

**CONSULTATION AND ENGAGEMENT OF SAHTÚ DENE AND MÉTIS PEOPLE IN  
THE CLOSURE AND RECLAMATION OF THE NORMAN WELLS OILFIELD**

by

Ann King

BA Environmental Studies – University of Regina

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## **Abstract**

After over 100 years of operation, the Norman Wells Oilfield located in the Northwest Territories is beginning the process of closure and reclamation. In negotiating the Sahtú Dene and Métis Comprehensive Land Claim Agreement (1994), Sahtú people have gained more power over environmental decision-making, including directing the goals and outcomes of reclamation projects. A case study approach was used to collect qualitative data over 8 weeks in Fort Good Hope, Northwest Territories and 3 days in Norman Wells, Northwest Territories. Data were collected through 41 semi-structured interviews using open-ended questions with Sahtú people and key informants and an analysis of past engagement records to examine the structures and processes for how Sahtú Dene and Métis have been engaged in the Norman Wells Oilfield project throughout history, and identify opportunities for their meaningful involvement in remediation, reclamation, and monitoring in the future. Findings reveal that past engagement and consultation from Imperial Oil with the Sahtú people has been culturally inappropriate. This has resulted in a loss of trust, violation of Dene principles of reciprocity, and overall ineffective communication. These research findings are intended to contribute to the conversation about the Norman Wells Oilfield closure and reclamation, as well as broader discussions on Indigenous peoples' involvement in environmental reclamation after resource extraction.

## Table of Contents

<b>Abstract</b> .....	ii
<b>List of Tables</b> .....	vi
<b>List of Figures</b> .....	vii
<b>List of Abbreviations</b> .....	viii
<b>Acknowledgements</b> .....	ix
<b>Positionality</b> .....	x
<b>CHAPTER I: INTRODUCTION</b> .....	1
1.2 Research Objectives.....	4
1.3 Thesis Organization.....	4
<b>CHAPTER II: REVIEW OF LITERATURE</b> .....	6
2.1 The Sahtú Dene and Métis and the Norman Wells Oilfield.....	6
2.1.1 History and Legal Context.....	6
2.1.2 Developments in the 21st Century.....	12
2.1.3 Sahtú Dene and Métis Worldviews.....	13
2.2 Community Engagement.....	14
2.2.1 Community Engagement and Consultation in Northern Canada.....	14
2.2.2 Co-management.....	15
2.2.3 Environmental Impact Assessment.....	16
2.2.4 Impact-Benefit Agreements.....	19
2.2.5 Reclamation, Remediation, and Reconciliation.....	20
2.2.6 Engagement vs. Consultation.....	21
2.3 Traditional Ecological Knowledge.....	22
2.3.1 Nomenclature.....	22
2.3.2 TEK in Environmental Management.....	23
2.4 Indigenous engagement in natural resource management reclamation projects in northern Canada.....	26
2.4.1 Natural Resource Management Processes in Northern Canada.....	26
2.4.2 What is Successful Engagement?.....	28
2.4.3 Culturally Appropriate Conceptions of Remediation.....	30
2.4.4 Contending with Power Relations.....	32

2.4.5 Industry Perspectives on Engagement .....	35
2.5 Summary and Knowledge Gap .....	36
<b>CHAPTER III: CASE STUDY .....</b>	<b>39</b>
<b>CHAPTER IV: APPROACH AND METHODS .....</b>	<b>49</b>
4.1 Research Approach .....	49
4.1.1 Community-Based Participatory Research .....	50
4.1.2 Importance of Relationships .....	51
4.1.3 Building Relationships.....	53
4.2 Research Considerations .....	55
4.2.1 Ethical CBPR.....	55
4.2.2 Formal Ethics Considerations .....	56
4.3 Methods .....	57
4.3.1 Data Collection.....	57
4.3.2 Data Analysis .....	61
4.4 Knowledge Mobilization .....	62
<b>CHAPTER V: RESULTS .....</b>	<b>63</b>
5.1 Historical Timeline of Consultation and Regulatory Structures for how Sahtú Dene and Métis people have been engaged .....	63
5.2 Trust .....	72
5.3 Reciprocity.....	73
5.3.1 Environmental Degradation.....	75
5.3.2 Land Rights to the Norman Wells Proven Area.....	75
5.3.3 Financial Costs and Benefits.....	76
5.3.4 Employment.....	78
5.3.5 Overall Balance Sheet.....	79
5.3.6 Indemnification or Reconciliation.....	80
5.4 Cultural Appropriateness.....	82
5.4.1 Relationship-Building.....	82
5.4.2 Format of Engagement .....	83
5.4.3 Reluctance to Speak Publicly.....	84
5.4.4 Elders .....	86

5.5 Evaluating Past Engagement and Consultation .....	87
5.5.1 Frequency and Target of Engagements .....	87
5.5.2 Effectiveness of Engagement and Consultation.....	91
<b>6.0 DISCUSSION .....</b>	<b>94</b>
6.1 Trust .....	94
6.2 Reciprocity.....	95
6.3 Cultural Appropriateness.....	96
6.4 Effectiveness of, and Satisfaction with, Previous Engagement and Consultation.....	99
6.5 Moving Forward .....	100
<b>CHAPTER VII: CONCLUSION .....</b>	<b>103</b>
<b>REFERENCES .....</b>	<b>106</b>
<b>APPENDIX A: AURORA RESEARCH INSTITUTE SCIENTIFIC RESEARCH LICENSE .....</b>	<b>I</b>
<b>APPENDIX B: INFORMATION LETTER AND CONSENT FORM.....</b>	<b>II</b>
<b>APPENDIX C: UNBC RESEARCH ETHICS BOARD APPROVAL.....</b>	<b>VI</b>
<b>APPENDIX D: NORMAN WELLS PROVEN AREA BOUNDARY .....</b>	<b>VII</b>
<b>APPENDIX E: ADAPTED WASTE MANAGEMENT FACILITY IMPERIAL OIL ENGAGEMENT LOG 2015-2021.....</b>	<b>VIII</b>
<b>APPENDIX F : SEMI-STRUCUTRED INTERVIEW GUIDE.....</b>	<b>IX</b>

