# Stewards of the Land, Water and Sky: Tsleil-Waututh Nation's Relationship with the Burrard Inlet

by

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**Abstract**

This thesis investigates Tsleil-Waututh peoples' relationship with the Burrard Inlet brought forth by community members and representatives of Tsleil-Waututh Nation as a marker of their collective identity. A modern history of massive population influx, land alienation, industrial activity and resource development resulting from the arrival of settlers from abroad has left Tsleil-Waututh peoples with limited opportunities to realize their relationship with the Inlet as their ancestors did. Situated in the center of one of Canada's most populous regions, the coexistence of Indigenous and non-Indigenous peoples in the cities surrounding the Burrard Inlet is a reality and this study contemplates the opportunity that can be realized through cross-cultural collaboration. This study itself is one such example. The objective of this study is to move away from the tendency of the researcher to act as the expert, and instead to situate the Tsleil-Waututh community members and representatives as the experts. As a non-Indigenous researcher, I adopt an Indigenist research approach to better understand these Indigenous worldviews and to present them accurately and respectfully.

*Key words: Indigenist research, identity, natural resources, stewardship, intercultural sensitivity, collaboration, oil pipeline, Coast Salish, British Columbia, Canada*

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## Chapter 1: Introduction

The Burrard Inlet is described in Tsleil-Waututh peoples' oral history as the birthplace of the Tsleil-Waututh Nation (Morin, 2015). According to these oral histories, Tsleil-Waututh peoples have been in this inlet since 'time out of mind'. Impacts due to past, present and proposed activities in and around the Inlet have elevated community-based concern over its present and future health. This concern is rooted in the view that the health of the Burrard Inlet is directly linked to the physical, spiritual, and cultural health of the nation – 'the People of the Inlet' (Morin, 2015). The overarching purpose of this study is to support Tsleil-Waututh Nation in raising awareness amongst non-Indigenous groups[1] about its interests regarding the Burrard Inlet. To make these interests heard, understood, and incorporated, the voices of the participants are a focus in their presentation throughout this study. Finally, this study seeks to contribute to a foundational understanding of what meaningful collaboration with Tsleil-Waututh Nation looks like through the eyes of the participants, many of whom interface with non-Indigenous groups on a daily basis as part of their roles within the nation.

Two key issues set the context for the undertaking of this research. First is Tsleil-Waututh Nation's opposition to and rejection of Kinder Morgan's proposed Trans Mountain Pipeline Expansion (TMX), a project that would terminate at the Burrard Inlet and has received conditional Federal Government approval. Second is the Federal Government's stated commitment to a renewed 'nation-to-nation' relationship with Indigenous peoples based on recognition, rights, respect, co-operation and partnership

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[1] For the purposes of this study, a 'non-Indigenous group' is a public or private sector body, such as governments and project proponents, unless otherwise specified.

(Trudeau, 2015). Though the study did not seek to solve challenges arising from the intersection of these issues, it did seek to highlight Tsleil-Waututh peoples' voices, with the goal that the findings could be applied to addressing them.

The central research question for this study was *What is the significance of the Burrard Inlet to the Tsleil-Waututh people*? The sub question was *What makes collaboration with non-Indigenous groups meaningful to Tsleil-Waututh Nation*? To help me as a non-Indigenous person to understand Tsleil-Waututh Nation's perspective(s) and to move through how to think about and analyze the topic at a broader level, this research was primarily guided by an Indigenous research paradigm as characterized by Wilson (2008) in *Research is Ceremony.* This paradigm suggests that research incorporates a set of underlying beliefs that include an Indigenous view of reality (ontology), of thinking about or knowing this reality (epistemology), of ethics and morals (axiology) and of gaining more knowledge about reality (methodology). Wilson describes research done under this paradigm as 'Indigenist research', a deliberate distinction from 'Indigenous' research because 'Indigenist' opens this approach to anyone who takes on its characteristics. Recognizing that this study was both an exploration and an example of intercultural collaboration, this Indigenist research was further supported by Bennett's (2004) Developmental Model of Intercultural Sensitivity (DMIS). DMIS helped conceptualize the intellectual process of building cultural awareness of another culture that I was both studying and experiencing. In concert, these approaches afforded a raised level of consciousness and insights throughout the research process.

Though my professional relationship with Tsleil-Waututh Nation began in the fall of 2014, my research relationship with the nation began in the summer of 2016 and

continued to through to the completion of the study in the fall of 2017. To ensure respectful inclusion and representation of Tsleil-Waututh peoples throughout, Tsleil-Waututh Nation's Treaty, Lands and Resources (TLR) Department reviewed and approved my study proposal, ethics review and final draft. In some cases, TLR also directed me to the study participants. Once collected, the interview data was transcribed then themed and categorized using qualitative content analysis. At the same time, participants were invited to review and approve their own interview transcripts. To support my learning, I also maintained a personal journal to reflect on my experiences. While my research relationship with Tsleil-Waututh Nation has come to a close, my professional and personal relationships continue, as does my ongoing learning journey.

**Tsleil-Waututh Nation**

The very first time I met Michelle George, a Tsleil-Waututh community member, elected council member and TLR Referrals Analyst, she welcomed my colleagues and I with an introduction to Tsleil-Waututh Nation. Rather than apply my own interpretation, I have opted to share Michelle's introduction in her own words, as re-told to me in our first interview for this project:

> Tsleil-Waututh have been here since time out of mind, so everything before [contact with Europeans] was strictly Tsleil-Waututh and Tsleil-Waututh law. We did have neighbouring families and different groups, such as Squamish, Musqueam, Katzie and Kwikwetlem, and many more that have shared territories… There were protocols and rules on entering territories and using different resources from different places. But, prior to 1792, Tsleil-Waututh utilized land, water and pretty much anywhere from along Burrard Inlet, Indian Arm, and Howe Sound up to Squamish, down to United States of America and beyond.
>
> 1792 changed all that and we actually have oral histories of First Contact with the Spanish and the English... I believe we were surprised by the Spanish because they were darker than us and we were confused with the English because they provided us bread or biscuits or something like that but they were rock solid and

> we couldn't actually eat them so we used them as skipping stones on the water not knowing what else we were supposed to do with them. And then, after that everything quickly changed.
>
> Around 1860 Land Act exemptions were made. People [settlers] were allowed to clear acres of land and call it their own and Tsleil-Waututh people were forced to move to reserves. Burrard Indian Reserve #3 was one of them… And it was roughly less than a square kilometre wide and that was for about 30-50 people which was another thing, we went from about 10,000 people prior to 1792 down to some people say 13, some people say 30, it all depends on who you're talking to. Not only did that happen but law, residential school, industrialization, colonization all came into effect making from 1860-1960 a very trying time for Tsleil-Waututh. We went from using everything across the board to having to live off of a square kilometre.
>
> Tsleil-Waututh are known as People of the Inlet and we were taught that when the tide went out the table was set. So literally, as the tide went out, you could walk out and you could find over 20 different kinds of clams, crabs, fish, cod, sea kelp, sea urchin and sea cucumbers. These were all foods that Tsleil-Waututh people enjoyed and lived off of. Unfortunately today the shellfish harvesting is closed, you can't find sea kelp anywhere except for certain areas. We are currently working on restoring the habitat and the environment of Burrard Inlet. As we watched from First Contact until now, we've seen a steady decline of natural resources within the Burrard Inlet…
>
> Today we are now a nation of over 500 people. We have different departments such as Public Works, Administration, Community Development, Treaty, Lands and Resources and Economic Development. And we have grown as a nation. We went from a couple people sitting around a kitchen table to a couple hundred people working for the nation and really implementing the goals of Tsleil-Waututh which are restoring the health of the Inlet, putting the face of the nation back on the territory, building relationships with our neighbouring communities, governments, proponents, and helping people realize that we are here, and we're still here, and we're not going anywhere.

Tsleil-Waututh peoples describe themselves as 'People of the Inlet', which refers to their close relationship with the Burrard Inlet. They also describe themselves as 'Children of Takya': "In our language, "Takaya" means wolf, and we are the Children of Takaya. The Story of the Wolf tells us that the Creator transformed the Wolf into the first Tsleil-Wautt, and made the Wolf responsible for this land," (Tsleil-Waututh Nation, 2016c). Today about half of the nation's membership lives on the 276-acre Burrard Inlet #3

Indian Reserve on the north shore of the Inlet. The nation's entire traditional territory – "the land we have always occupied and used" – is however, much larger. According to the nation's website, it encompasses 720 square miles including most of Metro Vancouver from the Fraser River in the south to Mamquam Lake in the north (Tsleil-Waututh Nation, 2016c) (see Appendix 1). As 'People of the Inlet' and 'Children of Takya', it is the inherent right and responsibility of Tsleil-Waututh peoples to steward the lands, waters and skies of all of their territory.

**The Burrard Inlet**

Technically speaking, the Burrard Inlet is an 11,300 hectare tidal salt-water body in the heart of the Metro Vancouver Region on the south coast of British Columbia (see Appendix 2). It comprises 190 kilometers of marine foreshore and a drainage basin of 98,000 hectares. Ecologically, the Inlet hosts numerous fish species and provides essential nursery habitat for juvenile Pacific salmon. It has also been internationally recognized as an Important Bird Area as it attracts tens of thousands of migratory birds along the Pacific Flyway each year (Burrard Inlet Environmental Action Program, 2014). There is also a large and growing human population around the Inlet. Canada's 2016 Census indicated that Metro Vancouver region's population was 2,463,431, an increase of 6.5% from 2011, making the third most populated metropolitan area in Canada (Statistics Canada, 2017). These people live in 21 different municipalities, of which seven directly touch the Inlet. The Burrard Inlet is also home to 22 of the Port of Vancouver's 27 marine terminals that in 2016 moved a combined total of 136 million tonnes of cargo. These terminals account for an average of $24.2 billion in economic

output per year (Port of Vancouver, 2016). Indeed, the Burrard Inlet is a hub of activity today as it has always been going back to the times before Europeans arrived.

The Burrard Inlet is an area traditionally used by the Musqueam, Squamish and Tsleil-Waututh peoples. Tsleil-Waututh peoples have primarily used the eastern end of the Burrard Inlet, including Indian Arm. As Michelle indicated, Tsleil-Waututh Nation's oral histories say that Tsleil-Waututh peoples have been there 'since time out of mind'. Western scientific methods such as carbon dating further suggest this occupation dates back at least 3000 years (Lepofsky et al., 2000; Morin, 2015). Though Europeans first entered the waters of the Burrard Inlet in the 1790s it was not until the late 1850s that permanent settlement began to develop. So, while coexistence is relatively new it has brought about much change to the territory and to the Indigenous peoples who have lived in the area. Of particular interest to this study were the changes to the physical environment and any resulting impact on the well-being of Tsleil-Waututh Nation.

As will be explored further in the literature review, the Burrard Inlet, like the majority of physical area in British Columbia, remains "unceded," meaning there is no agreement or treaty between the Indigenous nations who inhabit it and the settler government, known as 'the Crown', acknowledging the nature and extent of Indigenous title and rights (Bissler, 2014). While such questions have remained outstanding, the Burrard Inlet has been heavily impacted by the ongoing influx of settlers and industrial and economic activity that continues to the present day. The environmental impacts are so severe in nature and extent that the provincial government has identified the Indian River Watershed, which drains into the Inlet, as one of the top 10 priority watersheds for restoration (Collier & Hobby, 2010). As this research will demonstrate, the

environmental degradation of the Inlet has also impacted the health and wellbeing of the Tsleil-Waututh peoples.

In exploring the significance of the Burrard Inlet to the Tsleil-Waututh peoples, this thesis begins with a literature review. In Chapter 2, this review explores the existing scholarly literature related to differentness, collaboration and power relations, Indigenous stewardship and traditional knowledge and treaty and Aboriginal rights and title in Canada. Chapter 3 focusing on methods dives further into the Indigenous Research Paradigm, Indigenist Research and DMIS providing more detail on how this study was carried out. The final data is presented over three chapters; Chapter 4a, The Significance of the Burrard Inlet; Chapter 4b Collaboration with non-Indigenous Groups; and Chapter 4c, Oil and the Burrard Inlet. Finally, Chapter 5 provides a personal reflection on my experience both as a researcher and a research subject in this cross-cultural collaborative study and a conclusion on the topic overall.

# Chapter 2: Literature Review

In reviewing literature on this topic, four key subtopics emerged: differentness, collaboration and power relations, Indigenous stewardship and traditional knowledge and treaty and Aboriginal rights and title. Drawing on Indigenist research methods (Kurtz, 2013; Smith, 1999; Wilson, 2008) and DMIS (Bennett, 2004) for guidance, this chapter discusses the relevant findings related to these subtopics to build a foundational understanding of the topic generally. The literature review also supported the identification of knowledge gaps or opportunities for further exploration that this study sought to address.

## Understanding Differentness

A discussion of difference was significant to this study because it is one that addresses the relationship between two distinctly different cultural groups, Indigenous and non-Indigenous, with different worldviews. Of the potential for two people raised in different cultures to ever fully understand one another, some like Hall (1976) say that it is impossible while others say that with practice and training, they can come close (Byram & Nichols, 2001; Rosen, 2004). Indeed, much of the literature reviewed suggests that just acknowledging and seeking to understand difference at outset is of primary importance when working in intercultural contexts. In their book on developing intercultural competence, Byram & Nicholas' (2001) challenge foreign language teachers to help their students gain an understanding of the differences between one's own culture and another. The results are students who are more capable of 'decentering' themselves which they say, enables them to see how conflict can arise in intercultural contexts and how it might be resolved (Byram & Nichols, 2001). Difference does not have to be a

barrier to working together but, as Rosen (2004) asserts, the onus is on both parties to articulate their distinct motivations and reasons behind those motivations.

Looking at what understanding of difference might look like in practice, Griggs' (2015) studied government-to-government Shared Decision-Making agreements in British Columbia. They found that true understanding between Indigenous nations and provincial government bodies where their relationship operated at a symbolic level of interaction. At this level, attention shifted away from 'what the parties are doing together,' to 'how the parties want to be with one another'. In these relationships, themes such as reconciliation, attachment to place and stewardship were woven throughout interactions about management and resource development (Griggs, 2015). Lack of knowledge, understanding, skills and competence in basic issues of consultation, social science, cultural awareness, and locally contextualized knowledge were deficits identified as barriers to reaching the symbolic level as described by Griggs (see also Doyle-Bedwell & Cohen, 2001; Gardner, Kirchhoff, & Tsuji, 2015; Natcher, Walker, & Jojola, 2013). While the focus was on non-Indigenous groups, Indigenous groups may have work to do as well. Gardner et al. (2015) highlighted a case in Ontario where a hydroelectric project proponent was an Indigenous group who failed to follow basic consultation practice in failing to seek or consider input from other Indigenous groups downstream. As proponents, Indigenous groups are also subject to consultation requirements.

On the job and classroom training were the most commonly suggested opportunity to correct deficits in cross-cultural understanding (Byram & Nichols, 2001; Hammer, Bennett, & Wiseman, 2003; Ross, 2015; Truth and Reconciliation Commission of Canada, 2015). The Final Report of the Truth and Reconciliation Commission of

Canada (2015) for example, recommended that all public servants receive an education on the histories of Indigenous peoples as well as skills-based training in intercultural competency, conflict resolution, human rights and anti-racism. Regardless of the sector or cultural group an individual belongs to, direct interactions with another culture benefits everyone involved. As Endicott, Bock, & Narvaez (2003) found, multicultural experiences promote flexible thinking and help develop the intercultural sensitivity described by Bennett (2004) in his DMIS. This was also significant for Griggs (2015) who emphasized that direct interaction opens opportunities to build relationships long before any formal agreement or partnership is struck.

The initial work of relationship-building based on an understanding of one another is understood by Pulla (2016) as building social license, something they describe as an important pre-condition for responsible resource development. Social license is earned by the party seeking the support of another. Working to build social license, Pulla says, encourages "reconciliation and active engagement between Indigenous and non-Indigenous Canadians," (2006, p. iv). This is further echoed by the Truth and Reconciliation Commission of Canada (2015) that envisions a future where Indigenous voices are entirely *in*cluded in decision-making processes. When it comes to natural resource development, project proponents must go beyond the legal minimums established by case law, as discussed later in this literature review, and wholeheartedly include Indigenous groups in a way that meets their needs and expectations. This can be achieved by sincere efforts on the part of the proponent to understand the needs and interests of the Indigenous groups potentially impacted by their project and responding

accordingly. Such principles of relationship building can be applied to any cross-cultural situation.

While it is evident from the literature that a strong understanding of difference is foundational to effective intercultural collaboration, this study sought to go further by seeking a symbolic understanding between Indigenous and non-Indigenous peoples as put forward by Griggs (2015) where the attention is on 'how the parties want to be with one another'. Additionally, and perhaps most significantly, it seemed to rather simplistically be suggested that awareness of difference is the answer to overcoming potential challenges (Enosh, Ben-Ari, & Buchbinder, 2008; Laurila, 2016). Simple awareness is likely not enough and this study aimed to illuminate how difference can be transformed into significant, meaningful partnerships.

**Intercultural Collaboration and Power Relations**

In many ways, the literature understands collaboration between Indigenous and non-Indigenous groups as a transformation because to date, these groups have experienced generations of strained relationships and unequal power relations (Griggs, 2015; Harris, 2004). In British Columbia, Harris (2004) describes how colonialism dispossessed Indigenous peoples from their lands as settlers arrived from abroad and claimed rights to Indigenous lands. Harris is however, clear in stating that Indigenous peoples were not passive victims of this process and that they did do what they could to slow down or to mitigate the dispossession by negotiating with colonial officials, refusing to cooperate and forming inter-tribal alliances. The legacy of the history of dispossession lives on today and given this, collaboration may seem ambitious at first glance. But, as

the literature reviewed demonstrates collaboration is active, though imperfect, in many forms in British Columbia and around the world today.

Many benefits of collaboration were found in the literature. These included the opportunity to build the trust and communication that was not built historically (McKinney & Field, 2008), the possibility to realize goals a party may not be able to achieve alone (Ross, 2015; Tsleil-Waututh Nation, 2016a) and the opening up of future opportunities for further collaboration (Nelson et al., 2016; Vicary & Bishop, 2005). Imperfections were also recognized and examples and considerations from which guidance on such collaborations can be drawn were noted throughout.

For non-Indigenous groups seeking to collaborate with Indigenous groups on activities such as resource development or environmental management, the literature pointed to an important distinction to be made between these nations and other interest groups, commonly known as ‘stakeholders’. Calling Indigenous peoples or nations ‘stakeholders’ can be considered offensive because it does not recognize them as pre-existing, self-determining nations, said von der Porten & de Loë (2013). McGurk, Sinclair, & Diduck (2006) added that involving them in the stakeholder process along with others does not adequately accommodate their status as unique governments and rights holders. Labeling Indigenous groups ‘stakeholders’ would thus exemplify the persistent unequal power dynamics between the Canadian nation and Indigenous nations. Correcting the language used in referring to Indigenous groups is important in resolving the power imbalances.

