial shellfish harvesting and new seashore charters ecotourism ventures)</td>
<td></td>
</tr>
<tr>
<td>How important do you think the following aspects/resources are for co-managing the conservancies (Scale of 1-5, 0=don’t know):</td>
<td></td>
</tr>
<tr>
<td>Capacity building &amp; leadership opportunities</td>
<td></td>
</tr>
<tr>
<td>Education &amp; training opportunities</td>
<td></td>
</tr>
<tr>
<td>How well do you think the Metlakatla currently fulfill/possess each of the following aspects/resources (Scale of 1-5, 0=don’t know):</td>
<td></td>
</tr>
<tr>
<td>Capacity building &amp; leadership opportunities</td>
<td></td>
</tr>
<tr>
<td>Education &amp; training opportunities</td>
<td></td>
</tr>
</tbody>
</table>
Appendix B.

Evaluation Results

The following table summarizes the results from my evaluation of the Metlakatla – B.C. formal and informal co-management arrangements, as expressed by the policy documents and interviews respectively.

<table>
<thead>
<tr>
<th>Principle</th>
<th>Indicators</th>
<th>Interview Evaluation</th>
<th>Policy Document Evaluation</th>
<th>Overall Evaluation (Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ecological and Cultural Protection</td>
<td>Adoption of ecosystem approach to management (both cultural and ecological protection given weight)</td>
<td>2</td>
<td>3</td>
<td>Largely met (1.7)</td>
</tr>
<tr>
<td></td>
<td>Critical wildlife/resources are protected</td>
<td>1</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cultural values are promoted and enhanced</td>
<td>0</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Management plans are developed and implemented</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Protected area design is functional and effective in achieving cultural and ecological protection</td>
<td>2</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Clearly Defined Boundaries</td>
<td>Biophysical and cultural boundaries (&quot;users&quot;) are well-defined</td>
<td>1</td>
<td>2</td>
<td>Partially met (1.3)</td>
</tr>
<tr>
<td></td>
<td>Allowable and non-allowable activities are clear and understood</td>
<td>1</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Regulatory authority and jurisdictional responsibility is clear and appropriate</td>
<td>0</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Shared Information</td>
<td>Policies and procedures in place and followed for cooperative decision making</td>
<td>1</td>
<td>2</td>
<td>Partially met (1.3)</td>
</tr>
<tr>
<td></td>
<td>Traditional Ecological Knowledge (TEK) is integrated into decision making</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Protected area information is made available to the community and users</td>
<td>0</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Equal and cooperative relationship between parties</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Category</td>
<td>Description</td>
<td>1</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>----</td>
<td>----</td>
<td>----</td>
</tr>
<tr>
<td><strong>Coordination of efforts between institutions and internal departments</strong></td>
<td>Dedicated core group advancing the process of implementation</td>
<td>2</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Continuity of knowledge, skills, &amp; interest in key actors over time</td>
<td>2</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td><strong>Management Flexibility and Responsiveness</strong></td>
<td>Strategies are established and implemented and standards are met over time</td>
<td>0</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Government is committed to new structures and processes</td>
<td>1</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>User or resource concerns and conflicts are responded to quickly</td>
<td>1</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td><strong>Conflict Resolution</strong></td>
<td>Prescribed method for negotiating conflicts is established and effective</td>
<td>0</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Structures and processes foster trust, respect, and understanding</td>
<td>1</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td><strong>Enforcement</strong></td>
<td>Agreements have necessary legal and community support</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Enforcement activities are shared</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td><strong>Governmental Support</strong></td>
<td>Adequate financial and technical support to implement protected area mandates and agreement provisions</td>
<td>1</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td><strong>Equitable Opportunities for Community Contribution</strong></td>
<td>Equitable representation of community members in leadership positions for the protected area</td>
<td>2</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Opportunities for education/training for Indigenous community members</td>
<td>0</td>
<td>N/A</td>
<td></td>
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<tr>
<td></td>
<td>Adequate opportunity is provided for community contribution and feedback</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Combined traditional and western institutions and decision-making mechanisms</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td><strong>Economic Development for Community Benefit</strong></td>
<td>Equitable allocation of sustainable development opportunities between Indigenous and non-Indigenous users</td>
<td>1</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Community derives adequate direct and indirect economic benefit from area</td>
<td>1</td>
<td>3</td>
<td></td>
</tr>
<tr>
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<td>0</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
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<td>0</td>
<td>1</td>
<td></td>
<td></td>
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</table>