## **List of Tables**

Table 1 - Population in Communities in the Sahtú Settlement Region. ....	40
Table 2 - Interviewee Demographics for Semi-structured Interviews in Fort Good Hope.....	58
Table 3 - Summary of Historical Timeline .....	71
Table 4 - Cost-Benefit Comparison Table of Imperial Oil and Sahtú People.....	80

## List of Figures

Figure 1 - Esso Resource's oil field expansion project. Source: A Century of Production (n.d.) ...	9
Figure 2 - Pipeline from Norman Wells to Zama, Alberta. Source: National Energy Board of Canada.....	10
Figure 3 - Map of the Sahtú Settlement Area. Source: SLUPB Background Report, 2022. ....	41
Figure 4 - Highway map of Northwest Territories. Blue dashed lines indicate winter roads. Source: GNWT.....	45
Figure 5 - SSI Organizational Structure. Source: SLUPB Background Report, 2022. ....	46
Figure 6 - Employment Rates in the Sahtú region from 1986 through to 2016. Sourced from SLUPB Background Report, 2022.....	48
Figure 7 Interviewee Demographics for Semi-structured Interviews in Fort Good Hope.....	59
Figure 8- Proposed Mackenzie Valley Pipeline and Imperial Oil Pipeline. Source: Marsh & Baker, 2018 .....	65
Figure 9 - Norman Wells Proven Area Boundary. Source: Canada Energy Regulator.....	76
Figure 10 - Fort Good Hope Band Hall. Source: Ann King .....	84
Figure 11 - Target of Imperial Oil's Engagements in Sahtú-Wide, 2015-2021 .....	88
Figure 12 - Target of Imperial Oil's Engagements in Fort Good Hope, 2015-2021.....	88
Figure 13 - Mode of Engagement 2015-2021, Sahtú-wide.....	90
Figure 14 - Number of Engagements by Community, 2015-2021 .....	90
Figure 15 - Party Engaged by Community 2015-2021 .....	91

## List of Abbreviations

ABA	Access Benefit Agreement
C&R Working Group	Closure and Reclamation Working Group
CBPR	Community Based Participatory Research
EA	Environmental Assessment
EIA	Environmental Impact Assessment
EIR	Environmental Impact Review
GNWT	Government of the Northwest Territories
IBA	Impact Benefit Agreement
IK	Indigenous Knowledge
INAC	Indigenous (or Indian) and Northern Affairs Canada
MLA	Member of the Legislative Assembly
MVEIRB	Mackenzie Valley Environmental Impact Review Board
MVLWB	Mackenzie Valley Land and Water Board
MVRMA	Mackenzie Valley Resource Management Act
NEB	National Energy Board
NOAMI	National Orphaned/Abandoned Mines Initiative
NWO	Norman Wells Oilfield
NWPAA	Norman Wells Proven Area Agreement
NWT	Northwest Territories
SDMCLCA	Sahtú Dene and Métis Comprehensive Land Claim Agreement
SLO	Social License to Operate
SLUPB	Sahtú Land Use Planning Board
SLWB	Sahtú Land and Water Board
SRRB	Sahtú Renewable Resources Board
SSI	Sahtú Secretariat Incorporated
TEK	Traditional Ecological Knowledge
TK	Traditional Knowledge
WMF	Waste Management Facility



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## Positionality

Conducting decolonized research requires recognizing my positionality and relationship with power. I am a white researcher and am part of the Western institution of academia. I am a product and beneficiary of settler colonialism. As a white researcher, I must acknowledge that my Western ontology, epistemology, and worldview differs greatly from the positions of my research partners. To appropriately navigate these differing worldviews, I worked hard to build what Kuokkanen calls “multi-epistemic literacy” to reach mutual understanding and produce effective, decolonized research (2007). Though I cannot say for sure whether I achieved that, I can say that I tried very hard. As an outside researcher, I initially faced barriers in gaining people’s trust. I imagine this is largely due to past experiences with other researchers and, of course, ongoing colonialism. On the other hand, my position as a student meant that people understood that I was in the Sahtú, above all else, to learn from Sahtú people.

One Dene woman told me that she would only allow me to quote her if I check with her first, because her “Dene words might not make sense in mowla (white person) ears.” She explained that I might understand the words themselves but might not know what they mean within her cultural context.<sup>1</sup> I have done my best to remember this throughout my research by imagining myself as an interpreter of Sahtú stories, not as a storyteller myself.

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<sup>1</sup> I did, of course, check with her before including this quote.

## CHAPTER I: INTRODUCTION

The Norman Wells oilfield is in the Sahtú Dene and Métis region of the Northwest Territories, Canada. Norman Wells is Canada's longest-operating conventional onshore oilfield (A Century of Production, n.d.). Imperial Oil is currently planning for the closure and reclamation of the Norman Wells oilfield.