The unique status of Indigenous groups was considered in the design of the two-tiered collaborative land use planning process for British Columbia’s Great Bear

Rainforest, which was studied by Cullen, McGee, Gunton, & Day (2010). The process comprised of two negotiating tables, the first involving all stakeholders and Indigenous groups which sent recommendations to a second table comprised of only Indigenous groups and the provincial government. The study concluded that elevating the status of Indigenous nations in the area resulted in better outcome scores relative to other single tier processes. Again, the distinction of Indigenous groups as being separate from stakeholders was highlighted as important by the literature.

Most models of intercultural collaboration were considered only partially successful in achieving meaningful results for the Indigenous group involved. Ross (2015) for example, looked at the Uluṟu Model of Joint Management in Australia, which involves land being returned to Indigenous ownership and leased back to a government agency under the direction of a board of management with an Indigenous majority. This co-management arrangement created opportunities for park rangers to be trained in local Indigenous stewardship practices. It also allows for traditional Indigenous owners to once again live in the park. Regardless, Indigenous control remains limited, they concluded: "primacy in decision making rests in the legislative provisions and bureaucratic structures of the arrangement, not in Aboriginal obligations regarding access to land and resources, their rights to be asked permission about management of owned resources, or traditional responsibilities to make decisions about the management of the country," (p. 199). As will be discussed in the Chapter 4 Data Analysis Tsleil-Waututh Nation is in a similar situation in their territory. The issue of unequal decision-making authority also emerged in Doyle-Bedwell & Cohen's (2001) study in a more complex form. In this case, the imbalance was between the Indigenous-led Nunavut Wildlife

Management Board and the Indigenous-led territorial government, which suggests the issue of power relations transcends culture.

My review shows that Indigenous peoples are participating to varying degrees in resource management in Canada, Australia and elsewhere. Debate emerged about whether there is a benefit of collaboration at all given the resources required for these relationships to be successful (McKinney & Field, 2008; Nelson et al., 2016; Swindell & Hilvert, 2014). Where collaboration was pursued, others found enduring and systemic barriers in the way of success for Indigenous groups. Freethy's (2016) study of fisheries management collaboration in the Skeena River Watershed in British Columbia for example, found that long-standing historical conflict, collaborative process design deficiencies and other external factors (e.g. reduced commercial fishing opportunities) led to a lack of willingness to cooperate on the part of Indigenous peoples in the area. The study’s conclusion was that collaboration was inappropriate at that time and that a revision of the collaboration model and processes was required in addition to relationship building. A weakness in this body of literature was that few studies put Indigenous perspectives on collaboration in the forefront of the discussion. I sought to address this gap in undertaking this study.

**Indigenous Stewardship and Traditional Knowledge**

McGregor (2004) asserts it is not appropriate to limit or constrain the terms ‘Stewardship’ and ‘Traditional Knowledge’ in the Indigenous context by defining them. Broadly, Indigenous stewardship was understood as principles guiding and informing holistic relationships to land, sea, and resources (Doyle-Bedwell & Cohen, 2001). For the purpose of this study, ‘Stewardship’ is understood as a term used to refer to the

managers’ (stewards’) responsibility, to the fact that they are not free agents but, rather, must answer for their actions to their own social group and to the ecological and spiritual authority of the territories they manage (Daly, 2003). The ‘relational’ aspect of stewardship highlighted by Wilson' (2008) concept of Indigenist Research, an approach being implemented by this study as will be addressed in Chapter 4: Method. In step with the steward’s responsibility is the right of the Indigenous manager to right to carry out its responsibilities according to traditional knowledge (Daly, 2003; Morin, 2015; Natcher, 2001; Stevenson, 2006). As such, Indigenous stewardship and traditional knowledge are mutually dependent.

Traditional knowledge was another term largely without a consensus definition in the literature. Hill Adams, Wilson, Heavy Head, & Gordon (2015) instead described a set of principles characteristic of what they call ‘Indigenist Knowledge’: Intuition, 'meant to be', knowledge is relational, stories contain lessons (knowledge is not just laid out for you), learning is experiential, knowledge is local, storytelling is communal, teachings come by asking questions (not by being told/taught) and the goal is communal (not personal) betterment. As Ross (2015) describes, the resulting ‘know-how’ is a form of 'local knowledge', intricately bound to particular communities, places and ways of life. The know-how of traditional knowledge informs the steward of the appropriate use of animals, plants and resources (Doyle-Bedwell & Cohen, 2001). This knowledge is preserved through living memories of individuals and within the textures of local songs, stories and ceremony (Ross, 2015). The implementation of traditional knowledge in stewardship practices has helped its practitioners manage their lands across large expanses of time.

The value that traditional knowledge brings to cross-cultural relationships was also recognized. As von der Porten, de Loë, & McGregor (2016) state: "The growth of collaboration scholarship that recognizes the importance of Indigenous knowledge is a reflection of the real-world need for high-quality information and diverse forms of knowledge in environmental decision-making," (p. 215). In fact, they described the knowledge of people who have used the territories for millennia as about the best information that could possibly be available. Researchers in ecological management were further advised by Long, Endfield, Lupe, & Burnette (2004) to heed the advice of traditional knowledge. As one Elder in their study said: "Go slowly. Listen to the land and it will tell you what to do," (p. 41). This advice could help researchers ensure their efforts do not undermine what an Indigenous community has already achieved (Long et al., 2004). Heeding this advice could also be linked to the concept of social license (Pulla, 2016), an exercise in building good will and credibility, which ultimately mitigates risks to an activity being undertaken by a non-Indigenous group.

Despite the recognized need or place for traditional knowledge in collaborative environmental decision-making, a persistent lack of understanding of the mechanisms by which to meaningfully collect and incorporate the knowledge at a policy level was also recognized (Giles, Fanning, Denny, & Paul, 2016; von der Porten et al., 2016). Giles et al. (2016) studied how Mi'kmaq traditional knowledge was incorporated into policy-level decision-making regarding the American eel fishery in Atlantic Canada. They found there were many logistical, conceptual and communication challenges in the implementation phase of these policies, such as ownership of data and placing cultural and spiritual information within a Western decision-making framework. As von der

Porten et al. (2016) report, despite 30 years of grappling with integrating Indigenous knowledge systems, there has been little progress. Contesting this point of view, McGregor (2004) states that as a result of the insistence on inclusion on the part of Indigenous peoples, they and their knowledge are gaining more of a foothold in environment and resource management in Canada.

A need to reconcile Indigenous and non-Indigenous knowledge systems in a way that honors both was also expressed. Differences in how knowledge is created, transmitted and considered 'legitimate' set traditional Indigenous knowledge and western scientific methods apart. For example, Kulchyski (2005) asserts that traditional knowledge is not acquired in a book: "One can read people, one can read the world… One can read the bush and the land to gain wisdom and knowledge, power and medicine. One can read the stories inscribed in the landscape with as much care as one reads the narratives of classical history," (p. 18). Western science on the other hand, legitimizes analytical and reductionist methods over these more intuitive and holistic views found in traditional knowledge (Hutchins, 2004; Kulchyski, 2005). While some academics assert that the methods of traditional knowledge must be seen as distinct from western approaches because they represent an entirely different worldview (Wilson, 2007), others like Ross (2015) argue that western scientific knowledge shares certain features with traditional knowledge and vice versa. Honouring both knowledge systems is especially important in the natural resource sector as highlighted by Ross (2015) who found that misunderstanding "makes it difficult for [government resource managers] to see the value in other systems of knowledge that are at once empirical and social, intuitive and spiritual. It is easier instead to evoke their own authority... and marginalize

Indigenous others' knowledge and authority," (pp. 54-5). These challenges can emerge in any cross-cultural situation public sector, private sector or individual relationships.

**Treaty and Aboriginal Rights and Title in Canada**

Section 35(1) of Canada’s *Constitution Act, 1982* states: *The existing aboriginal and treaty rights of the aboriginal people in Canada are hereby recognized and affirmed* (The Constitution Act, 1982). While this section confirms “existing Aboriginal or treaty rights” that were not extinguished by surrender or legislation before 1982, it does not specify the scope and content of these rights. The ongoing series of cases that have come through since 1982 have further defined these rights. In the cases of *Haida Nation v British Columbia (2004), Taku River Tlingit First Nation v. British Columbia (2004)* and *Mikisew Cree First Nation v. Canada (2005)* for example, the Supreme Court of Canada established that the Crown holds a duty to consult Aboriginal groups, and where appropriate provide accommodation, when it contemplates conduct that might adversely impact potential or established Aboriginal or treaty rights. It is worth highlighting here that while the legal duty to consult and accommodate rests with the Crown, the procedural aspects of this duty are often delegated to private sector project proponents (McGlaughlin, Langlois, & Lyons, 2017).

In addition to Aboriginal rights, the majority of Aboriginal people in Canada can also claim treaty rights as guaranteed in the Constitution. Technically speaking, treaties are “international, legally binding agreements between two sovereign nations,” (Corntassel & Witmer, 2008, p. 109). However, in practice treaties are largely regarded as domestic issues where conflicts are dealt with through internal mechanisms such as courts and other authorities (Martinez, 1997). Since early European presence in Canada,

treaties have been the legal instrument within Canadian law used to settle questions of land ownership and to formalize the distinct relationship between Indigenous peoples and the Crown. In Canada, there are at least 25 historic and 26 modern treaties, the most recent of which came into effect in 2016 (Canada, Tla'amin Nation, & British Columbia, 2016; Indigenous and Northern Affairs Canada, 2010; Land Claims Coalition, n.d.). These later treaties are final settlement agreements between Indigenous nations and Canada that confirm Aboriginal title to defined geographic areas in exchange for the Indigenous party's surrender of rights to additional title claims and other rights. By comparison, over 379 treaties are active in the United States (Corntassel & Witmer, 2008) and one in New Zealand (Hornbeck Tanner, 2007). The majority of the treaties in Canada are not in British Columbia where Aboriginal title rights remain largely undefined from a Constitutional perspective.

**Treaties in British Columbia.** With a few exceptions including the historic Douglas Treaties (1850-54) and Treaty 8 (1899), Indigenous groups in present-day British Columbia have never ceded their territories to the Crown through treaty. Despite this, the Crown assumed authority to make any and all fundamental decisions around how the lands within the provincial boundaries will be used (Christie, 2013). As in other areas of Canada, this assumption left Indigenous peoples excluded from the newly imposed decision, planning and management regimes that impacted their land and resources (Natcher et al., 2013). In an attempt to resolve Aboriginal title, the British Columbia Treaty Commission (BCTC) was established for the negotiation of treaties. The BCTC has been active since the early 1990s and though many Indigenous nations have opted in, only three treaties have resulted – Tsawwassen First Nation (2007), Maa-nulth First

Nations (2009) and Tla'amin Nation (2016). Outside of the BCTC process, Nisga'a also signed a treaty with Canada and British Columbia in 1999. Tsleil-Waututh Nation chose to participate in the BCTC process and began negotiations in 1994. By 1997, talks had advanced to Stage 4 – Agreement-in-Principle which is where the substantive outline of the treaty's content is worked out. This is where the negotiations remain today.

While many nations within British Columbia continue to pursue treaties, the literature contained a considerable amount of criticism for the BCTC and treaties in general. For Alfred (2001), that the BCTC has resulted in so few treaties is proof that the federal and provincial governments have neither the determination or sincere desire to resolve the fundamental sources of racial and political conflict. He labels British Columbia's attempt to negotiate a structural recognition of Indigenous constitutional rights to land and self-government a failure. As *Tsilhqot'in Nation v. British Columbia* (2014) demonstrates Aboriginal title can be proven outside of the BCTC process. Still, In support of treaties, Hornbeck Tanner (2007) says the absence of treaty is a handicap for Indigenous groups because without them they have nothing to use as a basis for dealing with the government. In other words, without a formalized relationship they believe it makes it difficult for Indigenous groups to achieve their aims, such as self-governance outside of the Indian Act.

While treaties may have facilitated forms of Indigenous self-governance across Canada, Christie (2013) contends that the modern day treaty process does not intend to return Indigenous self-government to its pre-contact sovereignty. Coulthard (2014) is further critical saying that the treaty process only makes the relationship between Indigenous peoples and the Crown only *look* less colonial because as they note, the

recognition of Aboriginal title can still only be granted by the Crown. Alfred (2001) is further critical asserting that the treaty process is structured to promote state supremacy whereby the Indigenous peoples must surrender their Aboriginal title to the Crown, whereupon it becomes vested in the province. That the Nisga'a Final Agreement for instance, contains no mention of the word "treaty", Corntassel & Witmer (2008) argue exemplifies the state's success in maintaining the status quo. Turner (2006) offers a more moderate view arguing effectively engaging with the Crown, within the Canadian legal framework, can be an effective means for Indigenous peoples to pursue their sovereignty goals. Overall, the literature review shows that Indigenous groups were often doing both: pursuing recognition within the state's system and in initiating action according to their own laws.

**Indigenous law and sovereignty.** The literature showed that Indigenous groups were pursuing many alternative or additional avenues to treaty as a means to control or influence activities taking place within their territories. As Alfred (1995) explains, Indigenous groups today are not looking to colonial institutions as their reference points. Rather he said, they are looking inward regenerating their own 'Indigeneity' or rootedness in Indigenous cultures and their commitment to Indigenous truths using this as a reference point in expressing and asserting sovereignty. It is well established in the literature that Indigenous groups have known and practiced their own legal regimes since well before settlers arrived (Borrows, 2010; Christie et al., 2015; Clogg, Askew, Kung, & Smith, 2016; Doyle-Bedwell & Cohen, 2001; McGlaughlin et al., 2017): "First Nations law originates in the political, economic, spiritual and social values expressed through the teachings and behaviour of knowledgeable and respected individuals and elders.' These

principles are enunciated in the rich stories, ceremonies and traditions of the First Nations," writes Borrows (1996). These are Indigenous peoples' reference points.

Natural resource development is a key area where Indigeneity is being drawn upon and within Coast Salish territory[2] it is evident in Indigenous opposition to oil-related activities. The Treaty to Protect the Salish Sea and the Save the Fraser Declaration are inter-tribal treaties that ban pipeline projects as a matter of Coast Salish law. Tsleil-Waututh Nation is a signatory to both. These are not mere reactions to development proposals but rather are acts of authority. As Wood & Rossiter (2017) reflect, these actions "represent distinct perspectives of territory, property and place in support of a case for Aboriginal sovereignty in BC," (p. 166). These positions highlight Section 35 rights and title, Indigenous sovereignty over unceded traditional territories and importantly, solidarity among Indigenous groups on these issues.

Borrows (1996, 2005) also highlights the opportunity for Indigenous law to influence and complement Canadian law. Canadian Common law, he says, is derived from European legal traditions making it therefore, inadequate for addressing Aboriginal matters (1996). Indigenous matters are indigenous to Canada and creating law that account for both parties' legal interests makes sense, he says encouraging Indigenous peoples to assert their Indigeneity within Canada's legal system: "Since First Nations possess the powerful ability to articulate their laws, it is time that these principles began to influence the further development of law in Canada." In the case of TMX, Tsleil-

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[2] Coast Salish people are the pre-contact inhabitants of the Gulf of Georgia, Puget Sound, and Lower Fraser regions Pacific Northwest Coast of British Columbia, Washington and Oregon. Though they belong to many distinct nations within Coast Salish territory, they are linguistically, culturally and historically related (Morin, 2015).

Waututh Nation is an example of a nation asserting their law and authority as will be discussed further in the data analysis chapter.

Indigenous groups are also pursuing agreements with state and/ or private sector groups outside of the treaty and other Canadian legal processes. Corntassel and Witmer call such agreements 'compacts' and define them as "a negotiated agreement between two political entities that resolves questions of overlapping jurisdictional responsibility," (2008, pp. 110-111). Unlike treaties, compacts have no standing under international law, are for a fixed term, do not involve transfers of land and can be superseded by federal law (Corntassel & Witmer, 2008). More similar to a business or relational agreement, compacts can cover a range of interests including economic development, healthcare, public works and beyond. These agreements have the potential for particular significance to Indigenous sovereignty in that they can negotiate terms that support their own objectives.

One form of compact commonly used with regard to natural resource development in Canada is the Impact Benefit Agreement (IBAs). Pulla (2011) asserts that IBAs are important for Indigenous groups and governments and/or industry in crystalizing a meaningful and productive corporate-Indigenous relationship. While the content of IBAs are a matter of negotiation and held in strict confidence, these agreements commonly provide provisions such as cash, land, procurement, studies and/or employment to Indigenous groups in return for support of or non-opposition to a specific project. Co-management agreements, such as the Great Bear Rainforest Agreement and the Uluṟu Model of Joint Management, are another form of compact raised in the literature. These compacts set out terms for the co-management of resources. Regardless

of their form or rationale, these compacts are not limited to the public sector and Tsleil-Waututh Nation is party to compacts with both public and private sector parties, which will be discussed in the data analysis chapter of this thesis.

**Truth and Reconciliation Commission of Canada (TRC) and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).** In addition to treaties, intertribal alliances and compacts, Indigenous groups across the country are pressuring Canada to take action in implementing the actions from the TRC (2016) findings and the standards of UNDRIP to improve the relationship between Indigenous and non-Indigenous peoples in Canada. Both the TRC and UNDRIP speak to Aboriginal rights and title and Canada is taking up the calls for change. Progress is being watched closely by Indigenous peoples and the public and private sectors, because the outcomes will impact the way they will work together going forward (McGlaughlin et al., 2017; Scott, Lawrence, & Rice, 2016).

In 2003, the TRC embarked on its mission to inform all Canadians about what happened in Indian Residential Schools by documenting the truth of survivors, families, communities and anyone personally affected by the experience (Truth and Reconciliation Commission of Canada, 2015). The Final Report supports an expanded public dialogue and action on reconciliation beyond residential schools. It identifies 94 Calls to Action on topics such as child welfare, education, language and culture, health, justice and reconciliation. Numbers 43 and 44 are especially relevant to this study:

> 43. We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation.

> 44. We call upon the Government of Canada to develop a national action plan, strategies, and other concrete measures to achieve the goals of the United Nations Declaration on the Rights of Indigenous Peoples.

In response, the Government of Canada has established an Interim Board of Directors to advise on the creation of the National Council for Reconciliation to help implement these final recommendations.

UNDRIP is an international human rights instrument adopted by a majority in the United Nations General Assembly in 2007. Though not legally binding in international law, UNDRIP does set out a standard for the rights of Indigenous peoples. Originally, Canada was one of four countries to oppose the declaration and though it was eventually endorsed in 2010 as an "aspirational document," it was not until May 10, 2016 that UNDRIP was officially adopted. In her 2016 announcement made at the United Nations in New York, Indigenous and Northern Affairs Minister Carolyn Bennett said, "[Canada is] now a full supporter of the declaration, without qualification," (in Fontaine, 2016). As a part of the newly elected Trudeau government's goal to review its relationship with Indigenous peoples, Bennett's announcement initiated a long process of "harmonizing" Canada's laws with the standards set in the declaration.

