

Beyond Consultation: Aboriginal Engagement for Effective Management of Legacy Contamination in an Arctic National Park

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Introduction

STOKES POINT: A RECENT HISTORY. Stokes Point is located on the Yukon North Slope coast in Ivvavik National Park of Canada (Figure 1). Over the past 50 years, this area has seen a wide variety of non-traditional uses. In the late 1950s, the United States Air Force built a short-lived Distant Early Warning (DEW) Line Station there known as BAR-B. Gulf-Beaudril operated a staging facility at Stokes Point in support of Beaufort Sea exploration during the 1980s oil boom. With the signing of The Western Arctic Claim, the Inuvialuit Final Agreement (Canada 1984), Stokes Point became part of Ivvavik, the first national park established in Canada through an aboriginal land claim agreement. Under the claim, Parks Canada manages the national park co-operatively with the Inuit People of the Western Arctic, the Inuvialuit. In the early 1990s, the BAR-B DEW Line buildings were removed and the Department of National Defence built an automated short-range radar facility that is still in operation. Over the years, cleanup of Stokes Point has been piecemeal, with no detailed investigation of contamination. In 2000, the community of Aklavik and the Inuvialuit Regional Corporation (the umbrella organization responsible for land claim implementation) raised concerns about possible pollution left behind at Stokes Point from past DEW Line and oil exploration activities. Inuvialuit from the region have strong ties to the land and water around Stokes Point, and still harvest animals and gather plants there for subsistence.

The current project. Starting in 2005, Parks Canada began a comprehensive five-year, \$6 million investigation and cleanup of the site—the largest project of its type ever undertaken by the

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agency. The remoteness of the Arctic park presented great logistical challenges. Stokes Point is situated almost 200 kilometres northwest of the regional centre of Inuvik in the Northwest Territories; it has no infrastructure to support operations, and is only accessible by air and sea.

A detailed site investigation was completed over the summers of 2006 and 2007. Lead, antimony, arsenic, PCBs, DDT, asbestos, fuel, and debris were identified at the site. Over the next two years (2007–09), human health and ecological risk assessments, and the site remediation plan were completed. The cleanup was finished in the summer of 2010. A total of 400 cubic meters of contaminated soil and debris were removed from Stokes Point, and disposed of in approved landfill facilities and treatment centres in the Northwest Territories, Alberta, and British Columbia.

Moving beyond our duty to consult aboriginal peoples. The Government of Canada has a legal duty to consult aboriginal peoples, where the government has real or constructive knowledge of aboriginal rights or title, and believes that its conduct might adversely affect such rights or title (Canada 2006). This duty for formal consultation arises from Canada's special relationship with aboriginal peoples as set out and defined by Section 35(1) of The Constitution Act (1982) and numerous case law decisions, various legal statutes including Section 12(1) of the Canada National Parks Act, contractual obligations under land claim agreements and treaties, and government policy. These reasons are also described in detail in various guidance documents produced by the Government of Canada (Canada 2006; Canada 2008).

This paper describes Parks Canada's efforts to go beyond the legal duty to consult by engaging, sharing leadership, and working together with the Inuvialuit to cleanup legacy contamination at Stokes Point within Ivvavik National Park. The co-operative management framework of the Inuvialuit land claim (Canada 1984) provided the foundation for moving beyond our duty. A corporate policy shift in the agency over recent years, that encourages broad engagement and shared leadership through active participation in the development and implementation of the Agency's future direction, also supported this, as Parks Canada moves from doing things for Canadians to doing things with and as defined by Canadians (Canada 2009). This paper will outline the key engagement challenges faced, and the approaches used to meet those challenges in moving beyond consultation to clean up Stokes Point. We will also describe the outcomes and show how a modest investment to engage, empower, and enable Inuvialuit has contributed to effective project management and yielded tremendous benefits for all involved.

Inuvialuit engagement: challenges and approaches

We faced three main challenges to move beyond our legal duty to consult and meaningfully engage Inuvialuit on this project: mistrust of Parks Canada and fear of the site, local capacity, and community politics.

Overcoming mistrust and fear. Local mistrust of Parks Canada at the beginning of this project was the result of our past role in a Department of National Defence-led cleanup, in 1999, of the DEW Line station at Komakuk Beach, located within Ivvavik, just northwest of Stokes Point. Parks Canada insisted that materials be removed from existing landfills at Komakuk, and disposed of outside the park. Some materials were taken to an engineered landfill at the site of the former Shingle Point DEW Line station, located at the western edge of the Mackenzie Delta, near



Figure 1. Location of Stokes Point in Ivvavik National Park of Canada, Yukon Territory.

a seasonal whaling camp used by the Inuvialuit of Aklavik. Inuvialuit felt they were not adequately consulted on this decision and vowed it would not happen again in the Stokes Point cleanup.