The Sahtú people are a Dene First Nations and Métis people spread across five communities totaling approximately 2,600 people (Statistics Canada, 2022a-e). In 1994, the Sahtú people successfully negotiated a land claim with the Canadian federal government that affords them considerable power over environmental decision-making (Sahtú Dene and Métis Comprehensive Land Claim Agreement [SDMCLCA], 1994; Smart, 2014). At the start of the oil production and transportation in the region, there was limited engagement with Dene or Métis. Today, the Sahtú Dene and Métis Land Claim Agreement enforces consultation with the Sahtú people in resource development on their lands (Smart, 2014). Integral to the processes of engagement are traditional ways of participating in decision and activities related to non-renewable resource extraction on Sahtú lands including the role of traditional knowledge (SENES Consultants Limited, 2009). For Sahtú people, the concept of traditional knowledge is called "Dene hé Métis hé náoweré." Sahtú people view humans and other-than-humans as tied together in a complex web of relations, bound by relationships based on respect and reciprocity. It is a worldview informed by lived experience, and passed on through stories to share understanding, wisdom, and spirituality. This impacts the way they perceive and interact with the land and its resources and influences the preferred outcomes of resource management decision-making processes when Sahtú people are involved (SENES Consultants Limited, 2009).

Previous research about Indigenous engagement in resource extraction and environmental decision-making tends to focus on the efficacy of integrating Traditional Ecological Knowledge and Indigenous perspectives (Bainton & Holcombe, 2018; Barnard-Chumik et al., 2022; Bernauer, 2020; Bosgoed et al., 2014; Ellis, 2005; Keats & Evans, 2020; Stevenson, 1996) in early project stages, with a few notable exceptions which focus on the later stages of resource extraction projects (Beckett, 2021; Cassady, 2007; Joly, 2017; Udofia et al., 2015). There are few works that examine Indigenous experiences and perceptions of consultation processes (Hipwell et al., 2002; Youdelis, 2016). Carly Dokis' research has examined processes of engagement between resource extraction proponents and the Sahtú people, which revealed a lack of consideration for Sahtú worldviews and traditional knowledge (Dokis, 2010, 2015). This work highlighted a need to reconsider how consultation and engagement in non-renewable resource extraction proposals happens in the Sahtú region. Dokis suggests that proponents should build a deep, wholistic understanding of Sahtú worldviews, and the values and lifestyles of Sahtú people, then allow this deepened understanding to inform consultation processes. Dokis argues that this understanding, when applied to engagement and consultation practices between proponents and locals, is the basis for meaningful consultation (2015). Other literature examines resource extractivism not just as a material project, but as a political and ideological extension of colonialism. For example, Willow (2016) highlights the practice of suppressing Indigenous claims to further the project of extractivism using the Western ideology of land as a resource to exploit. Westman (C.N. Westman, 2013) even contrasts resource extraction against northern Indigenous conceptions of reciprocity and notes that these different worldviews create mismatched priorities in remediation.

Due to the Sahtú Dene and Métis Comprehensive Land Claim Agreement (1994), Sahtú people have been given more control over their lands and resources. Despite its presence in the region for over 100 years, the upcoming reclamation and closure of the Norman Wells Oilfield is subject to the relatively new environmental decision-making processes set out by the land claim. The processes and mechanisms implemented by the SDMCLCA have not yet been used in a remediation of this scale. This research idea came when a regulator at the Sahtú Land and Water Board approached my supervisor. Our initial conversations revolved around how the SDMCLCA had been activated and leveraged, what barriers existed to its activation, and to what extent Sahtú people understood the land claim. We wondered if there were other settlement regions that had been more or less successful in leveraging their land claim to its fullest extent. We also wondered about whether there was somewhere else in northern Canada where a remediation had happened post-land claim when the construction had happened pre-land claim. One conversation I had with an Imperial Oil employee summed up the issue succinctly: “there is no analogue to this case” (pers. comm Jaclyn Mersereau, 20 July 2022).

Presently, academic and grey literature primarily focus on biophysical, technical, and environmental aspects of reclamation and remediation (Aislabie et al., 2004; Camenzuli et al., 2013; Camenzuli & Freidman, 2015; Filler et al., 2009; Jorgenson et al., 2003; Kalinovich et al., 2008; Leewis et al., 2013; Mair et al., 2013; Malaklhova et al., 2021; Mumford et al., 2013; Naseri et al., 2014; Prince et al., 2003) while largely neglecting cultural, spiritual, and social considerations. There is very little research regarding community engagement in reclamation (excepting e.g. Bainton & Holcombe, 2018; Dance, 2015; NOAMI 2003), with even less work focusing on Indigenous and Northern experiences with engagement and consultation in these processes (Joly, 2017; Hipewell et al., 2002; O’Faircheallaigh & Lawrence, 2019; Tsosie, 2015;

Youdelis, 2016). To achieve reclamation and remediation that meets the needs of Indigenous communities and furthers reconciliation efforts, meaningful community engagement and consultation is required. Further, to achieve truly meaningful consultation in any project, standards and processes of engagement must be informed and directed by local cultures (Beckett and Keeling, 2019; Dance, 2015; Dokis, 2015; Hipwell et al., 2002; Joly, 2017; Muller, 2008).

This research responds to this gap by examining the Norman Wells Oilfield case study using qualitative methods to examine the processes of engagement and roles of Sahtú Dene and Métis knowledge and perspectives for their traditional territory as the reclamation and closure of the Norman Wells Oilfield proceeds.

## **1.2 Research Objectives**

1. Review how Indigenous peoples living in northern Canada have been engaged in natural resource management reclamation projects to identify best practices.
2. Examine the structures and processes for how Sahtú Dene and Métis have been engaged in the Norman Wells Oilfield Development reclamation and closure.
3. Identify opportunities for the meaningful involvement of Sahtú Dene and Métis in the closure, remediation, and reclamation of the Norman Wells Oilfield.