UNDRIP differs significantly from the current judicial interpretations of Section 35 Aboriginal rights. Currently, the Canadian Constitution affords Aboriginal peoples the right to be consulted and accommodated on activities that infringe upon their Aboriginal rights and title, but it does not mandate that their consent be obtained. UNDRIP goes further in requiring states to obtain free prior and informed consent ('FPIC'), which is a much higher standard of consultation than has previously been required in Canada (Bernauer, 2016). While Canadian case law established in *Haida,*

*Taku River* and *Mikisew Cree* confirms the Aboriginal right to be consulted, it has not afforded Indigenous groups a so-called veto. Though the *Tsilhqot'in* case is evidence that Canadian Case Law is evolving in that direction, UNDRIP calls for the immediate implementation of this veto.

Under UNDRIP if the Crown, or the party the Crown delegates the procedural aspects of consultation to, wishes to carry out an action (e.g. build a pipeline), it must first obtain the consent of the impacted Indigenous peoples. This likely spells a new reality for major projects in Canada because as Scott, Lawrence, & Rice (2016) explain: "Large-scale natural resource projects are precisely the kinds of projects that are likely to cause profound, yet frequently unforeseen, social and economic impacts for Indigenous communities," (2016, n.p.). Gaining consent could be a real challenge for project proponents in the public and private sector alike but they would have to meet it to avoid operational, commercial and legal risks to their projects. In Ontario for example, where the *Mining Act* explicitly delegates all procedural aspects of consultation to project proponents (Scott et al., 2016) so under this legislation, mining proponents would have to achieve FPIC from the potentially impacted Indigenous groups. Under UNDRIP, FPIC will be the standard for the social license to operate (Pulla, 2016).

As the literature suggested, TRC and UNDRIP set a trajectory for reconciliation in Canada. While the work continues to implement the TRC Calls to Action and to align the Canadian legal system to UNDRIP, so do activities impacting the rights, title and interests of Indigenous peoples across Canada. It is within this context of treaty and Aboriginal rights and title in Canada that this study is situated.

As researchers have noticed, the longstanding relationship between Indigenous and non-Indigenous peoples continues to be imperfect. They have also observed that this relationship continues to evolve, spurred on by education and awareness as well as political pressure and legal requirements. Despite the incredible volume of literature available generally on the topics covered in this literature review, I observed that little was available about Tsleil-Waututh Nation specifically. Acknowledging that Tsleil-Waututh peoples' interests are unique to them, this study sought to add the nation's voice to the academic discussion. This study uses the existing literature as a jumping off point to understand why Indigenous groups might take interest in activities taking place in their territories and how they might like to work with non-Indigenous groups in this regard by collaborating with Tsleil-Waututh Nation as a case study. My role as the researcher was to draw out and articulate the nation's interests, as the study participants see it.

## Chapter 3: Method

In exploring the significance of the Burrard Inlet and the ways in which Tsleil-Waututh Nation wishes to collaborate with non-Indigenous groups, the Indigenous Research Methodology (IRM) was chosen because it reflects Indigenous contexts and worldviews. As Wilson (2001) points out, IRM is not a western research methodology adapted to Indigenous perspectives, it is a methodology that is born from an entirely Indigenous paradigm; that is, knowledge is relational, shared with all of creation and not owned by any one person or thing. As a non-Indigenous researcher, I recognized that I was part of the research because as Wilson (2007) explains, "we cannot be separated from our work, nor should our writing be separated from ourselves," (p. 194). To support my aim to put Indigenous voices at the forefront, I also drew on Action Research (AR) values; namely, its solution-orientation and its emphasis on the participants as the experts. In setting out to do the research in this way, I recognized that outside 'solutions' to problems have not necessarily worked in the best interest of Indigenous communities. Indeed, as the literature showed, over time 'traditional' scholarly research has had a profound impact on how Indigenous peoples are viewed by others while returning little benefit to these communities (Hutchins, 2004; Koster, Baccar, & Lemelin, 2012; Tsleil-Waututh Nation, 2016b; Wheeler, 2001). Understanding that I cannot be separated from the research, IRM and AR together provided me guidance on how to navigate the research process in a respectful manner.

The primary framework guiding me through this research project was an Indigenist research approach as described by Wilson (2008) and supported at times by Bennett's (2004) *Developmental Model of Intercultural Sensitivity (DMIS)*. The

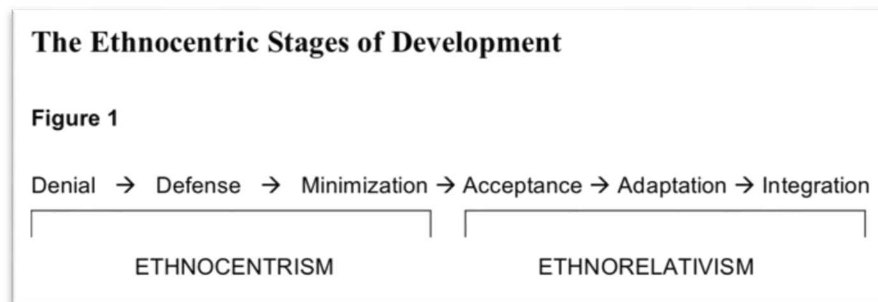
Indigenist research approach made sense for this study because it makes Indigenous ways of being and knowing approachable for non-Indigenous people like myself. Wilson explains that he deliberately uses the term ‘Indigenist’ as opposed to ‘Indigenous’ when referring to research methods because, he says: “This emphasizes that it’s a philosophical issue, not a claiming of ownership by one group of people,” (Hill Adams, Wilson, Heavy Head, & Gordon, 2015, p. 20). Just like a person can be a male feminist, he believes that an Indigenist paradigm can be followed by anyone who chooses to follow its tenets (Hill Adams et al., 2015; Wilson, 2007, 2008). The tenets are centered on the building and maintenance of relationships through respect, reciprocity and responsibility. Wilson gave an example of what this means:

> I know that I could go to any Aboriginal student and ask why they're at university, and I would be so surprised it would knock me off my feet if one of them said, “I am there to better myself.” They all say: “I'm there to help my community” or “to make things better for my community” (Hill Adams et al., 2015, p. 10).

In understanding and practicing this Indigenist approach, Wilson says that one will come to understand that the nature of research done in this way is ceremony because the purpose of any ceremony “is to build stronger relationships or bridge the distance between aspects of our cosmos and ourselves," (Wilson, 2008, p. 11). I sought to exemplify this intent in undertaking this study.

Bennett’s (2004) *Developmental Model of Intercultural Sensitivity (DMIS)* was selected to support an exploration of the educational journey of one culture about another both at the broader societal level and at my own personal level. In developing DMIS, Bennett (2004) observed that “as people became more interculturally competent it seemed that there was a major change in the quality of their experience,” which he called

an evolution from ethnocentrism to ethnorelativism (p. 62). This evolution, and the many stages below are visualized in the figure below:




(Bennett, 2004)

Generally speaking, Bennett says the more ethnocentric orientations *avoid cultural difference* by denying its existence, raising defenses against it or minimizing its importance. By contrast, the more ethnorelative worldviews *seek cultural difference* by accepting its importance, adapting perspective to take it into account or integrating the whole concept into a definition of identity. One progresses toward ethnorelativism, according to DMIS, through educational experiences, including both course work and first hand interaction with different cultures. As ones intercultural sensitivity develops, their progression along the DMIS spectrum represents adaptation to a more intercultural worldview (Bennett, 2004).

**Research Relationship Initiation**

From the outset, I knew I wanted to work with Indigenous people on a topic where I could also integrate my own experience gained working for BC Hydro, a major project proponent in British Columbia. After considering the relationships I already held, I decided to approach Tsleil-Waututh Nation. I was invited by the nation to submit a written proposal and I did so in the form of a research expression of interest. In this proposal I provided three potential topics of study but, wanting the nation to guide the

study starting at this very early stage, I asked them to choose a topic of interest to them. The nation accepted my proposal, chose a proposed topic and asked me to sign their Research and Confidentiality Agreement. Our research relationship had officially begun.

Michelle George was identified as my primary contact and she continued as such for the duration of the study. While I had completed Tsleil-Waututh Nation's proposal approval process through the TLR team, I asked them to participate in the Royal Roads University ethics process by reviewing and providing comment on the final draft before it was submitted. Some feedback was received; namely, that Chief and Council members would not have time to participate and that they preferred I used existing Traditional Use Study (TUS) transcripts to reduce the proposed number of interviews. I also invited the nation to identify a representative to sit as the Third Committee Member on my Thesis Committee. The nation declined as they wished to follow their own process. As a final step in the research initiation, Michelle and I met over lunch to discuss the plan for how this study would unfold. We agreed that data collection would commence the first week of January 2017 and that Michelle would be the first to be interviewed.

**Data Collection**

From the outset, the objective of the data collection phase was to conduct qualitative interviews to allow for difference in perceptions, beliefs and reflections regarding the topic to emerge. In recognition of the diversity of Indigenous peoples and respect for the localized nature of knowledge, I specifically sought to recruit participants who identified as a Tsleil-Waututh person or were an Indigenous staff member of Tsleil-Waututh Nation. All participants who met the criteria were accepted. In the end, my

sample group included representatives of Tsleil-Waututh, Musqueam and Squamish nations which was fitting as each have historically used the Burrard Inlet.

Snowball sampling was the initial method used to recruit participants. This approach was chosen because it empowers the community to collectively determine who participates and it facilitates the identification of key people (Crabtree & Miller, 1999). As the data collection period advanced recruitment by snowball sampling slowed so I shifted toward convenience sampling using Facebook and LinkedIn. LinkedIn was the most successful source, which resulted in a third more participants and an opportunity to attend one of Tsleil-Waututh Nation's language classes. Recruitment continued until no new participants were suggested (Crabtree & Miller, 1999; Kvale, 2007) and I had exceeded the deadline I set for proactively recruiting participants. In the end, I recruited 12 different participants. The sample group included Elders, political leaders, youth, staff of various ages, experiences, expertise and roles (see Appendix 3).

Once recruited, each participant was asked to take part in one or two 60-minute interviews. In total, 14 one-on-one, semi-structured and qualitative interviews were conducted. This type of interview was chosen to allow for a level of depth and complexity of data that may not otherwise have been reached in a group environment (Seale, 2012). The focus of the interviews was on understanding meaning making and experiences from the participants' perspectives. As the outside researcher, I facilitated the process by asking questions that lead participants to tell their own stories and perspectives (Kvale, 1996). Having two participants agree to be interviewed a second time enhanced the data because it afforded the opportunity to ask follow up questions regarding the overall themes that had arisen. During the interviews I captured the data

through voice recordings and field notes. After I had transcribed the interviews transcripts were returned to participants to confirm accuracy and seek comments and/or clarifications (Baxter & Eyles, 1997) before being included in any final results. At this stage, the participants also advised how they wished to be represented in the final report.

Recognizing that I was part of the story, my prior experience working with the TLR team was also part of the data. In order to gain a more robust personal understanding of the subject matter, I also sought out a range of encounters with the community and with the territory outside of interviews. Observations and informal conversations with individuals were had at the canoe races hosted by Tsleil-Waututh Nation at Whey-ah-Wichen Park and National Indigenous Peoples Day celebrations at Musqueam’s main community in south Vancouver. I also sought to build my relationship with the territory by spending time along the shores of the Burrard Inlet and exploring places discussed in interviews, notably Maplewood Mudflats Conservation Area, Whey-ah-Wichen Park and New Brighton Park (see Appendix 2). Again field notes helped capture descriptions of social processes, non-verbal communication messages and their contexts (Pinsky, 2015; Seale, 2012). Throughout the entire research experience, journaling my own analytical ideas and thoughts supported my personal reflexive monitoring of the research process whereby I reflect on my own assumptions, values and experiences (Bergold & Thomas, 2012; Pinsky, 2015).

**Data Analysis**

Once the interviews were completed, they were transcribed. The raw text data was examined using qualitative content analysis, a process that involved classifying the large amount of text collected into an efficient number of categories representing similar

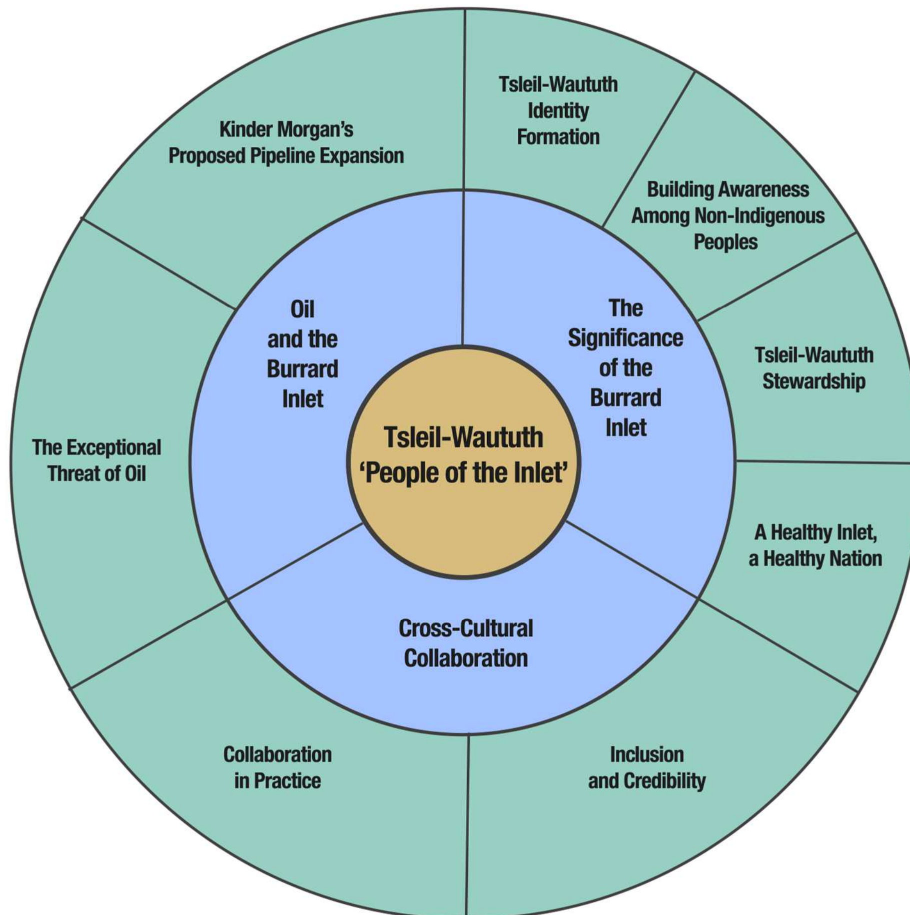
meanings (Hsieh & Shannon, 2005; Weber, 1990). Presenting the data in this distilled manner enabled me as the researcher to more effectively digest the data, make valid inferences about it and shape it into something useful.

To round out the data analysis, interview data was complemented by a discourse analysis of a number of pieces of grey literature. I reviewed Tsleil-Waututh Nation's publicly available policies (Tsleil-Waututh Nation, 2015, 2017), statements (E. George, 2015; L. George, 2015; "Treaty to Protect the Salish Sea," 2014; Tsleil-Waututh Nation, 1997), plans (Tsleil-Waututh Nation, 2014, 2016a), studies (Morin, 2015) and co-management arrangements (Say Nuth Khaw Yum/ Indian Arm Provincial Park Management Board, 2010; Tsleil-Waututh Nation & District of North Vancouver, 2016). For comparative purposes, various land use and stewardship policies of other Coast Salish nations were also reviewed. Third party studies concerning the health of the Inlet and in particular, oil spill responses were also analyzed to build a baseline understanding of how Tsleil-Waututh and other local nations were portrayed. The findings of the discourse analysis were categorized under themed headings along with the interview data.

Following completion of the data collection and analysis phase, participants and other Tsleil-Waututh Nation representatives as identified by the nation also contributed additional time reviewing the final draft of this study. In their role as representatives of the nation, they provided quality assurance ensuring that Tsleil-Waututh Nation was represented respectfully. They also reflected on the results, provided feedback and considered recommendations for potential actions for the nation arising from the findings. This study was not submitted to the permanent record until Tsleil-Waututh Nation had endorsed it in its entirety.

## Chapter 4: Data Analysis

Three major themes emerged from the data, each with corresponding subthemes that reflect findings from the research, as illustrated in the diagram below. The analysis reveals that even though the condition of the Burrard Inlet and the way Tsleil-Waututh people use it may have changed over time, they continue to maintain a strong connection to it. As People of the Inlet, the participants showed a sense of priority in protecting and restoring it because they understood the health of the Burrard Inlet to be directly linked to the health of the Tsleil-Waututh people. This understanding lays the groundwork for the nation’s opposition to TMX, a project that poses an unacceptable risk to the Burrard Inlet, and thus, to the Tsleil-Waututh Nation.



## Chapter 5: The Significance of the Burrard Inlet

Asked what it means to be a Tsleil-Waututh person, respondents said it is to be *of* the Inlet. They described a symbiotic relationship between the people and the Inlet where both were equally powerful and equally dependent on the other. As a couple participants described, Tsleil-Waututh peoples' oral history dictates that the Inlet gave birth to the Tsleil-Waututh people and as such, their connection to this place is as intimate as a mother to child. This is supported by Henderson's (2001) study of Mi'kmaq Nation's cultural practices which concludes: "Belonging, then, is directly tied both linguistically and experientially to a space ... as well as to shared knowledge of a series of common space ... [I]t is viewed as a special responsibility," (in Doyle-Bedwell & Cohen, 2001, p. 187). One participant described that being a Tsleil-Waututh person means to understand this significance and to carry out the sacred responsibility of caring for the Inlet.

### Tsleil-Waututh Identity Formation

Oral tradition greatly supported the Tsleil-Waututh participants' understanding of their identity and throughout the interviews, various traditional uses of the Inlet were used to illustrate this. For example, the Inlet was referred to as the 'soup bowl' and the 'grocery store'. According to Michelle, the Elders teach, "When the tide went out, the table was set." Participants also described the Inlet as a highway, a trade route, a meeting place, a recreation area and a classroom, illustrating how the Burrard Inlet has been the hub of Tsleil-Waututh Nation life 'since time out of mind' and how the relationship with it forms a large part of Tsleil-Waututh members' identity

For their role in passing on traditional knowledge, participants frequently acknowledged Elders. Michelle, who considered herself lucky having spent so much

time with her Elders, said: “I was taught that if you want to learn about yourself and where you come from, you go and talk to your Elders.” Heidi Martin is a Tsleil-Waututh community member and Development Coordinator for one of Tsleil-Waututh’s property development partners and though she has a university certificate in First Nations studies, she said the bulk of her knowledge about Tsleil-Waututh identity comes from the Elders:

> You just ask an Elder a question about your grandparents and then they just talk. They talk and talk and tell stories and its like every time I talk to an Elder or someone with cultural knowledge I learn something else or I make another connection to something else.

As will be discussed later in this chapter, protecting the knowledge held by Elders is a priority for Tsleil-Waututh Nation because they are the ones who hold the histories and the stories that transmit and reinforce this identity to the younger generations.