In the early days of the current Stokes Point project we also had to consider heightened emotion and fear of the site among Aklavik residents. Over the years, Stokes Point was a camping site for Inuvialuit travelling along the North Slope coast. Inuvialuit hunt, fish, and gather in and around this site, and were concerned about the possible impact of legacy pollutants on their country foods. Some attributed cancer deaths in their community to these uses of the site.

In response to these challenges, Parks Canada listened to Inuvialuit concerns. The agency took steps to create a process that empowered Inuvialuit to share leadership, and sought involvement of trusted and credible team members from the community and external organizations. Parks Canada developed an engagement process for action built on some basic principles: shared leadership; respect for local knowledge; a process that is open, transparent and meaningful with real opportunities to influence decisions; a clear definition of what parties can and cannot do, laid out at the beginning of the project in a Terms of Reference.

We created a steering committee to act as a project advisory body that would share leadership in project decision-making through their recommendations, with appointed representatives from Inuvialuit organizations, co-operative management boards, the community of Aklavik, Royal Military College of Canada, and the Government of Canada (Figure 2). Inuvialuit Elders and others with history at the site were involved so that their local and traditional knowledge would complement the science for investigation design and development of the risk assessment model.

Finally, Parks Canada engaged the Environmental Sciences Group at the Royal Military College of Canada, a world leader in the assessment of Arctic military sites, to work on their behalf to conduct the Stokes Point site investigation and cleanup plan. Inuvialuit saw the Environmental Sciences Group as a credible, independent, arm's-length technical lead.

Building Inuvialuit capacity for meaningful participation. A number of approaches were taken to build capacity (knowledge and financial means) to enable Inuvialuit to meaningfully take

Figure 2. The Stokes Point Steering Committee and staff, with representatives from Inuvialuit and co-operative management organizations, Parks Canada, Department of National Defence and the Royal Military College of Canada (Photo Parks Canada).



part in the process, as it was difficult for Inuvialuit on the Steering Committee, and those from the community, to effectively participate when dealing with the highly technical subject of contaminated site management. This was compounded by local literacy issues, and the fact that English is often not the first language of many elders.

Parks Canada committed to build capacity of the Steering Committee throughout the project in four ways: dedicating a portion of each quarterly meeting to deliver relevant “Contaminants 101” training prior to making key recommendations; conducting site visits in all phases; committing to use plain language for all Committee business; and providing fair remuneration for professional services (e.g., travel, meeting preparation, and meeting days) of Inuvialuit representatives on the Committee as well as Elder knowledge-holders.

The Agency also committed to keep Inuvialuit people from Aklavik and other communities in the Settlement Region informed and involved. This was achieved through varied methods including: several rounds of community meetings; advertised quarterly Steering Committee meetings open to the public; site visits for elders and Inuvialuit leaders during project; regular leadership briefings of Inuvialuit organizations and co-operative management boards; realizing the potential of local workers hired and building their understanding of the project so they can act as project ambassadors in their home communities; a series of four plain-language newsletters distributed by mail drop to every household and business in the six regional Inuvialuit communities; magazine articles about the investigation and cleanup in the quarterly Inuvialuit current affairs publication distributed to every land claim beneficiary; and inclusion of a field-embedded media crew from the Inuvialuit Communications Society during the second year of the investigation. This embedded crew produced a 30-minute television documentary on the project.

Navigating community politics surrounding local economic benefits. Prior to the site cleanup, Parks Canada had to deal with some community politics regarding which Inuvialuit communities in the Settlement Region could benefit from the work. Aklavik, the community nearest to the national park and the Stokes site, sought to maximize local economic benefits from cleanup activities but lacked companies with the expertise and resources to lead a project of this nature. However, one of Canada’s leading DEW Line cleanup companies, owned by Inuvialuit, was based in the region, in another nearby community.

Parks Canada worked closely with the Steering Committee, the Inuvialuit Regional Corporation, and Public Works and Government Services Canada to develop a solution. The Government of Canada subsequently delivered a competitive national tendering process that provided value for Canadian taxpayers, and met our obligations under the land claim to provide significant economic opportunities for Inuvialuit. Most of the economic benefits from the cleanup went to Inuvialuit companies and workers. The Inuvialuit-owned company based in another Settlement Region community was hired as the lead contractor. Subcontract and local hiring requirements in the tender package ensured that the lead contractor maximized benefits available to the Inuvialuit of Aklavik.