## **1.3 Thesis Organization**

This thesis is organized into seven chapters, with this introduction being the first. Chapter two reviews literature from relevant bodies of scholarship to situate the research within current and seminal scholarship and to identify knowledge gaps. Chapter two also responds to Research Objective 1. Chapter three outlines the case study location of Fort Good Hope, NT, and provides context for the research I have conducted. Chapter four describes the research methodology by outlining the approach, considerations, methods for collection and analysis, and plans for

dissemination. Chapter five shares the research results thematically, with particular focus on trust, reciprocity, and cultural appropriateness, to respond to Research Objective 2. Chapter six offers a discussion to interpret, qualify, and position the findings and respond to Research Objective 3. This thesis is concluded in chapter seven, which provides a summary of the research findings, the academic and practical contributions of this research, and defines the limitations of the research while identifying opportunities for further research.

## **CHAPTER II: REVIEW OF LITERATURE**

This chapter reviews relevant seminal and recent literature within which my research is situated. It begins with an outline of the Sahtú region's history and gives legal context for the region's environmental management framework. This is followed by a review of existing literature on community engagement in environmental management and resource extraction. These analyses will be followed by a review of the concept of Traditional Ecological Knowledge, with special attention paid to Traditional Ecological Knowledge held by the Sahtú Dene and Métis people. Finally, it responds to Objective 1 by outlining Indigenous peoples' engagement in resource reclamation and remediation projects in Northern Canada. The final section highlights research opportunities and gaps in knowledge to date.

### **2.1 The Sahtú Dene and Métis and the Norman Wells Oilfield**

#### ***2.1.1 History and Legal Context***

The Sahtú Dene peoples have lived in a region of what is now known as the Northwest Territories from time immemorial. For thousands of years, the Dene peoples of the region thrived in the unforgiving arctic environment, hunting and fishing for subsistence.

The past centuries have been an era of enormous transformation for the region. The Dene had been connected to the fur trade via the Mackenzie River for quite some time. When Scottish settler Sir Alexander Mackenzie came upon the region in 1789, the fur trade began to explode, and monumental change took place for the Dene peoples. As settler Canadians arrived in droves to take part in the burgeoning fur trade, many had children with Sahtú locals; these children are the ancestors of the present-day Sahtú Métis (Auld & Kershaw, 2005).



Canada's Confederation established federal and provincial systems of government and power in the *Canadian Constitution Act* (1867). Over the decades that followed Confederation, the federal government of Canada acquired the present-day Northwest Territories from Hudson's Bay Company, which established Canada's first territory in 1870. Just six years later, *The Indian Act* (1876) was created, which established a legal framework to guide and dictate the relationship between the Canadian federal government and "Indian" peoples.

After nearly 140 years, the availability and demand for fur began decreasing. In 1920, as trapping was becoming less lucrative, Imperial Oil drilled a discovery well and struck oil. This discovery brought new waves of southern Canadians northward in a rush to capitalize on the resource.

To clarify resource and land rights following this discovery of oil at Norman Wells, the Crown negotiated Treaty 11 in 1921. However, the Dene people "did not understand the Treaty to be extinguishing title to their traditional lands" (Auld & Kershaw, 2005), while the Canadian government viewed the treaty as a large-scale land surrender that "brought Indigenous people under the jurisdiction of the Dominion of Canada and its laws" (Crown-Indigenous Relations and Northern Affairs Canada, 2020). This fundamental disagreement about the nature of Treaty 11 culminated in 1977, when a decision by the Supreme Court of the NWT ruled that "there was sufficient doubt on the facts that Aboriginal Title was extinguished" (*Paulette et al. v the Queen*, 1977). The decision forced the federal government to reevaluate its approach in the Northwest Territories.

In 1974, shortly before the Supreme Court of Canada made this decision, the federal government tasked Justice Thomas Berger to lead an inquiry into the possible economic, social, and environmental impacts of a proposed pipeline and energy corridor that would connect the

western Arctic to southern Canada. Today, the inquiry he conducted is held as a shining example of community engagement, incorporation of traditional ecological knowledge, procedural justice, and participatory resource management (Goudge, 2016). His investigation, dubbed The Berger Inquiry, is the foundation on which modern environmental assessment in Canada's North is built.

The process was impressive. Berger held both formal and community hearings, which allowed any interested stakeholder to participate in a way that was meaningful and productive. Judge Berger travelled thousands of kilometers through the Canadian arctic, visiting 35 communities to “hear evidence given in eight languages” (Gamble, 1978). The style of the community hearings was extremely informal and was conducted in a way that was in keeping with local Indigenous tradition (Goudge, 2016). The results of hearings were broadcast over CBC radio in English, as well as eight northern Indigenous languages, in order to link communities of the north and south to the inquiry as it happened (Gamble, 1978). Participant funding was supplied by the Inquiry to give all people, regardless of where they lived, a chance to travel to meet with the inquiry. Formal hearings were conducted in southern Canada as well, which ultimately allowed all citizens to participate— this resulted in over 40,000 pages of transcript from the entire inquiry (Dokis, 2015; Goudge, 2016).

Among other conclusions Judge Berger made in his report, two stand out: first, that the pipeline should be postponed by 10 years to allow land settlement claims time to proceed. Second, that the public should view the Canadian arctic not as a “frontier” to be exploited, but as a “homeland.” This important distinction is emphasized in the title of the first volume of the report: *Northern Frontier, Northern Homeland* (Berger, 1977). The federal government heeded Berger's recommendation, choosing to delay the Mackenzie Valley Gas project for 10 years.