For some of the participants the oral histories from the Elders were complemented by their own lived experiences. Those who grew up in the early 1970s or earlier shared many fond childhood memories of time spent on the beaches of Burrard Inlet. Back then, the Tsleil-Waututh community was centered along the shores of the Inlet said Ed Thomas, a Tsleil-Waututh community member and TLR Fisheries Crew team member. As he put it, “We spent our lives down there.” Summers on the beach were ‘freedom’, said Carleen Thomas, a Tsleil-Waututh community member and TLR Relationships & Protocol Agreements Coordinator: “we didn't know nothin' from nothin'… We'd just pack a sandwich, some fruit and our towels and head down to the beach and spend the day on the beach.” These were formational times for these participants where they learned and experienced their cultural practices and socialized with others.

By the mid-1970s Ed said that people were moving away from the beaches and into the forest because pollution levels made it unsafe to harvest from the Inlet. It was

evident in comparing my interviews with the younger and older generations that the opportunities for the same lived experiences, as described by Ed and Carleen, have been very limited since this time. Stories of times down at the beach were well known by the younger generation and continued to form the discourse about what it means to be a Tsleil-Waututh person today. This was illustrated by Michelle's account of the experiences of her father's generation:

> I'm told by dad, his dad and my aunts and uncles that the beach was like our living room, like our kitchen. We were able to bring a pot down to the beach and literally sit there all day and you wouldn't have to worry about starving or anything because you could go pick up a crab and you could use the water from the Inlet to boil the crab and you could eat the crab right then and there. And it was the same with the clams… families had their own areas because at that point in time, everyone was along the foreshore of Burrard Inlet all the houses, all the development on Burrard Indian Reserve number three was down on the beachfront. The Inlet was our highway, it was our food source, it was everything. So, it came naturally for people to be on the beach. And, through being on the beach with your aunts, your uncles, your cousins, your mom, your dad, everybody was down there, there was that cultural and social exchange going on… that's where cultural teachings would come out, that's where ceremonies would come out, that's where the bond of Tsleil-Waututh and where the heart of the people really stayed, with the water, with the Burrard Inlet.

While the younger generations today know the stories, losing the opportunity to live them hindered cultural transmission between generations. Iggy George, Tsleil-Waututh Nation Hereditary Chief and Elder, for example, lamented that some of his children and all of his grandchildren never learned to dig clams, an activity that was once a basic skill within the community. As the stories of lived experiences on the Inlet move further into the past, one respondent's comment suggests they may be taking on a mythical quality: "I don't know if this is just a fantasy but I used to hear stories about how salmon runs were so vast that you could walk across the fish from one shoreline to the other of the river," they said. That someone would be challenged to fathom such abundance less than 50 years

after the community moved away from the beach is telling of how quickly things changed. As will be discussed in this chapter, Tsleil-Waututh Nation working to restore the Inlet so that these histories may once again be lived experience and that Tsleil-Waututh peoples and everyone else in their territory today will know who they are.

**Building Awareness Among Non-Indigenous Peoples**

Inherently flowing from this exploration of the significance of the Burrard Inlet to the Tsleil-Waututh people is an opportunity to raise awareness about Tsleil-Waututh Nation outside of their own community. Making sure people are aware that Tsleil-Waututh Nation exists was a basic need identified by the participants. According to Michelle, most people do not know this, let alone know anything about the nation: "Even just acknowledging that we're here would be a huge step," she said. Confirming this lack of awareness, Mayor Richard Walton, of the District of North Vancouver, was quoted saying that "among the greater North Shore community few people know how to spell Tsleil-Waututh let alone comprehend that their houses are built on traditional land," (Vancouver Magazine, 2013). Consistent with the TRC Calls to Action, the participants identified education as an area of focus to build this awareness. Highlighting this need is relevant for this study because non-Indigenous individuals and public and private sector organizations are highly active in Tsleil-Waututh territory.

Bennett's (2004) (DMIS) can be used to conceptualize the process of building awareness of others because it describes the mentality of the individual in each of the various stages of development and provides clues as to how they could be supported in their intercultural sensitivity development. Victor Guerin, Musqueam community member and Tsleil-Waututh language program officer, remembered a story his parents

told him about a Sicilian man that worked at the Department of Indian Affairs. He had great difficulty understanding why Indigenous people could not be considered one homogenous group and why they were so offended by that concept. Finally they got the message across by calling him Italian: "He was really resentful of anyone calling him Italian, he was Sicilian," said Victor. Within the DMIS model, this person was initially at the minimization stage of development where he was perhaps tolerant of only superficial cultural diversity but lacked an understanding of the deeper level of cultural differences among Indigenous people (Bennett, 2004). By respectfully minimizing the cultural differences among Italian people, Victor's parents broke down a barrier to understanding and helped him advance to a more ethnorelative state of acceptance.

The two most worrisome things voiced with regard to awareness were that people do not know they are being offensive and worse, that they deny the need to have a relationship. After Say Nuth Khaw Yum (SNKY) Park, also known as Indian Arm Provincial Park, was established in 1995 without the consultation of Tsleil-Waututh Nation, the nation successfully negotiated for two positions on the Park Management Board. Iggy, who has been on the Board since its inception, recalled an early discussion about the leasehold properties along the Indian Arm that now fell within the park boundary. Tsleil-Waututh Nation's position was that the leaseholder should not be allowed to sell it or pass on the property and that when they died, it should become part of the park. In response, Iggy recalled that one government official said 'Well how do you think they're going to feel if they have to give that up?' to which he said, "Now you got it… how do you think we felt when you guys made that park?" Iggy said this person's face just about hit the floor because he did not realize what had he said: "It was

taken away from us so I mean we just want some of it back, even though its a park," said Iggy. Offering insight in these teachable moments might be an effective tool on a person-to-person basis but as the example of the creation of SNKY illustrates, there are also some broader more systemic or institutional problems to address in order to accommodate Tsleil-Waututh Nation's rights, title and interests with respect to the use of their territory.

Some participants who worked in the TLR Department and deal directly with project proponents suggested that some education is required for proponents about their consultation responsibilities to Tsleil-Waututh peoples. Brittany, a Tsleil-Waututh Nation Environmental Specialist and Squamish Nation community member, said that while some might know that Tsleil-Waututh Nation exists but they deny the need to have a relationship based on the recognition of and respect for Indigenous rights: "I think some proponents are scared to consult thinking that we are just going to roadblock or make things difficult. That's not the case at all," she said. As will be discussed later in this chapter, the Burrard Inlet is in a critical state and Tsleil-Waututh Nation is prepared to work with others to ensure that it is protected.

While it was recognized that it has been a slow moving process to build up awareness of Tsleil-Waututh Nation and advance intercultural sensitivity, the participants recognized the importance of this work. For Tsleil-Waututh peoples, "every time we build a relationship or every time that we get out and share a little about Tsleil-Waututh history or knowledge, more people become aware. And the more that people become aware, the more people come and ask for opinions, help [or] relationship building realizing how close they are to Tsleil-Waututh," described Michelle. As awareness about

Tsleil-Waututh Nation and peoples spreads, Michelle looked forward to more opportunities for education, relationships and collaboration that support the stewardship of the Inlet.

**Tsleil-Waututh Stewardship**

Just as Tsleil-Waututh peoples have been in the Burrard Inlet since 'time out of mind' so too has their collective duty to protect, defend and steward the waters, lands, air and resources of their territory. The data showed that the nation's commitment to stewardship was deeper than a simple goal or aspiration. Rather, it was a deeply felt matter of duty on which the well-being of the Tsleil-Waututh Nation depended. Asked to read a section from the Tsleil-Waututh Declaration (1997) (see Appendix 4), that spoke the most to him, Micheal George, a Tsleil-Waututh community member and TLR Cultural Advisor, read, "We have always been here and we will always be here; Our people are here and care for our land and water; It is our obligation and birthright; To be the caretakers and Protectors of our Inlet." So, stewardship from Tsleil-Waututh Nation's perspective can be understood as both a responsibility and a right. Tsleil-Waututh Elder and former Chief Leonard George highlighted this in his sworn affidavit to the NEB during the TMX project hearings: "An important aspect of our title and rights is our sacred duty to act as the stewards of our Territory. That duty requires us, as our ancestors did… to protect, defend and steward the waters, lands, air and resources of our Territory," (2015). For Tsleil-Waututh Nation success in fulfilling this duty means the territory can continue to sustain future generations and failure means the opposite.

**Natural law and traditional knowledge.** In carrying out their stewardship duties, Tsleil-Waututh peoples are guided by natural law, which comes from traditional

knowledge accumulated over thousands of years. These laws are not written down but are preserved and passed on orally. Carleen recalled a story from her grandmother:

> [My grandmother] was told as a young girl that wherever you harvest the sea urchin from you are to return the shells to the same place so that they would come back. I don't know if it was the truth or not but some of the guys didn't bring the shells back and apparently the next year there were no sea urchins there so they got kind of blamed for not following the teachings.

This story teaches of the reciprocal responsibility of humans and sea urchins to each other by telling of the consequence of one not caring for the other. The natural law taught by this story then could be interpreted to mean that one must care for ones territory in order for it to care for you. In his affidavit Leonard George further explained Tsleil-Waututh Nation's opposition to the TMX project as being rooted in Tsleil-Waututh law:

> As Tsleil-Waututh people, our Elders have taught us that failure to be "highly responsible" in discharging our stewardship responsibility in relation to people, the earth, our ancestors, and all beings has serious consequences, which may include:
> (a) loss of physical sustenance;
> (b) loss of access to resources or social status; and
> (c) loss of the tools and training that allow Tsleil-Waututh individuals to reach their full potential and the related social and cultural impacts of this loss (2015, p. 12).

So, in looking to their traditional knowledge and natural laws, Tsleil-Waututh peoples understand that the health of the territory is directly related to the health of the nation (Gabriel George in Morin, 2015). As the Tsleil-Waututh community seeks to improve the health of the Inlet, the participants explained the challenges faced given that their worldview is different from that of Canada, the settler state that also claims authority over the territory.

**Ownership**. By virtue of cultural difference there are many inherent challenges in the coexistence of Indigenous and non-Indigenous peoples. One of these challenges

highlighted by the participants within the context of stewardship was how ownership is understood. The British immigrants who settled in North America implemented their normative 'western' principles of ownership, including that ownership involves exclusive title over something. Victor articulated how in a traditional Indigenous sense, ownership is conceptualized quite different: "You always know that someone hasn't been taught properly when they say that they own it because the way we're taught is that nobody owns it, we are owned by it," he said. In this sense, ownership of lands, resources, cultural practices and the like was traditionally a responsibility *to* those things *not over* them (Daly, 2003). Ownership was not exclusive to an individual but rather it was collective. Indeed, there is an inherent miss-match in expectations for Indigenous peoples and settlers on questions of ownership.

Since the time of first contact however, there have been negative presumptions about pre-existing Indigenous ownership, use and entitlement to land (Daly, 2003; Harris, 2004; Rossiter, 2007). Victor firmly labeled this presumption as "erroneous", an assessment that is supported by the literature (Daly, 2003; Morin, 2015; Thom, 2009). The colonial process greatly impacts Indigenous peoples' ability to practice ownership in a traditional sense to this day. In talking about the mechanics of ownership, the participants demonstrated that the ownership protocols were not forgotten.

Regulation of access to that which is owned is regulated was one of the mechanics of ownership that was highlighted. In both Indigenous and western conceptions of ownership, the owners have the right to allow or deny access to resources. While western regimes use passive tools such as a fence or a piece of legislation to enforce ownership, Indigenous owners traditionally use kinship and kinship relations as the primary means

for acquiring access to resource areas beyond one’s natal territory (Thom, 2005). As Micheal explained, Coast Salish protocol requires that one establish kinship connections at the outset: “If somebody comes to visit and you don’t know them as being your relatives you might get a little bit defensive if they're harvesting in your neighborhood.” A similar protocol was described by Daly (2003) who found that kinship and marriage link individuals to the rights and duties of land use and ownership in Gitksan and Witsuwit’en societies (Daly, 2003). Where distant or non-kin outsiders trespass or use land and resources owned by family or residence groups, it is within the right of the Indigenous owners to restrict their access (Thom, 2009). Again, the challenge within the context of coexistence is that both Indigenous and non-Indigenous groups assert their own forms of ownership, which are perfectly valid under their own cultural understandings but are not reconciled with each other’s. Today, these challenges, and in some cases conflicts, are being brought to the fore by major natural resource project proposals, such as the TMX project discussed later in this chapter.

**Stewardship of knowledge.** My experience in this research process also revealed that Tsleil-Waututh Nation also applies the principles of stewardship to knowledge. Ernie George, the Director of the TLR Department and a Tsleil-Waututh community member, showed great concern for “protecting the libraries of our Elders.” This sentiment was consistent across the other participants who belonged to his team. Safeguarding the knowledge Elders hold was something Ernie said they are always working to do because “unfortunately our Elders are leaving us and if we haven't tapped into those Elders that’s knowledge gone that will never be shared again.” While they do want to draw the knowledge out, Tsleil-Waututh Nation knows they have to be strategic.

I encountered this first hand when Ernie's team asked if I could use the existing Traditional Use Studies to reduce the number of interviews. I understand this now as a concern for 'interview burnout', something that can have negative consequences when that knowledge is most needed. This is a well-established concern. Maar et al. (2001) for example, found that both urban and rural Indigenous people in Ontario are underrepresented in public health research and that this was in part due to 'research fatigue'. For the TLR team, every day stewardship decisions require traditional knowledge and they are fortunate to have a variety of sources to draw from, including the Tsleil-Waututh community members on their team. While her colleagues have access to studies and reports, Michelle reckoned she was like a living encyclopaedia: "If you talk about an area, I can tell you what was probably done there and who was probably there and the oral histories, dates and stuff like that," she said. For Michelle, getting paid to learn about her people was a bonus for doing something she would love to do anyway. While she was motivated by the opportunity to share this knowledge, knowledge stewardship also means being mindful about who has access to it.

Something that I also gained a clearer understanding of through the research process is that the nature of the relationship impacts the quality of the information that is given (Hutchins, 2004). The importance of spending time building trusting and respectful relationships with those who hold knowledge was a key take-away for me. I had never met Micheal before our interview and in response to my question about what it means to be a cultural person, he said, "It's kind of hard to talk about when it's a way of life. If you want to know you've got to go and it's not recorded." Micheal's statement sustains Hill Adams et al.'s (2015) principle of Indigenist ways of knowing that

knowledge is not just laid out for you and learning is experiential. The opportunity to learn is a privilege. After analyzing the data and reflecting on the research process, it was apparent to me that traditional knowledge, natural laws and stewardship practices were interdependent. To achieve Tsleil-Waututh Nation's objective to not just maintain the current health of the Inlet but to improve it to what it once was (Morin, 2015), all three must be sustained.

**A Healthy Inlet, a Healthy Nation**

Participants repeatedly expressed their belief that restoring the health of the Burrard Inlet would have the effect of also restoring the health of Tsleil-Waututh Nation. Some viewed both to be in a critical state today so in addition to a sense of duty to steward the Inlet, the participants demonstrated a sense of urgency to take action to improve its environmental condition. In fact, Ernie said that if he could have anything right now it would be a healthy Inlet. Asked about the factors that have led to the current state of the Inlet today the interviewees pointed squarely at pollution.

Today, Burrard Inlet sediments contain contaminants from historic and current activities, as well as from oil-related incidents (Stantec, 2012), which are discussed later in this chapter. It was not until the 1980s that the degradation of the ecosystem of Burrard Inlet began to be systematically studied and understood from a western scientific perspective (Tsleil-Waututh Nation, 2016a). What these studies found was an already greatly degraded ecosystem. One early study for example, found pre-cancerous lesions on bottom feeder fish. It also identified Port Moody Arm as one of the most heavily impacted areas (Goyette & Boyd, 1989). The participants did not need studies to tell them that the Inlet was polluted, they knew first hand from their own lived experiences.

Participants noted everything from garbage, to sewage, to sulphur, to tar as some of the well-known contaminants. Ed and the rest of the Tsleil-Waututh Nation fisheries crew are on the Inlet daily and have developed an intimate knowledge of its condition. To stay safe, Ed told me they take many precautions, including shots and immunizations. A couple years ago, Ed said one the crew got blood poisoning from taking water samples, so they learned their lessons. Much different from his childhood, Ed is now reluctant to touch the water, let alone eat anything from it.

Forestry, one of the earliest industries established by settlers in the Inlet, was identified as a historical contributor to the degradation of the Inlet that Tsleil-Waututh Nation territory has been enduring for generations. At one time there were 16 sawmills around the Inlet and all of Maplewood Mudflats was a log booming ground, said Ed. Ed and Iggy both told stories about playing on the booms as kids, swimming out to them and swimming or fishing off them or just hanging out. Unfortunately, the booms had a negative long-term impact because as Ed explained, the bark coming off them sunk to the bottom of the Inlet and stopped the natural circulation process wiping out the vegetation and marine habitat. The bark suffocated everything. Iggy remembered that after they took the booms away it all tried to come back. The green lettuce was coming back but then the pollution just took it away again, he said. The work is ongoing to understand the extent of the degradation so that the sources can be remedied and the associated governance policies and decision frameworks updated.

Compounding the impacts from forestry, dumping and sewage were also identified as major concerns. Michelle said "I've heard stories of people out on boats just throwing whatever they felt like over the side of the boat, like whole batteries for the boat

would just go over the side because it was dead and done with so they'd get rid of it." Ed has personally witnessed yachters in the Indian Arm dump their head in plain sight of the fisheries crew while they watch from the Tsleil-Waututh community's dock. When they tell the yacht club that their clients are doing this, they are not believed. This is an ongoing issue: "We can video it and take pictures but they don't care. One guy screamed at us that he is going to buy our dock from us after I yelled at him to quit polluting," Ed said. On top of all this, an overflow sewer for the City of Burnaby feeds right into the Inlet. So, in the words of Musqueam council member Nolan Charles whose mother is from the Tsleil-Waututh community, "the Inlet is full of crap today, literally." Importantly, these conditions impact everyone in the region, not just Tsleil-Waututh community members.

The cumulative results of years on environmental impact can be seen and smelled throughout the Inlet and along its shoreline. One of the most apparent signs Ed pointed out is that you can still smell rotting wood on the beach when the tide goes out. Of the Maplewood Conservation Area at the mudflats, Ed said:

> Go down the beach and look at it, it's a landfill. Someone needed to dump a lot of cement and blacktop chunks somewhere so they put it in the water, put ground over it and formed a bird sanctuary. That's not natural and that's not normal. Even cement with rebar in it, the rebar is melting. Put that in a salt-water mixture and that's not good either.