Outcomes

Parks Canada’s investment to move beyond our legal duty to consult and meaningfully engage Inuvialuit in the Stokes Point investigation and cleanup was modest (Table 1). However, the returns realized by all parties involved were tremendous. It is very likely that without such an investment, our case study may have been more of a cautionary tale of what not to do.

Generally, moving beyond consultation on this project resulted in better project management with all phases of work proceeding smoothly on schedule and budget. The Agency’s mandate to restore and improve the health of the park was achieved. Principles of the Inuvialuit Final Agreement were also satisfied: the process allowed for meaningful involvement by Inuvialuit in project decision-making (i.e., empowered and enabled); the environment and cultural resources were

	Year 1 Investigation	Year 2 Investigation	Year 3 Planning	Year 4 Planning	Year 5 Cleanup
Steering Committee					
Community meetings					
Local knowledge					
Site visit					
Newspapers, radio, TV, documentary					
Community feast					
TOTAL (CNDP)	\$43K	\$140K	\$22K	\$19K	\$25K

* Percentage of the total project budget (Canadian Dollars) spent over 5 years by Inuvialuit engagement = 4% (\$249K). Significant in-kind contribution of staff time not included.

Table 1. A summary of Inuvialuit engagement activities and investments over the five-year project (2005/06 through 2010/11).

protected; and Inuvialuit realized economic benefits from the project. Within the context of the three engagement challenges discussed in this paper, the outcomes were also notable.

Overcoming the mistrust and fear. By listening to Inuvialuit concerns, empowering them to share leadership in addressing concerns, and adding credible players to our team such as community elders and the Royal Military College of Canada, we were able to overcome mistrust and fear. The result of our collective effort is that Stokes Point is now safe for Inuvialuit, and the animals and plants they depend upon for subsistence. Inuvialuit were confident that our investigation was comprehensive, and cleanup approaches used to make the site safe were sound. Community support of the project was favourable—there was no bad press, no public outrage, and no angry letters were sent to the minister. Relationships were strengthened, and trust levels were bolstered among the Inuvialuit of Aklavik and the regional leadership. In fact, Inuvialuit leaders have pointed to this project as the model for future projects in the region.

Building Inuvialuit capacity for meaningful participation. Parks Canada engaged Inuvialuit to play a meaningful leadership role in the project through various approaches (*e.g.* Steering Committee; use of Elder and local knowledge; various public information and involvement approaches) that provided knowledge, opportunities for involvement to shape project decisions, and financial means to participate (Figure 3).

Politics overcome. We delivered a competitive national tendering process that provided value for taxpayers, as well as significant economic opportunities for Inuvialuit. The cleanup contracts awarded to Inuvialuit-owned companies accounted for 95 percent of the total project dollar value (\$3.2 million), with 40 percent of contracts awarded to Aklavik companies. Approximately 85 percent of workers hired for the cleanup were Inuvialuit, with 66 percent from Aklavik.

Conclusions

Parks Canada moved beyond our legal duty to consult, and worked with Inuvialuit to cleanup legacy contamination at Stokes Point in Ivvavik National Park. Payback on a modest investment was priceless, with tremendous tangible and intangible benefits. Our success working with the Inuvialuit was built on the basics, like having conversations with people, listening, fostering respect, and building relationships. Park managers must plan in advance for this level of engagement, and be ready to move from talk to action. It is critical to empower (by creating opportuni-



Figure 3. Inuvialuit were enabled to share leadership and influence project decisions through various engagement approaches that informed and involved, such as Elder site visits (Photo Z. Hoe, ICS).

ties to share leadership and influence decisions) and enable (by building capacity and providing means to participate) aboriginal peoples to take a leadership role in similar projects, or to have opportunities for meaningful involvement. Finally, to successfully move beyond the duty to consult, the government must be willing and able to share leadership.

Acknowledgments

The success of the Stokes Point project was a result of collaboration among dedicated represen-

tatives of the Stokes Point Steering Committee from the community of Aklavik, various Inuvialuit land-claim bodies and co-operative management boards, Parks Canada, the Department of National Defence, and the Royal Military College of Canada. We would also like to thank Inuvialuit elders Bill and Lucy Cockney, Danny C. and Annie Gordon, Moses Kayotuk, Andrew Gordon Sr., Colin Gordon, and Nellie Arey for their significant assistance and contribution.

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