Even so, just three years later, the Norman Wells Oilfield Development and Expansion Project was proposed. This proposal included a massive expansion of the capacity of the oilfield, increasing capacity from 180,000m<sup>3</sup>/year to 1,500,000m<sup>3</sup>/year (Bone, 1992). Importantly, this expansion meant building 6 artificial islands in the middle of the Mackenzie River (see Figure 1) and constructing an 870-km pipeline from Norman Wells, Northwest Territories to Zama, Alberta, now owned by Enbridge (see Figure 2) (Bone & Mahnic, 1984; DiFrancesco,1996). The Environmental Assessment Review Panel of Canada recommended that the project be delayed until 1982 to allow for more time for land claim settlements, which still allowed construction to begin only five years after Berger's 10-year moratorium was recommended.



Figure 1- Esso Resource's oil field expansion project. Source: *A Century of Production* (n.d.)

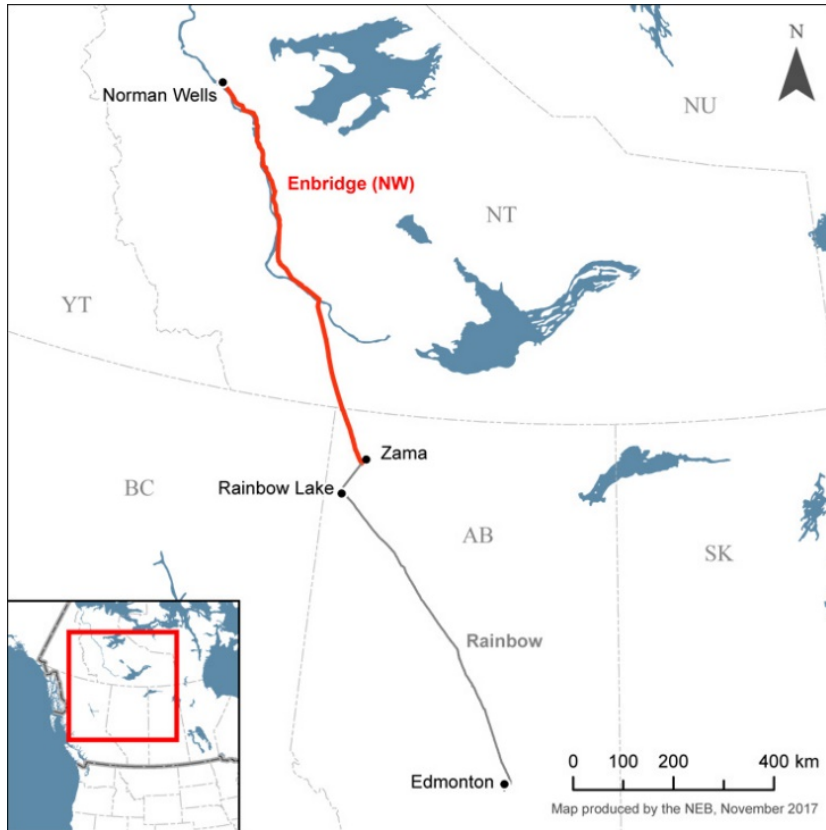


Figure 2 - Pipeline from Norman Wells to Zama, Alberta. Source: National Energy Board of Canada

In 1982, the *Canadian Charter of Rights and Freedoms* affirmed existing aboriginal and treaty rights and a wave of comprehensive land claim agreements followed in the North. It was during this period that the *Sahtú Dene and Métis Comprehensive Land Claim Agreement* (SDMCLCA) (1994) was created. Among many other things, this agreement gives the Sahtú Dene and Métis title to land, allocates various subsurface rights, affirms the right of Sahtú Dene and Métis people to participate in the economy, affirms hunting and fishing rights, and grants the Sahtú Dene and Métis people the right to participate in environmental management decisions affecting their territory. The SDMCLCA also enables the Sahtú's five communities to negotiate community-based self-government agreements at a local level. With environmental management now landing outside of federal jurisdiction, the *Mackenzie Valley Resource Management Act*

(Mackenzie Valley Resource Management Act [MVRMA], 1998) emerged to provide a management structure and process that mirrored Berger's.

Between the MVRMA and the SDMCLCA, three co-management boards were established to give Indigenous peoples in the Northwest Territories influence in resource development and management. The MVRMA and SDMCLCA established three co-management boards to empower residents of the Mackenzie Valley to participate in the management of their resources (MVRMA, 1998:9).<sup>2</sup>

First, the Sahtú Renewable Resources Board (SRRB) was established in Section 13 of the SDMCLCA “To be the main instrument of wildlife management in the settlement area.” (SDMCLCA, 1994:57)<sup>3</sup>.” Second, the Sahtú Land Use Planning Board (SLUPB) was established by the MVRMA in Section 38 “To protect and promote the social, cultural and economic well-being of residents and communities in the settlement area” (MVRMA, 1998:17)<sup>4</sup> by creating and adopting a land use plan that provides for the “conservation, development and use of land, waters and other resources in a settlement area” (MVRMA, 1998:19)<sup>5</sup>.” Finally, the Sahtú Land and Water Board (SLWB) was established by Section 56 of the MVRMA to “regulate the use of land and waters and the deposit of waste so as to provide for the conservation, development and utilization of land and water resources in a manner that will provide the optimum benefit for residents of their respective management areas and of the Mackenzie Valley and for all Canadians” (MVRMA, 1998:29)<sup>6</sup>. Together, these co-management boards enable the participation of Sahtú beneficiaries in resource management decisions.

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<sup>2</sup> MVRMA, 1998, Section 9.1

<sup>3</sup> SDMCLCA, 1994, Section 13.8.1 (a)

<sup>4</sup> MVRMA, 1998, Section 35 (a)

<sup>5</sup> Ibid. Section 41 (2)

<sup>6</sup> Ibid. Section 58

Three notable Supreme Court of Canada decisions—*The Haida* (2004), *Taku River* (2004), and *Mikisew Cree* (2005)—established the Crown’s duty to consult and, where appropriate, accommodate Indigenous peoples when any proposed conduct might adversely impact potential or established Indigenous or Treaty rights as enshrined in section 35 of the *Canadian Constitution Act* (1982). These decisions also established that the administrative duties of this consultation may be delegated, but that the duty flows from the “honour of the Crown,” and thus responsibility ultimately rests with the federal government.