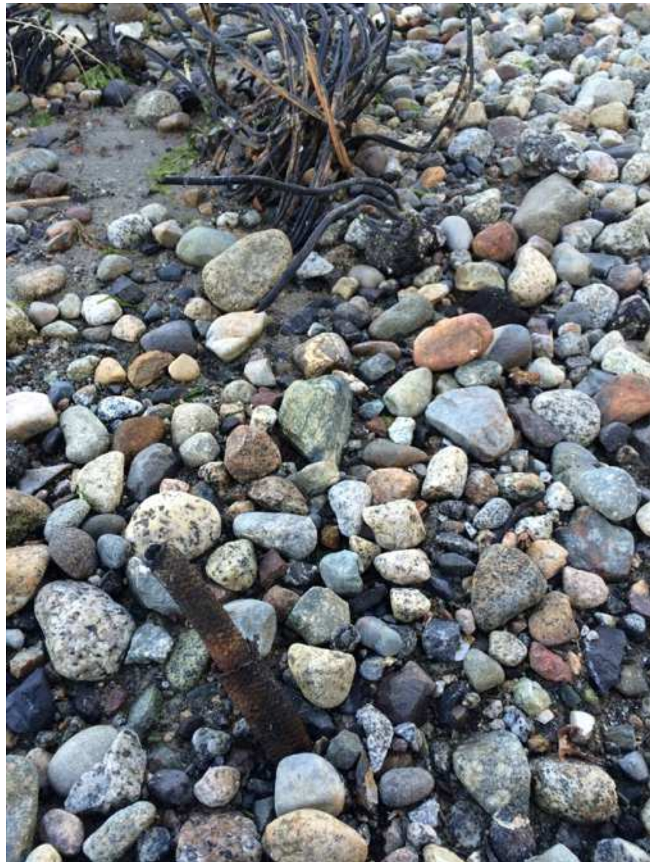
I went down to take a look for myself and what I found was appalling. Everything from plastic bags, to tires, to rope, to asphalt, to wood pilings, to bunches of wires and it looked like it had all been there for a long time. Most of it was buried so deep that I could not even pull it out of the sand. I had never seen a beach such a condition.

One of nature's own responses to pollution highlighted by the participants is the prevalence of red tide. Iggy said that the first time he ever saw a red tide was probably around 1952 or 53. His dad told him that it would come probably every 5 or 6 years but by the 1960s, Iggy said it was coming once per year. By the 1970s, it wasn't uncommon to get two every summer and to him, this was evidence that the pollution was there. Carleen remembered that as a kid there would be a week or so in the summer when the kids would be told to stay out of the water:

> I must have been 10 and I said 'what's red tide?' and my dad said 'It's just the Inlet's way of cleansing herself'. I thought that was really cool, the Inlet knows when it's too polluted it just flushes everything out. I think that's part of what our teachings are, if we give Mother Nature space, she can heal herself and we just need to get in tune with that.

Consistent with the reciprocal nature of stewardship, the participants indicated that the Inlet needed help from people and not just from Tsleil-Waututh people but also from all other residents of the region.

Of the research, studies and lived experience of Tsleil-Waututh people to date, Tsleil-Waututh Nation has interpreted that the Inlet is at a real tipping point explained Carleen. Ed even thought that it



*Remains of electrical wires (top) and a hose (bottom). Smaller pieces of asphalt are also evident among the rocks, May 2017.*

might already be too late. This urgency is echoes the words of Alex Denny, the Grand Captain of the Mi'kmak Grand Council (1994) whose territorial waters faced parallel concerns: "We are convinced that our assets are not being conserved, and not being put to the best use. We consider this an emergency, and can not delay action any longer. The living resources of the Maritime Region - our Mi'kmak - are simply disappearing while we speak," (in Doyle-Bedwell & Cohen, 2001, p. 189). As the resources disappear, so too might the cultural practices and traditional knowledge that go with them. The acute awareness of this was a key factor identified as driving the cultural renaissance active within the Tsleil-Waututh community today.

**Renaissance underway: Evidence of a healthy nation.** The Tsleil-Waututh community is actively working toward a healthy Inlet by revitalizing its cultural practices and its commitment to its own truths as guidance. This was what Carleen called a 'cultural renaissance' underway in the community. Consistent with Alfred's (1995) discussion on Indigenous sovereignty, Nolan described this renaissance as a broader paradigm shift active among Indigenous peoples today. This shift he said, is away from operating within the conditions set out for Indigenous groups by the state and back toward the ways of the local Indigenous community: "The guiding principles of culture are going to get us back to being prosperous," he said. As the TLR department exemplifies, the nation is very strategic in its approach to asserting this sovereignty to create conditions for a healthy Inlet and nation.

***Two-eyed seeing.*** Tsleil-Waututh Nation's renaissance is being supported by a new kind of knowledge imported from outside of Tsleil-Waututh tradition. The participants described the nation's current approach to stewardship as drawing from

traditional knowledge as well as non-traditional approaches, scientific skills and expertise that are derived from western knowledge systems. Bringing together the best of two different ways of seeing the world enables what Bartlett, Marshall, & Marshall (2012) call 'two-eyed seeing': the ability to draw on the strengths of Indigenous knowledge with one eye and the strengths of western knowledge with the other. Two eyed seeing is actively employed in the TLR department, which is staffed by both Tsleil-Waututh and non-Tsleil-Waututh people holding a mix of knowledge and skillsets from Indigenous and western knowledge systems. This diversity was a source of pride: "I have a well-run machine here," said Ernie, whose team includes three and a half biologists, five archaeologists and four Aboriginal rights and title experts. Having the ability to see with two eyes is an advantage for the nation in its interactions with non-Indigenous groups.

The data showed that Tsleil-Waututh Nation is actively leveraging the power of two-eyed seeing to pursue the best land use decisions. A primary example is *The Burrard Inlet Action Plan* which says right in its title that it is 'A science-based, First Nations-led initiative to improve the health of the Burrard Inlet ecosystem by 2025'. This two-eyed seeing is being done on Tsleil-Waututh Nation's terms, an important distinction reinforced by Natcher et al. (2013) who theorized that "access to relevant knowledge that is deemed appropriate for the particular purpose and 'accepted' as legitimate to the Indigenous community forms the bedrock of 'good' Indigenous planning," (p. 17). In examples such as this one, Tsleil-Waututh is deeming western knowledge as appropriate to support the nation in realizing their role as stewards of their territory.

***Stewardship initiatives.*** Tsleil-Waututh Nation's stewardship initiatives are numerous and varied. Restoration was one of the key activities highlighted as a focus for restoring the Inlet's health. In the past 10 years alone, Morin's (2015) study lists 17 specific stewardship initiatives the nation has undertaken ranging from environmental monitoring and mapping to species reintroduction, restoration projects and co-management agreements. Participants talked about removing creosote soaked pilings from the mudflats, restoring estuaries and planting eelgrass as some of the recent examples of restoration projects the nation has led. Through the consultation process, Ernie said TLR also tries to work restoration activities into proponents' projects as well.

Ed and the fisheries crew also take part in many other stewardship initiatives on a daily basis, including collecting samples, monitoring conditions and reporting bad behaviour. Though they do not have an official title as such, they perform a guardian function similar to Metlatakla Nation's Guardian Watchmen in northern British Columbia. According to the Metlatakla's website, the Watchmen are knowledgeable community members who help safeguard the health of their territory (Metlakatla First Nation, 2016). Doyle-Bedwell & Cohen's (2001) study further found that Nuxalk 'River Guardians' (Ixwanaisa) hold similar responsibilities to enforce protection of the river and that this was a longstanding traditional practice that has recently been reinstated. They reported that one of the many stewardship initiatives the River Guardians oversaw was a ban on motorized vessels on a river that had been declared by the Elders to protect spawning fish and their eggs (Doyle-Bedwell & Cohen, 2001). Where the nation is not leading activities, the findings show that Tsleil-Waututh Nation is leading policy direction on how these activities are carried out by others.

***Stewardship policy.*** In a formal expression of Tsleil-Waututh Nation’s own inherent authority, the nation adopted a Stewardship Policy in 2009. Ernie described the Policy in his affidavit to the NEB regarding the TMX project:

> TWN has a Stewardship Policy that is an exercise and example of our inherent jurisdiction, stewardship responsibility, and application of our legal principles. The Stewardship Policy mandates a review of all proposed water, land, and resource policies, plans, and developments inside of our Consultation Area. Assessments carried out under our Stewardship Policy provide us with the information we require to make informed decisions on whether to consent to a proposal or withhold support (E. George, 2015).

Further asserting Tsleil-Waututh’s regulatory authority, the Policy sets out a permitting process requiring project proponents to take out a permit from Tsleil-Waututh Nation if they plan to undertake physical works that will break ground (Tsleil-Waututh Nation, 2009). This permit is called the Cultural Heritage Investigation Permit (CHIP). A survey of the websites of other Indigenous nations in British Columbia reveals many similar policies that outline expectations and provide direction to proponents seeking to use the lands and resources of the given nation’s territory (Hul’qumi’num Treaty Group, 2006; In-SHUCK-ch Nation, 2006; Kitselas First Nations, 2015; shíshálh Nation, 2013). Stewardship rights and responsibilities are strong themes throughout these documents as are explicit references to Aboriginal rights and title and the Crown’s Duty to Consult.

The TLR department oversees the implementation of the Stewardship Policy and assesses every new project referral through its lenses. The first lens is

> Is the decision proposed a good land use decision? Does it represent the best use of lands and resources for the present and for the future? What impact does it have on the natural and cultural resource base within which it is proposed? What does it contribute to the cumulative effect of past land use decisions and what implications does it have for future development to which it may be linked or that it may enable? (Tsleil-Waututh Nation, 2009)

If a referral does not pass this first lens, Tsleil-Waututh Nation cannot support the project. In making this assessment, TLR uses both eyes to pull on the expertise of traditional and western knowledge. As these stewardship initiatives take effect, the community members can return to cultural practices that may have been dormant for generations. Indeed, the revitalization of cultural practices was referenced throughout the interviews.

**Signs of recovery: The revitalization of Tsleil-Waututh people’s cultural practices.** Since the arrival Europeans to the Burrard Inlet, the physical health of the Inlet and the cultural, spiritual and physical health of Tsleil-Waututh Nation has declined to the point where many cultural activities have not been practiced for a generation or more (Morin, 2015). Some of the participants suggested that a disconnection from cultural practices had led to some of the challenges faced by the community. Michelle felt that “bringing people back to the Inlet and bringing back culture I think would be a huge help to some of the struggles and situations that people face today.” As Barker, Goodman, & DeBecker (2017) pointed out, “culture as treatment” is an approach being adopted by Indigenous communities across Canada. In saying that a healthy Inlet means a healthy nation, the Tsleil-Waututh participants demonstrated their understanding of the invaluable impacts of successful stewardship efforts to revitalize the Inlet. Improved social conditions and the ability to return to a vibrant subsistence economy were how participants said they would know that the health has been restored. There was evidence that this recovery is already underway. Shellfish harvesting, hunting, canoeing and language were held up by participants as examples of the cultural renaissance underway within the community.

***Shellfish harvesting.*** Perhaps the most powerful example of the cultural renaissance underway is the return of shellfish harvesting. Shellfish, especially several clam species, were prevalent in pre-contact Coast Salish diets as evidenced by Groesbeck, Rowell, Lepofsky, & Salomon (2014). They concluded that immense shell middens suggest the significance of shellfish as a staple food source for Northwest Coast First Nations for at least 5,000 years. Morin (2015) confirms the presence of large shell middens containing “literally billions” of shells are present in areas associated with ancestral Tsleil-Waututh Nation village sites. Today, while clams remain a preferred traditional food of Tsleil-Waututh peoples they are rarities in their diets, Morin reports. This of course, is due to pollution.

Shellfish harvesting was officially closed in the Burrard Inlet in 1972 and as these traditional foods have become unavailable and/or unsafe, it has hindered the nation’s ability to transmit their cultural practices. Carleen talked about going down to the mudflats with her gran as a child and learning how to dig clams and catch crabs with her feet. Sadly she said that in her lifetime, the ability to learn the skills necessary to harvest and maintain healthy populations of this resource has been lost, due to pollution in the Inlet rendering shellfish too toxic

*‘Shellfish Harvesting Prohibited’, the mudflats, May, 2017*

for human consumption. Given the significance of shellfish harvesting to the health of Tsleil-Waututh peoples cultural practices, its restoration was important to the participants. In fact, the *Burrard Inlet Action Plan* sets a performance target for shellfish beds that by 2025 "at least 10 hectares of shellfish beds are open to limited harvesting at least 80% of the year," (Tsleil-Waututh Nation, 2016a). What the nation has achieved to date has far reaching benefits.

Thanks to the nation's restoration efforts, 2016 saw the first sanctioned clam harvest in over 40 years. This achievement was described by Micheal as "incredible": "All this time I thought we'd never [again] in my lifetime harvest from Burrard Inlet or Indian Arm… It was an occasion to be celebrated. We did it in our lifetime," he said. Brittany said the fisheries crew had dug up clams before for research purposes but this time was different and the crew recognized that. A community dinner was held to celebrate the occasion. Heidi attended this dinner and reflected that: "You can just see that if the Inlet's health gets better we are just going to have more community celebration, more reason to get together… as the community spends more time together I think relationships get better [and] social health gets better." While the participants recognized there was more progress to be made, the clam harvest and the ensuing celebration show the positive impact of the cultural renaissance on the community.

***Hunting.*** During the summer and late fall hunting season, Tsleil-Waututh people would traditionally hunt many different species – ducks, bear, deer, elk and mountain goat – with elk and deer being staples of the Tsleil-Waututh diet (Morin, 2015). By the late 1800s, elk had been hunted out of existence in Metro Vancouver and community members began traveling to distant areas to hunt with relatives (Morin, 2015). As a

consequence, fewer people were hunting and the associated skills became less common within the community over time. A lot of people do not even know how to carry a gun anymore, let alone know how to take an animal with respect, said Micheal. As our conversation continued, Micheal shed light on how hunting is also being revived in the Tsleil-Waututh community.

In 2006, Tsleil-Waututh Nation reached a milestone with the reintroduction of Roosevelt Elk into the Indian River Watershed, which feeds into Indian Arm. 18 elk cows and two bulls were released and by 2012, the herd was healthy enough to allow for the first Tsleil-Waututh Nation elk hunt in more than a century. Like the return of shellfish harvesting, the return of elk hunting has been very exciting for the community. Of the hunters, Micheal said "you definitely get a sense of how proud they are to share those moments with their kids. Being able to say this is where my dad hunted or my grandpa or wherever and just seeing their face light up when doing it." But also like shellfish harvesting, there is a generation gap in the skills and knowledge necessary to properly carry out this traditional practice. Following the 2012 hunt, two of the hunters said, "We try our best to do it traditionally. We've never been taught by anybody, so we take this information we've been given and we try our best," (in Hinchey & Tennant, 2014). In connecting with this tradition, they described that the hunt deepened their relationship with the land and connected them to the practices of their ancestors.

Unlike Micheal who learned how to carry, load and transport a gun from his cousins and uncles, hunting skills are being learned in non-traditional ways like formal courses. Oftentimes, as Micheal explained, there are multiple different generations learning these skills together for the first time. Micheal told me that recently someone

from Sts'ailes Nation brought down a deer from the Fraser Valley and showed a multi-generational group of Tsleil-Waututh community members how to butcher it. They hung it in a carport and with only a sharp knife he showed them how to do stewing beef, roasts and steaks: "What was useable and wasn't even surprised some of the older people," he said. The group got rid of the bones in a way Micheal described as "the best way we could" by bringing the bones back to a place where the animals could get them.

***Canoeing.*** Not only has the Inlet traditionally been an important food source, it has also been a shipping route, a travel route and a recreation ground for Tsleil-Waututh community members. Each of these activities depended on the canoe, a quintessential symbol of Coast Salish life. Iggy who paddled the Inlet from the time he was a young boy described how the canoe enabled him to enjoy it. With a slightly wistful air, he said:

> I used to like to go real early in the morning… and paddle into the sunrise. You're listening to the birds whistling, you couldn't hear any cars, just the birds and the ducks would be flying up [Indian Arm] for their meal. It used to be nice and quiet.

*Paddlers finish their race at Whey-ah-Wichen Park at the annual Canoe Races hosted by Tsleil-Waututh Nation, July 2017*

Spending time on the Inlet in a canoe helped Iggy build up cultural experience and traditional knowledge of Burrard Inlet. As Morin (2015) pointed out, Tsleil-Waututh ancestors who spent their lives in canoes in Burrard Inlet would have had millennia of accumulated experience reading the tides and currents. In more recent times however, the canoe has become a more 'latent' symbol of Coast Salish life (Everson, 2000). The participants pointed to pollution and marine traffic as contributing to a decline in canoeing among community members. A similar decline was identified among other Coast Salish peoples by Everson (2000) and Marshall (2011) who both attributed this to the advent of modern transportation methods making the canoe obsolete. Consistent with this study they also found that a renaissance of canoe culture was underway.

Within the Tsleil-Waututh community, the sport of canoe pulling has been gaining a following. Michelle explained with excitement that community's canoe pulling club now has enough members to fill an 11-person canoe with more paddlers to spare! Through canoe pulling, Michelle went on to say that community members have been learning about the Inlet and about Tsleil-Waututh peoples as paddlers. With community members getting back out on the Inlet in canoes, opportunities for cultural transmission have also been reopened. A similar experience was underway in the Musqueam community where Victor said they had not had a

*Dugout Canoe being carved in Musqueam's canoe shed, June 2017*

canoe crew since his dad's time in the late 60s but that today, thanks to additional efforts to revitalize the art of canoe carving, Musqueam canoe crews can paddle in canoes carved in their own community once again. In 2016 with help from a master carver from Stz'uminus First Nation on Vancouver Island, Musqueam peoples carved their first ‘journey canoe’ in 30 years. Upon its launch, one community member described this project as one to “awaken the spirit of canoe culture at Musqueam once again,” (UBC, 2016). Both revitalization experiences support the communities’ understanding of traditional cultural practices in a way not unlike Everson's (2000) findings on contemporary tradition and identity among K’omoks peoples on Vancouver Island:

> The canoe allows an individual to experience the roots of one's culture: to see the territory and the water and the triumphs and the sacrifices. For many, it is a chance to come to terms with their spiritual awareness. For others, it is a cultural awakening (p. 33).

Literally and figuratively, the canoe is a vessel for the revitalization of cultural practices today.

***Language.*** An important consideration that emerged from the interviews was that the revitalization of cultural practices is enhanced when the activity is paired with the revitalization of traditional languages. Today, Tsleil-Waututh Nation is also undergoing a renaissance of its language – Downriver hən̓q̓əmin̓əm̓ (Hun'q'umi'num')[3]. Like other Indigenous languages across Canada, the prevalence of Downriver hən̓q̓əmin̓əm̓ (Hun'q'umi'num') was diminished by the assimilationist policies of early Canadian governments. Today, the participants explained that the community has no remaining mother tongue speakers and that language revitalization has been taken up as a critical

[3] Hun’q’umi’num is the Anglicized version of hən̓q̓əmin̓əm̓. Spelling provided by Victor Guerin.

effort in improving the health of the nation. The interdependence of language health and cultural health is further articulated by Gao (2006) who says, "The meanings of a particular language point to the culture of a particular social group, and the analysis of those meanings… involves the analysis and comprehension of that culture," (p. 58). Language and culture depend on each other and thus, revitalizing language is an essential component of the renaissance of Tsleil-Waututh peoples' cultural practices.

Victor, Cassandra and Kalila are part of Tsleil-Waututh Nation's language program, a program that is actively working to bring Downriver hən̓q̓əmin̓əm̓ (Hun'q'umi'num') back to the community. Victor, a fluent speaker who learned in his home community of the Musqueam peoples, works with Kalila and Cassandra, two of the language interns, to develop and deliver curriculum to Tsleil-Waututh community members and staff. The program is supported by the nation's administration, which even keeps a policy of allowing staff to use work time to attend language class. Victor invited me to attend one of these classes. On the day I attended, there were over 15 students. I had the chance to speak to a few of them and found that their motivation for learning the language was strongly tied to the future generations. A couple of the students explicitly mentioned their intent to teach their children. This is all connected to a broader goal for the community: "Once we get the curriculum together, the children who are in school will learn to speak the language and they'll become future leaders," said Victor. One day this could mean that everything in the community could be done in the language.

Consistent with Gao's (2006) assessment of language and culture and Everson's (2000) link between canoeing and culture, Cassandra and Kalila both said that learning the language brings them closer to their culture. Kalila participates in canoe pulling and

she talked about how learning the traditional words associated with canoeing has deepened her experience on the water:

> So its not just like you're doing it out of habit, you're understanding it and you're feeling what you're doing because you know what you're doing and the language kind of just livens everything up. Its like a warm tingly feeling, you understand it and you feel like you're with your ancestors more because they can understand you and they know what you're doing and you know what they're telling you because you can understand them now.

For Kalila in this example, learning the language seemed to have facilitated a process of coming into being as a Tsleil-Waututh person. Cassandra talked of a similar deepening of experience in the Big House since her language skills have developed:

> There are things that I wouldn't have been unable to understand in our cultural ceremonies that I've learned through the language and now that I sit there and listen to the speakers speak, I can kind of have an idea of what they're talking about. Before, I would be just sitting there listening and not really knowing what they were saying. There are just a lot of teachings that come with the language that the Elders bring out.

I asked if she could provide an example of what she understood now that she did not before and she said she could not translate these things into English. As someone who does not speak the language or have an adequate knowledge of Tsleil-Waututh cultural practices, I have since reflected that I could not have fully understood a response anyway. It is easy to understand then how much is gained in bringing the language back in concert with other cultural practices.

In exploring the significance of the Burrard Inlet, it was clear to me that the relationship the Tsleil-Waututh participants had with the Inlet was most intimate. Guided by their inherent stewardship rights and responsibilities, the Tsleil-Waututh participants knew their role. Tsleil-Waututh Nation is taking actions that ensure the Inlet will continue to sustain the health of the nation and they are experiencing positive results.

Perhaps most significantly is the 'cultural healing' that is being supported by the revitalization of cultural practices and language in the community. While many of the stewardship activities described thus far have been undertaken by the nation alone, a second strong theme that emerged was the role of non-Indigenous partners. As the next section will show, collaboration is another way the nation is reclaiming its authority as stewards of the lands, waters and skies of its territory.

## Chapter 6: Cross-Cultural Collaboration

Participants recognized multiple different times throughout the interviews that Tsleil-Waututh peoples are not going anywhere and neither are the millions of others living in the territory today. With this understanding in mind, the participants highlighted the importance of finding positive ways to coexist. The characteristics of success they described were grounded in the values of inclusion and respect. Ernie explained that to him, having a good relationship does not mean agreement on everything, but it did mean the ability to disagree over an issue then go have lunch together afterward. One of the biggest challenges seemed to be getting on the same page, something that was also alluded to by the participants in Griggs' (2015) study on shared decision-making. Griggs found that their participants felt as though many development proponents did not yet fully appreciate the scope and intent of shared decision-making or the growing role of Indigenous groups in the consideration of a development application. As this section will show, Tsleil-Waututh Nation also faces the challenges Griggs (2015) identified and that stewardship is a key motivator for the nation in confronting them. Success supports the nation in playing an increasing role in the activities taking place in their territory.

### Inclusion and Credibility

During our interview, Ernie highlighted that in the past Indigenous peoples were excluded from decisions about what took place within their territories. This is a truth supported by Griggs’ (2015) who further explains that “First Nations were not involved in the creation of the resource management regime that is now in place in BC and, with a few notable exceptions, did not participate as full partners in the development of strategic land use plans,” (p. 42). As such, increasing the involvement of Tsleil-Waututh Nation in

the activities in its territory was a key priority identified by the participants. Inclusion to them meant more than simple information sharing, it meant actively involving the nation from start to finish of a given activity. Where this came to fruition, proponents had more credibility in the eyes of the participants.

From a stewardship perspective, working together just made sense to the participants. Using the example of environmental emergency responses, both Ernie and Carleen noted that Tsleil-Waututh community members' intimate knowledge of the tides and the weather of the Inlet was a valuable contribution the nation can make in working collaboratively with others. As Heidi put it:

> I think Tsleil-Waututh brings a better understanding of the land, of the resources, of the climate, of the species, everything about this territory. I think if anybody is doing work here, why wouldn't you talk to the people who have lived on this land for thousands and thousands of years. I think there is so much knowledge about the way things work, not even in the natural world, but even relationally… I think that knowledge is valuable to anybody, even today.

Because their intimate knowledge of the Inlet cannot be matched, accessing local knowledge from these people with lived experience made complete sense to Heidi. As part of Tsleil-Waututh Nation's participation in an environmental incident response for example, the participants explained that the nation's representatives sought advice for elders and this informed the recommendations they made to the collaborating regional response team. In this way, it also becomes clear how utilizing traditional knowledge is also of huge value to Tsleil-Waututh because it supports their stewardship objectives. For this reason, proponents who are willing to work together have more credibility.

To work collaboratively with Tsleil-Waututh Nation was to build the credibility, or social license (Pulla, 2016) of both the project or activity and its proponent. As Heidi said, "If there is an organization that is actively working with the First Nations whose

territory they're on, I think they deserve more respect than those organizations who aren't.” These are the proponents she felt made the best collaborative partners for Tsleil-Waututh Nation. In short, good collaborative relationships with the local Indigenous groups builds social license that supports a proponent in undertaking activities.

**Collaboration in Practice.**

Tsleil-Waututh Nation has a strong desire to work with proponents in a collaborative way to ensure that potential impacts are minimized or removed because, as Brittany said, there is only so much left that the nation can sacrifice. The nation is very active in a number of different collaborative partnerships and their partners highlighted in this study included project proponents, government bodies, private companies and other Indigenous nations. Three examples are discussed below.

***Project consultation.*** As has been discussed, the Constitution Act (1982) affords Aboriginal peoples the right to be consulted and accommodated on activities that infringe upon their Aboriginal rights and title. When such an activity is contemplated, the proponent is required to initiate consultation with the potentially impacted Indigenous group(s). Within Tsleil-Waututh Nation, the TLR department acts on behalf of the nation in the consultation process. The participants reported that consultation is not always as collaborative as they would like to see though they did highlight successes and they had a strong sense of what good consultation was from the perspective of the nation.

Ernie, Michelle and Brittany each said that an early, open and responsive approach was the foundation of good consultation. Such consultation was described as being very much focused on dialogue and having the benefit of establishing strong relationships while achieving the best project possible. Michelle described one example

where a proponent had proposed to expand their facility and knowing what they moved and stored there, TLR identified a big concern with storm water runoff. The proponent was willing to work with TLR and ultimately responded by implementing a run-off system to filter all their storm water before it is introduced to the Inlet. Situations like these were ones the participants felt led to more and more positive collaborations.

The bad consultation processes described included those where a proponent approaches Tsleil-Waututh Nation with their plans already fully developed. They might ask the nation for their archaeology-related concerns Michelle said, but if the nation wants to also talk about environmental concerns, these proponents are not always willing to engage in this dialogue. This is an example of where consultation can go wrong from TLR's perspective. As, Brittany put it, "It's not up to proponents to determine how we are consulted. As long as our concerns and issues are all met and fulfilled then yes, we will say that their duty to consult has been fulfilled." This statement clearly outlines how in the consultation process, Tsleil-Waututh Nation seeks to exercise jurisdiction. Though imperfect, consultation is a key collaborative effort the nation engages in but it is just one of many.

***Park co-management.*** Co-management of resources and territories has been discussed as a mechanism through which to reconcile Aboriginal rights and title within the governance structures and processes now in place (First Nations Fisheries Council, n.d.). The primary example of Tsleil-Waututh Nation co-management found in the literature and raised in the interviews was Say Nuth Khaw Yum (SNKY) Park, which the nation has co-managed with the province since 1998. Tsleil-Waututh Nation co-manages all aspects of the park from campsite maintenance and signage to strategic land use

decisions. Though the co-management agreement did not return the park lands to Tsleil-Waututh Nation, the Board's Park Management Plan (2010) is full of language about co-operation, shared values and mutual respect signalling that the intent of this agreement is to work together. Nearly 20 years in, and with the addition of many other co-management arrangements across the province, the participants provided an assessment the nation's experience with these agreements in practice.

Based on my readings, co-management sounded like a really promising approach to collaboration and I was eager to ask about SNKY during the interviews. What I found was that the participants did not quite match my excitement. While none of the participants claimed that Tsleil-Waututh peoples had not benefited from the SNKY co-management agreement, the participants indicated a feeling that its potential had not been realized. Inadequate funding was a key factor that Ernie felt had limited the success:

> Right now it's kind of like a plan on a shelf. Although we have a beautiful picture and a place on a map that says 'Indian Arm/ Say Nuth Khaw Yum' we have to find money to implement the plan because the provincial parks don't have any money. So we're trying to pick low-hanging fruit. We've got some signage and kiosks at the campsites all the way up into Indian Arm. There's a lot more that can be done and it's a matter of money to implement.

With the easy things done, funding was needed to continue to advance this partnership. Griggs' (2015) found that funding commonly challenges these kinds of collaborative partnerships because oftentimes, more resources than anticipated are required to support the working groups, technical analysis and staff needed to fully implement these agreements. In the case of SNKY and Whey-ah-Wichen, an area Tsleil-Waututh Nation co-manages with the District of North Vancouver, Ernie said the onus gets left on the nation to show governments that these agreements are worthy of their investment.

A second limiting factor the nation has experienced is that co-management has not reconciled the power imbalance between the nation and the province. The SNKY agreement is a compact outside of the treaty process meaning that it does not settle legal questions of Aboriginal rights or title and that the province continues to assume final authority over the area. The impact is that Tsleil-Waututh representatives are left in an advisory role without the final decision-making authority. As Ed said, proof of Tsleil-Waututh peoples' millennia long occupation of its territory, "is in the ground, and on the rocks and in the trees but still nobody wants to give in" to them. This is supported by Stevenson (2006) who studied similar co-management agreements across Canada and found that despite what their name may suggest, the power balance of co-management agreements is not equal: "The ultimate authority rests in the hands of government ministers who can reject co-management board decisions," they said (p. 169). So, when Iggy pushed to adopt a provision that privately held land within the park must be given to the park when the owner passes away, the minister had the power to unilaterally reject this even if the entire SNKY park management board agreed.

Despite imperfections, co-management has become more prevalent over time. Today in British Columbia many Indigenous communities are participating in co-management as an opportunity to democratize land use objectives through direct involvement in the decision-making process (Natcher, 2001). Squamish Nation, Namgis First Nation and Hul'qumi'num Treaty Group are just a few examples within Coast Salish territory. In the coming years, the implementation of UNDRIP in Canada may help remedy some of the challenges but, for now this research suggests that co-management still faces some practical and institutional challenges that continue to hinder

wholehearted partnerships which work for both the Indigenous and non-Indigenous parties involved.

***Property development.*** In recent years Tsleil-Waututh Nation has formed partnerships with private sector companies to build and manage residential developments on their reserve lands of on fee-simple land acquired by the nation. Relative to co-management, these partnerships are quite new. Today, Tsleil-Waututh Nation and its partners are 'Indigenizing development' - a term Heidi and her colleagues use to describe the new approach to property development they are implementing in their work with local nations. Indigenizing development incorporates two-eyed seeing into property development. Through the participation in western-style ownership regimes, Tsleil-Waututh Nation is indigenizing development by becoming fee simple property owners while working within the framework of their Indigenous law to implement their future vision for their peoples.

That Indigenous nations are purchasing and developing properties might at first glance seem counter intuitive but in the case of Tsleil-Waututh Nation it is part of a strategy for both economic development and for control of land-use decisions. The irony of buying back land that was never surrendered was still not lost on Heidi. On one hand she said,

> It would be nice to kick all the settlers off of it and put it back into a forest or restore all the creeks and everything like that but I think that the nation realizes that this city isn't going anywhere anytime soon and if we want to participate in the society and be economically viable partners for other organizations in the city, we have to work with what we have here now. I think it's a great opportunity to show the city how First Nations can take care of a piece of land.

The nation bypasses debate about Aboriginal rights and title over property when they purchase it. As fee simple owners, they reclaim rights to land use planning in perpetuity.

In urban Indigenous territories the opportunity to acquire new lands not already alienated or intensely developed is very limited (Thom, 2014). And, as is the case for Tsleil-Waututh Nation, these properties can be quite expensive. Responding to these conditions, the nation's property development strategy includes a 2014 Protocol Agreement with Musqueam and Squamish nations for "working together as business partners in the acquisition and development of some significant properties in the Vancouver area as part of a long-term investment strategy that will benefit the First Nation communities for generations to come," (Ministry of Technology, Innovation and Citizens' Services, Musqueam Indian Band, Squamish Nation, & Tsleil-Waututh Nation, 2014). In the same press release, the partners announced their acquisition of two such properties, which are now under development. The Protocol Agreement also signifies the historic alliance and close kinship connection between the three nations. This is what Leonard George has been known to refer to as modern day hunting in the business world.

Heidi emphasized that Tsleil-Waututh Nation is not looking for just any partner but ones that share their vision and values with regard to the land. Once acquired, the nation is not looking to flip these properties for a quick profit: "We're looking at these pieces of property as like they've come back to us, we're the owners of them now and we're never going to sell that land," explained Heidi. That the development partner Heidi works for shares this view helped her warm up to the idea of working for such a company. A second value they shared was community engagement. Technically, Heidi works for the property developer but her job is to engage her Tsleil-Waututh community on the plans and to seek their input. In this way, Heidi facilitated two-eyed seeing between the partners. The positive results of such an approach were shown by McKinney

& Field (2008) whose respondents overwhelmingly concluded that Community Based Collaboration helped build trust, improve communication and allowed for insights about others' views and values. The ultimate outcome of engaging in this process could be understood as social license (Pulla, 2016). Finally, through the incorporation of traditional names, art, native plant species and other cultural elements recommended by Musqueam, Squamish and Tsleil-Waututh community members, Heidi confidently said, "When people go to that property they're going to know who owns the land." This supports a third value that Ernie described as "Putting the Tsleil-Waututh face back on the territory." A developer who shares all of these values makes a good partner.

Ernie explained that the Tsleil-Waututh community has never ever been anti-development, but he stressed that it has to make sense economically *and* through stewardship. This need also emerged in Collier & Hobby's (2010) study of non-timber resource management in British Columbia. They found that Indigenous peoples "see clearly that sometimes a decision must be made to not maximize profit if doing so would harm the well-being of another species; however, they also see that a decent living can be made… as long as sustainable harvest standards are observed," (p. 3). It is a delicate balance of impacts and benefits and it is a conversation one participant suggested is active within the Tsleil-Waututh community. Particularly regarding the property developments on reserve lands, Michelle explained there are differences in opinion among community members:

> With [those raised off reserve] its more about development and how much money can we make off of certain things, how much land can we lease and how much money can we make… [As opposed to] community members who grew up here realizing that we only have one square kilometer of reserve and the more we lease out to other people, the less land that we have for our community members.

That the nation has decided to pursue property in this way indicates that there is a willingness to at least try it out. Natcher (2001) found a similar willingness in their research reporting that many community members felt that participation in commercial forestry would strengthen Cree values by providing the financial means to spend more time in the bush (Stevenson & Webb, 2003, p. 101). Ultimately, time will tell if the property development strategy pays off in a similar way by enabling a reconnection with Tsleil-Waututh cultural practices and values.

In conclusion, project based consultation, co-management and property development are all examples of collaborative partnerships that Tsleil-Waututh Nation is participating in as part of a greater effort to become more involved and influential in the activities taking place in their territory. None of these arrangements resolve the legal issue of their Aboriginal rights and title but as the examples in this section showed, the treaty process is not the only option for Indigenous nations to achieve greater control over the lands, waters and resources of their territories. Regardless of challenges, these examples further indicated that success is found when both parties were willing to adapt to ensure the job is done with Indigenous peoples as partners.

## Chapter 7: Oil and the Burrard Inlet

Standing at the top of Sleil-Waututh Road in the middle of Burrard Inlet Reserve #3, Tsleil-Waututh's main community on the north shore of the Burrard Inlet, it is easy to understand why oil plays so prominently in the consciousness of this community. Looking out over the Inlet it is impossible to ignore the presence of the Chevron oil refinery across the way and the Westridge Marine Terminal slightly to the east. In fact, there is hardly a view to be had from this reserve, the mudflats or Whey-ah-Wichen absent of oil tankers, marine terminals or other oil-related infrastructure (see Appendix 2) because it is here at the Burrard Inlet that Canadian oil meets tidewater and is shipped to markets abroad.

Over the years, there have been oil spills on the Inlet and they have compounded the impacts of pollution and challenged Tsleil-Waututh's efforts to restore its health. New spills are a constant threat due to the high levels of industrialization and shipping facilities located throughout the Inlet (Tsleil-Waututh Nation, 2016a). Given the history and the significance of the Inlet to Tsleil-Waututh peoples, it is no surprise then that the nation so vehemently opposes Kinder Morgan's proposed Trans Mountain Pipeline expansion (TMX). Based on the past experiences of their peoples, some of the participants felt that it is not a question of if an incident will happen, but when. In this section, I draw on the themes already presented to explore what I found to be the nation's number one worry with regard to the health of the Inlet – oil.

### The Exceptional Threat of Oil

The Tsleil-Waututh community understands well the impact oil can have on the Burrard Inlet because as Ernie said, they have been experiencing it for generations. Iggy

for example, recalled a "huge oil spill" on the Inlet in the late 40s or early 50s during the time his dad and others were training for the canoe races:

> [The oil] was so thick that it would get on their canoe, on their paddles and on their legs when they were getting in and out of the canoe. They used to use bear grease to clean their legs and paddles. As youngsters we used to have to do the canoe, we'd take the bear grease and clean off the oil that was stuck to it.

The amount of oil released from this spill is unknown but traces are still visible today. This includes a patch of tar sitting on the beach between the homes of Iggy and his brothers, which Iggy said had been there since that spill. Two more recent spills, one from the existing Trans Mountain Pipeline in 2007 and another from the MV Marathassa in 2015, released approximately 300,000 additional liters into the Inlet (Fisheries and Oceans Canada, 2015; Stantec, 2012). These spills were eye openers for the Tsleil-Waututh community and served to strengthen their resolve as the People of the Inlet to protect it.