### ***2.1.2 Developments in the 21st Century***

The *Northwest Territories Devolution Act* (2014) marked a monumental shift in the territory’s power structure. Devolution meant a withdrawal of federal power from the territory, granting the Government of the Northwest Territories (GNWT) more province-like powers. Among other things, the Devolution Act ensures territorial ownership of Crown lands and resources, and guarantees that a portion of revenue from resource extraction is shared with the GNWT.

Imperial Oil is currently planning for the closure and reclamation of the Norman Wells oilfield, as evidenced by the 2016 publication of an Interim Closure and Reclamation Plan. Imperial Oil previously indicated an intention to close the field between 2021 and 2026 (Quenneville, 2016), however, have indicated an intention to apply for a renewal in 2025 (Lamberink, 2023).

Given the relatively new and untested nature of the framework that guides environmental decision making in the Sahtú region and considering the shifting regulatory landscape over the lifetime of the project, the community does not have a true precedent for this situation. As resource extraction projects continue to wind down in the Northwest Territories, it will be

necessary for the Sahtú people to develop strategies for safeguarding their rights and land in processes of reclamation and closure.

### ***2.1.3 Sahtú Dene and Métis Worldviews***

Sahtú people view humans and other-than-humans as tied together in a complex web of relations, bound by relationships based on respect and reciprocity. Nature— land, water, humans, air, and animals—is sentient. All beings hold power, agency, and value, as all are equal (Dokis, 2015). Sahtú Dene and Métis identity is “tied directly to the landscape” (Sahtú Heritage Places and Sites Joint Working Group, 2000:18). These worldviews and knowledge are called “Dene hé Métis hé náoweré” in North Slavey. It is important to recognize that there is much cultural diversity within even the Sahtú region. There are four distinct groups: K’ahsho Got’ine (Hare people), the Shita (or Shuta) Got’ine (Mountain people), the K’áálq Got’ine (Willow Lake people), and the Sahtú Got’ine (Sahtú people). Almost all of my work was with the K’ahsho Got’ine people of Fort Good Hope. I occasionally make generalizations about Sahtú people as a whole, but am aware of the intracultural differences within the Sahtú.

Dene peoples in the Northwest Territories strive to live by the Dene laws, and hold sharing, respect, caring, equality, self-respect, and pride as their core values. Dene principles include a responsibility to care for the land and its resources for future generations, value the opinions of all people, and to treat every living being equally (Dehcho First Nations, 2021). The understanding that knowledge, identity, and land are intertwined for Sahtú Dene and Métis people should make the importance of caring for the environment very clear.

It is necessary to recognize that this worldview impacts how Sahtú people engage with proposed resource extraction projects, as caring for the land means more than ensuring continued survival; it also means caring for culture, other beings, knowledge, and family.

## **2.2 Community Engagement**

### ***2.2.1 Community Engagement and Consultation in Northern Canada***

Indigenous peoples have historically been left out of discussions surrounding resource management that affect them and their lands (Booth & Skelton, 2011; Dokis, 2015; Thompson et al., 2020). Owing to continued legal recognition and progress towards self-determination, however, Indigenous groups in Northern Canada are now gaining increasing power in environmental decision-making.

This increased power is leveraged in varying ways; one major mode of Indigenous power-leveraging seen in Northern Canada is co-management boards, which oversee various aspects of environmental decision-making. Co-management boards “constitute a signal improvement for aboriginal people in terms of both their formal involvement in governmental processes and consideration of their interests and preferences” (White, 2008:71–72). Another is negotiating access-benefit agreements (ABAs) or impact-benefit agreements (IBAs). Public participation in environmental decision-making processes is known to facilitate positive outcomes (Diduck et al., 2015; O’Faircheallaigh, 2009).

When a development is proposed, the appropriate co-management board must perform preliminary screening process. In cases where preliminary screening determines that the proposed development “might cause significant adverse impacts on the environment or be a cause for public concern,” (MVRMA, 1998:100)<sup>7</sup> the project is referred to Environmental Assessment, and sometimes to a more thorough process called Environmental Impact

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<sup>7</sup> MVRMA, 1998. Section 125(2)(a).



Assessment. These impact reviews are subject to the judgement of co-management boards, which ultimately approve or deny proponents.

### ***2.2.2 Co-management***

There are various definitions and iterations of co-management: while best studied in Australian and Canadian contexts, these arrangements exist worldwide. Commonalities between definitions and arrangements generally include integration of many levels of management, from local- to state-levels, and that co-management regimes are intended to share power and responsibility between governments and local resource users (Berkes et al., 1991; Carlsson & Berkes, 2005; Plummer & FitzGibbon, 2004). As such, co-management can be broadly characterized as an “approach to governance” (Carlsson and Berkes, 2005).

Legislation requires that each co-management board in the Sahtú Settlement Region comprises five members and a chairperson, two of whom must be appointed by the Sahtú First Nation and one appointed by the territorial Minister (MVRMA 56(2)). While the co-management boards in the NWT provide for Indigenous engagement, they are not an approach to Indigenous self-government, nor are they federal or territorial boards. These land claims boards are “institutions of public government” that “exist at the intersection of the three orders of government within Canada: federal, provincial/territorial, and Indigenous” (White, 2020:4).