The recent spills also gave the nation insight into the region's preparedness to respond to such events. As Ernie said, "All of us recall what happened in 2007 and even though that wasn't Kinder Morgan's fault, [the oil] still hit the water and what we understand now very clearly is there were no emergency response plans and cleanup procedures in place… we saw it again a couple years ago with the Marathassa." Throughout the Marathassa response, Carleen recalled that identifying who was in charge was real chaos: "there is Federal jurisdiction and obligation but the oil drifted into inter-tidal areas and landed on the beaches so there is provincial jurisdiction and responsibilities and because it was on the beach, it became the city's jurisdiction." Then during the clean-up Brittany said there was a lot of miscommunication: "I remember, I would go out with a team and we would assess where the oil was in West Vancouver and

the inner harbour…but we weren't too sure where that information was going and how it was being used." Overall, the participants' confidence in the regions ability to respond quickly and effectively was low.

On the positive side, the recent incidents saw the Tsleil-Waututh community become involved as a collaborative partner in the immediate response and subsequent follow up. In 2007 the nation took an active role on the Regional Environmental Emergency Team (Stantec, 2012) and made spill models available. The participants noted that traditional knowledge from people like Iggy helped to create these maps. Following the Marathassa spill, the Tsleil-Waututh representatives participated as a review partner in the independent review of the environmental response operations (Fisheries and Oceans Canada, 2015). What the Marathassa spill did in particular, said Ernie, was get the nation the right contacts with various agencies around the Inlet. Now, whenever anything happens he said there are three Tsleil-Waututh representatives who get phone calls right away and the nation no longer has to wait for Indigenous and Northern Affairs Canada in Ottawa to contact them. Similar informal agreements are in place between Indigenous groups and municipal governments in southern Ontario according to Dyck, Plummer and Armitage's (2015) study on Indigenous approaches to protecting water sources. To Ernie, this showed that the others were recognizing the value that Tsleil-Waututh Nation brings and understanding that they want to be an active participant.

While Tsleil-Waututh's role in recent spill responses was important, the participants would of course rather these incidences just not happen in the first place. They displayed little optimism about future spills. Iggy who had observed response drills

on the Inlet said he was not very confident in their potential to be effective: "I've watched them practice about three different times now and to me, it looks like chaos… I watched them for about three hours and none of those booms were set the way I figured they should be set, in one big circle," he said. Brittany said she was confident that the nation would do their best to protect Whey-ah-Wichen Park, the mudflats and their beach on the reserve, though she was "a little less confident" for anything outside of that. No participant said they felt potential for any response effort to be effective.

Participants also questioned the Inlet's ability to ever recover from its current state, let alone any further impact from oil. So far, Ed has seen two spills in his lifetime on the Inlet and he said neither have ever been cleaned up: "They said it's clean but, if you walk over the beach in Vancouver at low tide, they are muddy beaches. If you dig a hole in the mud it fills up with the slick." No participant believed it was possible to entirely clean up a spill, especially once the oil sunk. Carleen had spoken to a lot of experts and done some of her own research on oil spill clean-up and she said that even under the best environmental conditions for a spill, "there is not a single human being on the face of this planet who knows how to clean it up. Once this diluted bitumen hits water it balls up and it sinks. How can you pick it up off the floor of the water systems?" Short (2015) confirmed that submergence makes clean-up much more challenging, including that it opens new pathways for oil exposure to sea life which in turn dissuades people from continuing traditional subsistence harvests for fear of encountering contaminated subsistence foods (in Morin, 2015). Especially given the nation's efforts to revitalize its harvesting practices, oil is an exceptional threat and with the proposed TMX project, the community's concern has become evermore present.

**Kinder Morgan's Proposed Trans Mountain Pipeline Expansion**

The proposed Trans Mountain Pipeline Expansion (TMX) project would twin Kinder Morgan's existing Trans Mountain oil pipeline that, like the one already in operation, would carry oil from Edmonton, Alberta to the Burrard Inlet and on to markets abroad. According to Kinder Morgan's application to the NEB, tanker traffic in the Burrard Inlet would increase seven-fold, from 5 per month to 34 and the expansion would also include three new terminal berths at the Westridge Marine Terminal (Kinder Morgan, 2013). The last 28 km of the pipeline, plus the storage facilities and the Terminal, are in the heart of Tsleil-Waututh Nation territory (Clogg et al., 2016). As of August 2017, the project has received conditional federal government approval but Kinder Morgan has yet to fulfill all of the 157 conditions or make its final investment decision to proceed with the project. TMX continues to be supported by the governments of Canada and of Alberta though a large number of Indigenous groups, stakeholders and the British Columbia government are firm in their opposition. Tsleil-Waututh Nation is perhaps the most vocal and weighty opponent. As People of the Inlet, the nation's stewardship rights and responsibilities call them to this position as a matter of rights, title and survival as a people.

In May 2012, soon after Kinder Morgan announced its intention to expand the pipeline, Tsleil-Waututh members voted as a community to oppose the project, opting to go to great expense to stop any pipeline expansion. As Ernie said, "If I am who I say I am as a Tsleil-Waututh People of the Inlet, it is our obligation to steward the land and the water that touches the Inlet." Grounded in this sentiment, the nation's position has remained firm: "The Tsleil-Waututh Nation cannot accept the increased risks, effects, and

consequences of even another small incident like the 2007 Westridge or 2015 MV Marathassa oil spills, let alone a worst-case spill," resolved Chief and Council (Tsleil-Waututh Nation, 2015). Asked if it is possible to have the TMX project and a healthy Burrard Inlet Carleen gave a firm no. To this day, the nation continues to pursue legal action and withhold its consent to the project.

From the outset, Tsleil-Waututh Nation asserted their role as a decision-maker with regard to TMX. The TLR department conducted its own project review based in Tsleil-Waututh laws (Clogg et al., 2016). Using the first lens of the Stewardship Policy (see p. 59), it was concluded that TMX was not a good land-use decision. Chief and Council adopted the recommendation of TLR's final project assessment (see Morin, 2015) to continue to withhold their consent for the TMX project because as the assessment found, it

> has the potential to deprive past, current, and future generations of the Tsleil-Waututh community of control and benefit of the water, land, air, and resources in their territory; does not represent the best use of our territory and its water, land, air, and resources to satisfy the needs of our ancestors, and the needs of present and future generations; and fails the first lens test of the Stewardship Policy (Tsleil-Waututh Nation, 2015).

This assessment makes the nation's position clear: Tsleil-Waututh Nation holds the authority to decide if the TMX project can proceed and they have determined it cannot according to their laws.

The process that Tsleil-Waututh Nation has undertaken in assessing TMX is distinctive and novel within the Canadian Indigenous governance landscape. In an open letter, a group of six Canadian law professors state: "The Tsleil-Waututh Assessment is a pioneering example of a First Nation acting on this authority to review and decide whether a project should proceed in its territory," (Christie et al., 2015, n.p.). While

historically, Fist Nations law has often been overlooked by Canadian courts because of its perceived incompatibility with and inferiority to the Common law, Tsleil-Waututh Nation has capitalized on the openings afforded by more recent Supreme Court of Canada rulings that empower Indigenous legal systems. For example, of *Guerin v. The Queen*, Borrows (1996) points out that in defining Aboriginal rights as unique, the judiciary has acknowledged that it cannot use conventional Common law doctrines alone in the formulation of First Nations rights. And he concludes, "the chances of Canadian law accepting First Nations legal principles would be substantially weakened if the First Nations did not continue to practice their own laws within their own systems," (p. 663). As such, Borrows would encourage Tsleil-Waututh nation and others to continue to practice and push for the inclusion of their indigenous laws and indeed, the nation has remained steadfast on this path.

That Tsleil-Waututh Nation's rights and title were not respected in the process that resulted in TMX's conditional approval was the primary issue raised by the participants with respect to their fight against this project that is currently playing out in the courts. Participants were especially critical about the nation's experience in the NEB process. Carleen gave her view as to what might have led to this feeling:

> Tsleil-Waututh has done everything we could possibly do to have our voice heard. We filed an early appeal and it was kicked out because we did it too early... We had sent a letter to Joe Oliver who was minister of Natural Resources Canada at the time and said this NEB review process is flawed and it doesn't address Indigenous people. There is no way they could review this project with the lens of [Aboriginal] rights and title and we offered to work with the federal government to create a review process that would be specific to Indigenous peoples. It took him six months to respond to our letter and he basically said there is the NEB process and this is the process you go through. So, it was under duress we applied to become an intervener. We applied for participatory funding and got $40k. NGO groups got $60-80k. Where is the fairness in that?

The NEB regulatory process was a focal point of concern. The terms 'rigged' and 'flawed' were used to describe participants' feelings toward the process which participants felt lacked adequate Indigenous inclusion. Of the Northern Gateway Pipeline project hearings Rossiter (2007) also found "First Nations asserted repeatedly that the territory under consideration remained unceded and under their stewardship," (p. 176). As former Tsleil-Waututh Chief Justin George said of the Northern Gateway project, "It's our Aboriginal rights and title that stops this madness," (in Ball, 2012). Borrows (1996) offers that bringing in Indigenous law to such legal processes could complement Common law as it would operate as an important check on inappropriate analogies being drawn from other legal sources on matters of Aboriginal rights and title and help improve the perceptions of fairness in these processes.

In 2016, Carleen ran as the federal NDP candidate for North Vancouver and one of her objectives was to fix the NEB process. Along with her fellow NDP candidates, she was determined that the TMX project would be put through the new or updated NEB process. She said this gave her hope that the project would not proceed but with a sigh she said that deep down she knew it would. In his speech announcing the project's conditional approval, Prime Minister Trudeau declared, "If I thought this project was unsafe for the B.C. coast, I would reject it," (Trudeau, 2016). He said these 157 conditions would among other things address potential impacts on Indigenous communities and protect local wildlife. But, as Carleen explained, by Tsleil-Waututh Nation's assessment only three of the conditions were relevant to Indigenous peoples: "That tells me that the Liberals have really failed in building this Nation-to-Nation

relationship that's so important to the Prime Minister," she said. Asked how they felt when the project was approved, many others answered with the same heavy sigh.

As news of the conditional approval spread throughout the community, Iggy said there were a lot of people that were upset about the outcome. Brittany said the news had been hard for her. Even though she was a member of Squamish Nation, she said, "When I work with Tsleil-Waututh I am Tsleil-Waututh. If there was a tanker spill or an oil spill I can't say that I wouldn't be affected or heartbroken." Iggy's own reaction was different: "I get mad about it sure but its not going to change anything so why upset myself if its not going to change?" he said. Ed felt that this approval was part of a bigger and ongoing issue with activities that threaten the health of the Inlet: "It's like we're always there pushed into the corner and we have nowhere to go and they're still coming at you." None of the participants seemed that surprised that TMX was approved which left me with the impression that Tsleil-Waututh community members had come to expect to be excluded. At the end of the day however, Carleen felt that the Tsleil-Waututh peoples could hold their heads high knowing the nation had gone through the steps on their own terms and that was all they could do. Though there is still a chance it will not be built, Carleen said that regardless of the outcome, when her granddaughters become her age, she knows she will be able to look them in the eye and say she did all she could to protect the Inlet for them and for the generations that are to come.

In conclusion, this data analysis section has established that the Burrard Inlet is a central place of social, cultural, political and economic discourse regarding Aboriginal rights and title, Indigenous sovereignty and Tsleil-Waututh peoples' identity. The lands, waters and skies of this Inlet demand the care and respect of all who encounter it for its

health and wellbeing dictates their own health and wellbeing. For the participants whose ancestors have used this Inlet since time out of time, they know that the Inlet and the way their people have used it has changed over time, but it has not diminished their strong connection to it. The Inlet was significant to the Tsleil-Waututh participants because it is where they come from and is what sustains them. It is the place over which they own the sacred duty to care for and protect. The participants demonstrated a consistent sense of priority in restoring the Inlet's health because they understood that a healthy Inlet means a healthy Tsleil-Waututh people. The challenges and responsibilities of educating the non-Indigenous peoples, curbing pollution and stopping TMX are not just for Tsleil-Waututh Nation, they are for everyone throughout Tsleil-Waututh territory for all have all been shaped by this powerful place. Across Canada, initiatives to protect Indigenous territories through education are being taken up as part of a bigger project calling on private citizens, government and industry to recognize and respect Aboriginal rights and title and to incorporate Indigenous ways being and knowing into the regular discourse of Canadian life. This research is a contribution this important project.

I close this chapter feeling that Canada is on the verge of a major shift in the relationship between Indigenous and non-Indigenous peoples in this land. With the implementation of UNDRIP on the horizon, it may come soon. Whenever and however it unfolds, the participants of this study are prepared to be heard and get involved because they are assured of who they are and what they stand for. The work left to do is to ensure that everybody else is prepared to listen and act in true collaboration. Again, this research is a contribution this important project.

## Chapter 8: Conclusions

As the profile of Indigenous peoples and their interests continue to rise across Canada, it is necessary for all Canadians to work toward an understanding of who these peoples are and what motivates them. The reality, as acknowledged by the participants in this study, is that we are all here to stay in this country and on these lands that were once occupied and enjoyed exclusively by Indigenous peoples. Coexistence, grounded in understanding of one another, is the best path forward in our relationship. Tsleil-Waututh Nation is one Indigenous nation whose profile has increased among the non-Indigenous community in recent years due to their strong and vocal opposition to the TMX project. The nation's opposition to this project speaks to the core of their being as a people. As described by the participants in this study, the Burrard Inlet is the heart and soul of the Tsleil-Waututh peoples' identity and it is around this body of salt water that their entire way of life depended for millennia. Today, the environmental degradation of the Inlet continues to be stark as are the subsequent ramifications for the Tsleil-Waututh peoples. Believing the health of the Inlet is directly linked to the health of their nation, they take a special interest in restoring it. As the People of the Inlet, Tsleil-Waututh peoples have a responsibility to steward their territory and as has been demonstrated, the nation is actively acting upon their inherent rights as stewards to make decisions regarding their territory according to their values and truths.

This study revealed some of the ways that Tsleil-Waututh Nation is revitalizing its role as stewards and asserting its authority as decision-makers for their territory. It is revealed that the nation is experiencing success, particularly in reviving their cultural practices. And, that they are finding new ways to support the nation by integrating

western knowledge into their decision-making processes and economic development strategies. As Tsleil-Waututh Nation's expressions of sovereignty continue to gain strength, they continue to face barriers in having their rights and title upheld within the Canadian legal and regulatory frameworks. Nobody knows how long it will take to realize Trudeau's promised 'renewed relationship' between Indigenous and non-Indigenous peoples in Canada, or how much progress will be made, but as this research has shown, positive relations are possible and the efforts of people and institutions today will lay the foundation for future success.

**Ethical Considerations and Limitations**

The primary ethical consideration of this study was the protection of information shared by the participants and ensuring that confidentiality was maintained and exploitation avoided (McGregor, 2004; Tsleil-Waututh Nation, 2016b). In my ethics review, which received both Tsleil-Waututh Nation and Royal Roads University endorsement prior to the start of the research, I committed to protecting the data collected to the best of my ability and to destroying it following the conclusion of the study. This commitment was also contained in the informed consent form signed by each participant.

A second ethical consideration was the real or perceived conflict of interest due to my other role working with Tsleil-Waututh Nation as an employee of BC Hydro. To be transparent, my role was verbally acknowledged at the start of every interview and in the study's informed consent form. I took further action to mitigate potential concerns by maintaining regular contact with Michelle, having participants verify their transcripts and having Tsleil-Waututh select the topic for the study.

This research had both intended and unintended limitations. An intended limitation was that this study did exclude participants based on their heritage. As this was a study about Tsleil-Waututh Nation and the Burrard Inlet, participation was limited to self-identifying Tsleil-Waututh community members, staff or relations. The primary unintended limitation was time, both the duration available for the study period and the amount myself and potential participants had to give. Anticipating this, I built a schedule I thought would allow enough time for the process to unfold without time pressure. Eventually, time still became a challenge, especially in the data collection phase. I had proposed to do 20 interviews but recruitment took longer and was more difficult than anticipated. Second, I had hoped to conduct interviews in the field at various places of importance throughout Tsleil-Waututh territory but in the end they all happened in places more convenient for participants. And finally, the TUS data was not available in time to be included in the study. These limitations were mitigated by the quality and depth of the interviews, which were conducted with the key people closest to the issues related to the topic. They were further eased by my own knowledge and background working with Tsleil-Waututh outside and prior to this study.

Another limitation was the speed of developments particularly regarding the relationship between Indigenous and non-Indigenous groups in Canada. This additional limiting factor that was at once exciting as an observer and at times, overwhelming as a researcher. To name a few examples, over the study period the TMX project received conditional approval, Tsleil-Waututh Nation and Canada signed a letter of understanding to advance reconciliation, two significant court cases regarding Aboriginal title in Northern Canada were decided, huge public rallies and protests took place against TMX

and the newly elected British Columbia government came out against TMX. To keep it manageable, new developments were not considered following the conclusion of interviews in May 2017.

A final and perhaps obvious limitation is that I am a non-Indigenous person and in undertaking this study, I tried to understand and articulate the perspectives of Indigenous people. Though Hall (1976) would say is impossible for me to ever fully understand the Indigenous perspective, I sided with the others who would say that with practice and training, I can come close (Byram & Nichols, 2001; Rosen, 2004). Though the Tsleil-Waututh peoples will be the ultimate judges of my success, this study is my honest and sincere attempt to come close to understanding and articulating their perspective.

**Personal Reflection**

This research project was as much a study about intercultural understanding and collaboration as it was an example of one. From start to finish, it was a personal learning journey for me. I initially approached this project with a degree of nervousness in acknowledgement of my position as an outsider, of the history of academic research in Indigenous communities and of my own inherently different worldview. With this in mind, I proceeded with respect and authenticity, excited and humbled by the opportunity to explore and demonstrate the possibilities of collaborative relationships between Indigenous and non-Indigenous groups first hand.

It felt uncomfortable at parts to interpret and put into my own words what I heard from the participants. It felt inappropriate to stray very far from exactly what someone said. This is why I used Michelle's words to introduce Tsleil-Waututh Nation in the introduction and why in presenting the data, I often opted to use lengthy quotes. This

was how I avoided filtering the data too much with my own perspective and bias. I also found it more challenging than expected to find opportunities for experiential learning. In my journal, I reflected that this was perhaps due to my position as researcher, a non-community member and a non-Indigenous person. In the interviews I did find that where I had pre-existing relationships, it was easier to dive into the deeper questions and for those I did not already know, I did feel that trust was built over the duration of the interview. I knew this because in some of these cases, interviews that started with a handshake ended with a hug, and arms that began crossed ended relaxed.

Being present in the territory was very important for me in taking on the Indigenist research approach. A lot of the writing and thinking that went into this paper unfolded within sight of the Burrard Inlet, most often from the shores of Kitsilano on Musqueam, Squamish and Tsleil-Waututh nation territory. Looking up to rest my eyes from the screen, I would see the mountains, the waters, the neighbourhoods that run half way up the North Shore mountains, the city skyline and of course the tankers. Being immersed in all of the sights, sounds, smells and other peculiarities of the territory helped conjure up images associated with a way of life here generations ago. As such, being in place shaped me as a researcher and a research subject. In my minds eye, I often tried to imagine how each view I took in would have been different even just 150 years ago when the great grandparents of many of my participants paddled those waters. Between my minds eye and my physical eye, I could always see the change and this really hit it home for me. At one point, I asked one of the participants if they ever imagine what it was once like and they said they did this all the time.

A second opportunity that came with being in the territory was that it helped me find common ground with my participants. Though I have lived Tsleil-Waututh territory for much less time, I have still lived here and been shaped by it. I have had the privilege of spending most of my adult life in Tsleil-Waututh Nation territory and the sights, people and lifestyle have become part of my identity too. My personal interest in caring for this place influenced decisions throughout this research project starting with the very first one, to pursue a greater understanding of the people who have occupied this place since time out of mind. My final reflection on place is that as much as people try to shape the environment they occupy, the environment shapes them just as much. For me as a researcher and a research subject being in Tsleil-Waututh territory certainly shaped me. To summarize my personal experience, if we accept Wilson (2008) statement "If research doesn't change you as a person, then you haven't done it right" (p. 135), then this project has been a complete success.

**Future Research**

It should be noted that this study focused specifically on the perspectives of individual Tsleil-Waututh people and nation representatives as they face many challenges and where their voices have not been significantly heard, particularly in academia. This focus was pursued based on a recognized need to highlight Tsleil-Waututh people's voices at a time where they face major infrastructure projects that threaten the core of their territory. Tsleil-Waututh Nation is however, one of hundreds of Indigenous nations within Canada today, each of whom has unique interests and concerns that merit attention in both the academic and public spheres. Research on topics in this study that focuses on other Indigenous peoples should be pursued in honor of this reality.

Many interesting subtopics arose from this study that warrant further investigation. Of particular interest to myself was the concept of 'modern day hunting' in the business world; one that is particularly relevant for Indigenous peoples whose territory includes densely populated urban areas. How can Indigenous peoples understand and negotiate their identities while participating in these reimagined modern forms of subsistence? What models of collaboration work in business partnerships? Both in business and generally, it would be especially interesting to look into how multiple nation's collaborate, or not, where territory is shared among multiple Indigenous peoples, as it is in Metro Vancouver. These are topics that are actively evolving today and there was relatively little to be found in academic research.

Future research should also explore and leverage practical opportunities to build a greater understanding between Indigenous and non-Indigenous individuals or groups. Though the Mayor of the District of North Vancouver suggested that residents of his city do not have a strong awareness of Tsleil-Waututh Nation, it is not clear exactly what that level of understanding is. Future studies could complement this study by exploring this further. It would also be interesting to study the level of understanding among non-Indigenous project proponents and in particular, the idea of going beyond the legal minimums of consultation to build social license to operate. It would be powerful to bring together representatives from Tsleil-Waututh Nation and the general public and/or project proponents to engage in a dialogue about their relationships with an eye on how they want to coexist together, on a symbolic level as described by Griggs (2015). Again, regardless of the topic, future research must keep in mind, as this study did, that the

research process is an opportunity to develop the intercultural sensitivity of the researcher and the research should keep this in mind.

In conclusion, this study has given Tsleil-Waututh Nation, through the research participants, the opportunity to share its interests, stories and reflections on issues that impact and concern its members. This study fills a gap in the literature where Tsleil-Waututh peoples' voices are missing. It asks the nation and its representatives why the Burrard Inlet is significant to them and how they want to see non-Indigenous groups active in their territory collaborate with Tsleil-Waututh Nation for the betterment of the territory and those who depend on it. The participants, confronted with the challenges of intercultural coexistence in a major metropolitan center, expressed their Indigenous values and their strong sense of identity. While these Indigenous people know themselves, they made it clear that more work was needed so that non-Indigenous peoples would know them as well.

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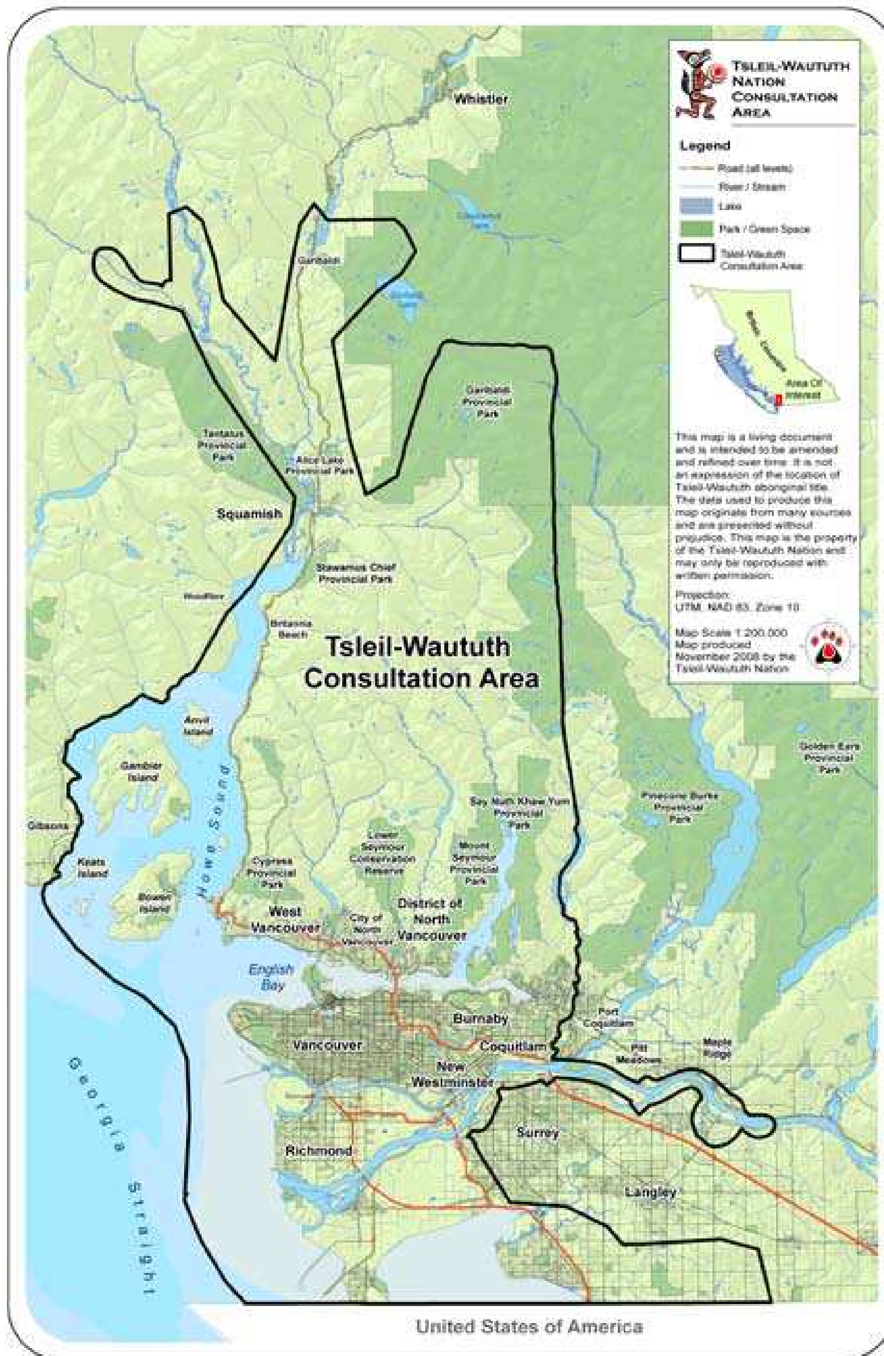
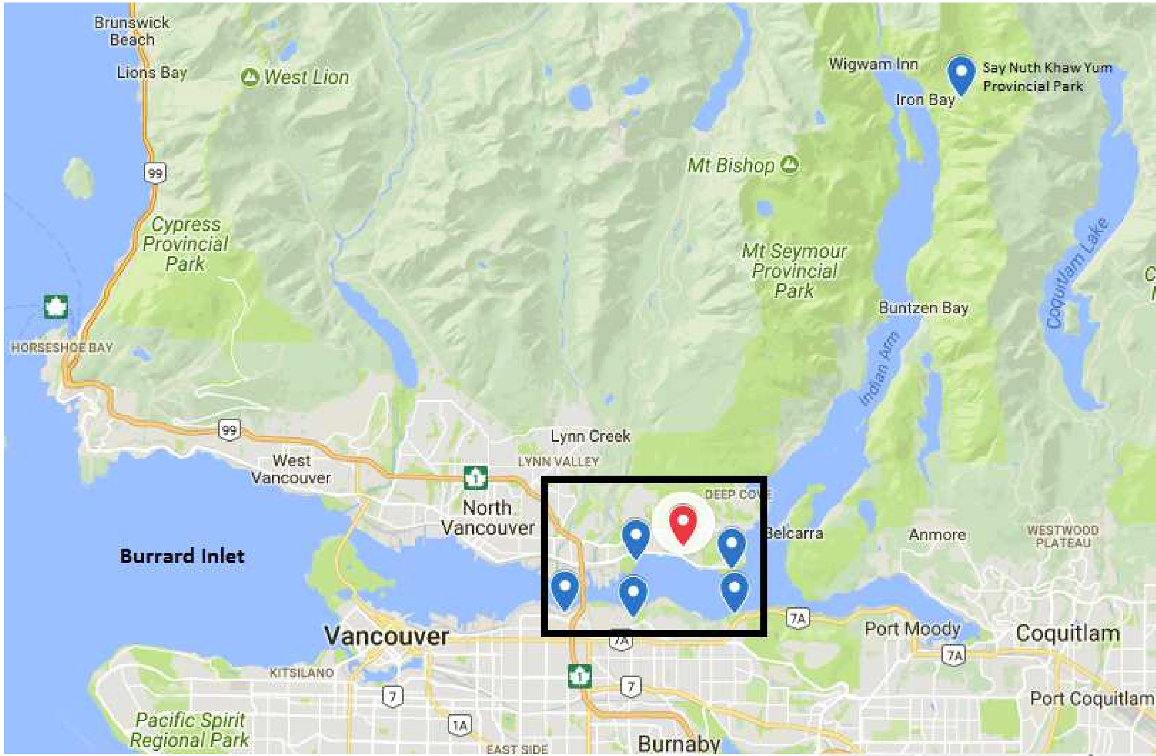
## Appendix 1: Tsleil-Waututh Consultation Area




(Tsleil-Waututh Nation, 2009)

**Appendix 2: Map of Burrard Inlet and Indian Arm**



**Appendix 3: List of Participants**

| Participant | Description (*as provided by participant) |
| --- | --- |
| Brittany John | Tsleil-Waututh Environmental Specialist, Treaty, Lands and Resources Department and Squamish Nation Member* |
| Carleen Thomas | Relationships & Protocol Agreements Coordinator for the Treaty Lands & Resources Dept. of the Tsleil-Waututh Nation. 16 years as an elected Council Member for my Nation, I am a wife, mother, and grandmother.* |
| Cassandra Smith | Tsleil-Waututh Nation Member and Language Program Intern |
| Ed Thomas | T.W.N. life long rez liver. Entering his retirement year. Worked in the private sector until 1997. Started with TWN in 1998. Represents TWN traditional team counsel. Worked 20 years in the Indian River Valley – fisheries, forestry and archaeology. Worked collaboratively with government entities, stakeholders and First Nations (e.g. BC Parks, BC Hydro). Have a crew learning, listening and getting ready to keep the territory safe.* |
| Ernie George | Tsleil-Waututh Nation Member and Director, Treaty Lands & Resources Dept. of the Tsleil-Waututh Nation. |
| Heidi Martin | Tsleil-Waututh Nation Member, daughter of James George and granddaughter of Alfred 'Jimmy' George* |
| Iggy George | Tsleil-Waututh Hereditary Chief and Elder |
| Kalila George-Wilson | Tsleil-Waututh Nation Member and Language Program Intern |
| Micheal George | Tsleil-Waututh Nation Member and TLR Cultural Advisor |
| Michelle George | Tsleil-Waututh Nation Member, Tsleil-Waututh Referrals Analyst and Tsleil-Waututh Councilor.* |
| Nolan Charles | Musqueam Nation Member and elected Councilor. Son of Percy Charles of Musqueam and Mary Charles (George) of Tsleil-Waututh.* |
| Victor Guerin | Speaker of hən̓q̓əmin̓əm̓, the language of the Musqueam and Tsleil-Waututh People (among other communities), and Language Resource Officer for the Tsleil-Waututh Language and Culture Program.* |

## Appendix 4: Informed Consent Form

**Study Name**: Stewards of the Land, Water and Sky: The Significance of the Burrard Inlet to the Tsleil-Waututh People.

**Researcher**: Emily Cass
Masters Candidate, Intercultural and International Communication,
School of Communication and Culture, Royal Roads University
*[contact information removed]*

**Purpose of the Research:** This study is being conducted to help build greater understanding among non-Indigenous organizations about how to work effectively with Indigenous groups. The Tsleil-Waututh and their relationship with the Burrard Inlet will be used as a case study. Activities in the Burrard Inlet over time have degraded its health and in recent decades, TWN has initiated a number of stewardship initiatives to help rehabilitate it. In the midst of these efforts, activities in and around the Inlet continue by non-Indigenous organizations. With this in mind, this research seeks to help non-Indigenous organizations better understand TWN's interests and how they might work effectively with the nation to restore health to the Inlet. The further purpose is to help TWN build capacity to assert these interests long after this study is concluded. The final thesis will be presented in written format.

**What You Will Be Asked to Do in the Research**: You are invited to participate in one or both of the following roles:

General Participant: Time commitment is 1 interview of approximately 30 minutes to 2 hours. Additional opportunities may include participation in talking circles and field visits, as applicable.

Inquiry Team Member: Time commitment is up to 1-3 hours per month for 6 months to advise on data collection, data verification and reviewing of draft and final report. Inquiry team members may also participate as general participants.

**Risks and Discomforts**: The risks of participating in this research project are considered low. Participants and Inquiry Team members may experience discomforts while speaking in a group setting, revisiting past experiences and/or speaking in the presence of family, friends, colleagues and other community members. While each participant is required to sign a consent form, complete confidentiality cannot be assured, as there is the possibility that individual contributions may not remain confidential outside of group activities.

**Benefits of the Research and Benefits to You**: This study will benefit participants and TWN as a whole by contributing to a greater understanding of the Tsleil-Waututh people and their interests. It will also develop the capacity of participants to bring community issues and problems to the attention of leaders and policy makers and in the long term, especially for individual participants, to continue to address these questions of daily struggle and survival long after the study is complete.

**Voluntary Participation**: Your participation in the study is completely voluntary and you may choose to stop participating at any time.

**Withdrawal from the Study**: You can stop participating in the study at any time, for any reason, if you so decide. Your decision to stop participating, or to refuse to answer particular questions, will not affect your relationship with the Researcher or Royal Roads University. In the

event you withdraw from the study, all associated data collected will be immediately destroyed or handed over to you at your request and wherever possible.

**Confidentiality**: All information you supply during the research will be held in confidence and unless you specifically indicate your consent, your name will not appear in any report or publication of the research. Data will be collected in the form of handwritten notes, typed notes and or voice recordings. Confidential information in electronic format will be housed on an external hard drive that is password protected. Hard copies of such information will be kept with the Researcher or locked away at all times. Only the Researcher will have access to this information. Information collected and held by the researcher will be destroyed on December 31, 2017 so as to avoid accidental distribution in the future. If you wish to retain copies of the information you provided, it will be returned to upon request before December 31, 2017. Confidentiality will be provided to the fullest extent possible.

**Conflicts of Interest:** Though the Researcher is conducting this study as a student of Royal Roads University, she has also been working with the Tsleil-Waututh Nation since the fall of 2014 in her job as Public Affairs Officer in BC Hydro's Aboriginal Relations Department. The Researcher openly acknowledges her work on the Aboriginal Relations team is how she has established by relationship with the Tsleil-Waututh Nation. In this study however, the Researcher is acting solely as a student of Royal Roads University. If this is an issue for you, options for addressing this in a way that enables you continue to participate in the study will be explored if you so wish.

**Dissemination of Results:** In addition to submitting the final report to Royal Roads University in partial fulfillment for a Master of Arts in International and Intercultural Communication degree, the Researcher will also be sharing the research findings with the Tsleil-Waututh Treaty, Lands and Resources department. The Researcher may also seek publication of the research data in industry publications related to topics such as natural resource development and to intercultural communication journals to ensure the findings are disseminated to non-Indigenous organizations and the general public.

**Questions About the Research?** If you have questions about the research in general or about your participation in the study, please feel free to contact Emily Cass at the contact information above or the graduate supervisor for this project - Dr. April Warn at *[contact information removed]*. This research has been reviewed and approved by the Royal Roads Ethics Review Board and conforms to the standards of the Canadian Tri-Council Research Ethics guidelines. If you have any questions about this process, or about your rights as a participant in the study, please contact *[name removed]* in the Office of Research at *[contact information removed]*.

**Rights and Signatures**:

I________________________________, consent to participate in the study described above conducted by Emily Cass. I have understood the nature of this project and wish to participate. My signature below indicates my consent.

| ____________________________ | ____________________________ |
|---|---|
| Participant | Date |
| ____________________________ | ____________________________ |
| Principal Researcher | Date |

## Appendix 5: Sample Interview Questions

### Introduction

Do you have any initial thoughts about the topic?
In your own words, could you describe what it is to be a Tsleil-Waututh person

### Relationship with the Burrard Inlet

What is your understanding of the significance of the Burrard Inlet to the TWN peoples?
Can you tell a story that illustrates the significance of the Burrard Inlet to you?
What emotions does thinking about your connection to the Inlet provoke?
What is your biggest worry with regard to the Inlet?

### Stewardship & the Health of the Inlet

What does stewardship mean to you?
In what ways is the health of the TWN people linked to the health of the inlet?
Is there any one change that could be made that would have a significant impact on restoring the health?
How will you know that the health of the Inlet has been restored?
How is traditional knowledge used to support stewardship activities?

### Non-Indigenous Activities in the Inlet

What do you think the role of non-Indigenous organizations is in restoring the health of the Inlet?
What impact do non-Indigenous organizations have or have had on the health of the Inlet?
Talk about examples where TWN has supported and opposed projects within the Inlet.
How is TWN working with industry to encourage an approach to activities in the Inlet that fits within TWN's stewardship vision?
How did you feel when the Trans Mountain Project was approved?

### Collaboration

What do you think contributes to successful collaborations between TWN and non-Indigenous organizations?
What are the biggest challenges and opportunities in collaboration? Can you talk about an example?
Can you talk about the co-management agreements that Tsleil-Waututh has entered into?