Co-management regimes are certainly imperfect. Nadasdy (2003) writes that co-management forces Indigenous peoples into a system that may be incompatible with Indigenous value systems (see also Baker & Westman, 2018; Bayha, 2012; Berkes et al., 1991; Houde, 2007). He argues further that co-management may serve only to perpetuate and reproduce colonial authority, as the structure is underpinned by Western values and worldviews about the environment (see also Coulthard, 2014; Hall, 2013). Some claim that state-Indigenous

relationships are too tumultuous for co-management regimes to create a truly meaningful platform for engagement, or that the Canadian government is unwilling to relinquish power to an extent that would make co-management regimes effective (Carlsson & Berkes, 2005; R. Hall, 2013; Natcher et al., 2005; Sandström et al., 2014).

That said, co-management has undeniably assisted Indigenous peoples “in regaining considerable influence over the management of resources they depend upon” (Notzke, 1994:187). Other scholars agree that despite its shortcomings, co-management has afforded significant decision-making power to Indigenous peoples and has facilitated the creation of just processes and policies (Armitage, 2005; Natcher, 2001; White, 2020).

Berkes (1994) lays out a continuum modelled after Arnstein’s Ladder (1969), which characterizes the level to which power is being shared in a co-management regime. The scale ranges from state control or “centralized” at one end, through to instructive, consultative, cooperative, advisory, informative, and finally self-management regimes, where local resource users hold decision-making power. White (2020:13) characterizes northern Canadian land claims-based co-management regimes as giving locals considerable decision-making power, near the “self-management” end of the spectrum.

### ***2.2.3 Environmental Impact Assessment***

Environmental Impact Assessment (EIA) is a process meant to “identify and evaluate the potentially significant environmental and social impacts of development projects” (Wood, 2008).

In the Sahtú settlement region, all proposed development projects must undergo a preliminary screening by co-management board to determine whether the “development *might* have a significant adverse impact on the environment or might be a cause of public concern” (MVRMA sec. 125, emphasis added). If the appropriate co-management board determines that a

development *might* indeed have an impact or cause public concern, the proponent is required to perform an Environmental Assessment (EA). This referral happens in approximately 5% of cases (Mackenzie Valley Review Board, 2023). EAs help to determine whether a proposed development is *likely* to have an adverse impact, and the EA process has built-in requirements for community consultation. If the board determines that impacts are *likely*, which happens in less than 1% of EAs, projects are referred to a more comprehensive review process, called an Environmental Impact Review or Assessment (EIR/EIA). EIR/EIAs also require community consultation (Mackenzie Valley Review Board, 2023).

At any point in the process, a board may approve a project, approve with certain conditions, or require further research from the proponent. Literature generally refers to this entire process as Environmental Impact Assessment (EIA).

Udofia et al. call EIA successful when it is “a participatory, comprehensive, and transparent process resulting in development that delivers benefits to local communities” (Udofia et al., 2015:99). Other scholars agree that EIA as a process requires extensive public participation and public inclusion in decision making (Fitzpatrick et al., 2008; Sinclair & Diduck, 2005; Stewart & Sinclair, 2007). As for comprehensiveness and transparency, involvement from co-management boards throughout the process is meant to ensure that proponents consider aspects of assessment deemed important by the Sahtú people.

Despite “formidable barriers to participation” (Diduck & Sinclair, 2002:583; see also Booth & Skelton, 2011; Dokis, 2015; Stewart & Sinclair, 2007) communities in the Arctic play a much larger role in the EIA process than in federal or provincial EIA (Sinclair and Doelle, 2010).

Successful EIA requires positive, sustained, meaningful engagement from all stakeholders (Bosgoed et al., 2014; Carter, 2010; Larsen, 2018; Udofia et al., 2015), which

requires more than simply meeting minimum legal requirements. Requirements for engagement must be broadly interpreted and situated within the context of place to produce positive and equitable outcomes. Exactly what minimum consultation entails is unclear:

*The Supreme Court of Canada has been reluctant to define the parameters of what constitutes minimal consultation, preferring instead to establish a general framework whereby the duty to consult, and where appropriate accommodate, Aboriginal groups is discussed in general—but not universally binding—terms. (Dokis 2015:284)*

Perhaps this lack of clarity is due to the difficulty of establishing specific guidelines for consultation for such varied groups of peoples. Indigenous communities in Canada have developed distinct social, cultural, and legal traditions, rooted in varied historical and geographic contexts. For this reason, strategies for community engagement cannot be universally applied. Instead, they must be adapted to the specific context where it is taking place. Without place-based considerations, more generic “protocols can be abused [...] when steps, rules and standards dictate engagement as a predetermined task to be uncritically completed” (Muller, 2008). Unfortunately, some proponents focus “too much on meeting legal requirements of consultation and not enough on the meaningful inclusion of Indigenous input” (Udofia et al., 2015).

The Sahtú Land and Water Board assesses the timing, involved parties, and results of community engagement when ruling on whether a project may proceed. Dokis (2015) wrote a book detailing the consultation process for the proposed Mackenzie Gas Project with the Sahtú Dene and Métis people in 2006. While the proponents fulfilled the minimum legal requirements of consultation, they failed to engage in a culturally appropriate manner with Sahtú people.

Some hold that EIA does not allow for Indigenous peoples to have control over whether or not a project proceeds (Bernauer, 2020; Diduck & Sinclair, 2002; Papillon & Rodon, 2017; Petts, 1999; Thomas et al., 2018). A review of 65 Canadian EIAs (Collard et al., 2020) showed that all but one project with potential impacts on caribou were approved on the grounds that

proponent's mitigation measures would render effects of the development insignificant or that proceeding despite likely impact was of national interest. EA allows for Indigenous peoples to have influence over direction and outcome of projects (Larsen 2018). In this way, EIA can be used as a tool to “produce consent” (Bernauer, 2020; see also Baker & Westman, 2018; Rivera, 2021) when there is an assumption that projects will proceed, and EIA is the process with which the conditions of proceeding are established. This is compounded by Sahtú Dene culture, where saying ‘no’ can be rude, and one must find polite and subtle ways to voice dissent (Brown, 2014; Dokis, 2015:59). As such, EIA must be undertaken with great knowledge of, and consideration for, local context and culture.

#### ***2.2.4 Impact-Benefit Agreements***

Impact Benefit Agreements (IBAs) “are privately negotiated agreements, typically between extractive industries and community organizations, in which government is relegated to an external observational role” (Caine & Krogman, 2010:277). Impact Benefit Agreements (IBAs) supplement the EIAs mandated by land claims: they are not replacements, but are parallel processes. Most commonly, IBAs are concerned with economic and employment benefits for a community, though other social and cultural concerns are sometimes included (Caine & Krogman, 2010; Cameron & Levitan, 2014; Sosa & Keenan, 2001).

IBAs are most often accompanied by confidentiality agreements which, Caine and Krogman argue, works to “stifle the ability of Aboriginal groups to organize around their collective interests” (2010:89). The secrecy and lack of wider community involvement can also inhibit long-term thinking about the scale and direction of future developments and land usage, and their subsequent impacts (Caine & Krogman, 2010; Dokis, 2015).

While some view IBAs as a direct form of engagement that ensures benefits accrue to both communities being impacted and to industry, others question the assumption that IBAs are inherently positive and view them as a problematic tool that can perpetuate environmental injustices (Caine & Krogman, 2010; Cameron & Levitan, 2014; Hitch & Fidler, 2007). Current literature on IBAs tends to focus on “best practices” (Cascadden et al., 2021 provides a list of 30 such articles) and the importance of adapting these agreements to their local contexts (Loutit et al., 2016).

IBAs can garner great benefits for a community, but outcomes are difficult to analyze given the often-secretive nature of IBAs. This makes it difficult to determine the success of IBAs as a whole (Caine & Krogman, 2010; Cascadden et al., 2021; O’Faircheallaigh, 2003, 2009; Sosa & Keenan, 2001). Further, there is no mechanism to ensure implementation of IBAs. This lack of enforcement has led to some scholars suggesting that many Indigenous peoples are unsatisfied with the outcomes of IBAs (Caine & Krogman, 2010; Dokis, 2015; O’Faircheallaigh, 2003; Siebenmorgen & Bradshaw, 2011).

### ***2.2.5 Reclamation, Remediation, and Reconciliation***

Project closure is part of the normal life cycle of resource extraction projects, where the project site is remediated or reclaimed. While the terms are used almost interchangeably, remediation and reclamation do have different definitions. *Remediation* is the process of containing contaminants in order to minimize risk to people and the environment; it tends to carry connotations of containment and management of toxins and contaminants (Beckett & Keeling, 2019; Dillon, 2014; Nunn, 2018). *Reclamation* is returning a site to a ‘pre-disturbance’ state in whatever capacity possible and is the term most commonly used in Canada’s North (Beckett, 2021; Lima et al., 2016). Imperial Oil is using the language of “reclamation” in its

plans, indicating that their work aims to go beyond simple containment and onto returning the land to its previous state.

Existing literature on remediation and reclamation largely considers the technical and environmental aspects of remediation, largely ignoring the cultural and spiritual aspects (Tsosie, 2015). There is an emerging body of scholarship regarding the social aspects of remediation and reclamation (Bainton & Holcombe, 2018; Beckett, 2021). This engagement must be done in a culturally appropriate manner in order to achieve cultural, spiritual, and technical site reclamation.

### ***2.2.6 Engagement vs. Consultation***

Engagement and consultation are often used interchangeably, though they have different definitions. Engagement is a long-term, overarching strategy of creating and maintaining community relationships and can take a variety of forms. Engagement “aims to build relationships and trust by exchanging information” (Stratos Inc., 2022:6), but is not legally mandated. The Mackenzie Valley Land and Water Board (MVLWB) Engagement Guidelines (MVLWB, 2019:8) asserts that engagement “assists the applicant in developing an understanding of the social, cultural, and environmental conditions in the area,” and “aims to build relationships and trust by exchanging information in the absence of legal consultation obligations.”

On the other hand, consultation is a legal requirement that engagement can help fulfill. The MVRMA defines consultation nearly identically to the SDMCLCA (1994:3, emphasis added),<sup>8</sup> as:

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<sup>8</sup> SDMCLCA, 1994: Section 2.1.1(a)-(c)

- (a) the provision, to the party to be consulted, of notice of a matter to be decided in sufficient form and detail to allow that party to prepare its views on the matter;
- (b) the provision of a reasonable period of time in which the party to be consulted may prepare its views on the matter, and provision of an opportunity to present such views to the party obliged to consult; and
- (c) *full and fair consideration by the party obliged to consult of any views presented.*

## **2.3 Traditional Ecological Knowledge**

### ***2.3.1 Nomenclature***

Traditional Ecological Knowledge (TEK) is “all types of knowledge about the environment derived from experience and traditions of a particular group of people” (Usher, 2000:185). Ethnographic and anthropological literature identifies that identity, power, personal experience, and knowledge are intertwined for Sahtú Dene and Métis people (Dokis, 2015). In the Sahtú Region, the concept of traditional knowledge is called “Dene hé Métis hé náoweré” and is more than just data – it is a worldview composed of shared stories, wisdom, and spirituality that is passed on orally and informed by lived experience (Gargan, 2004; SENES Consultants Limited, 2009).

For example, without the context of place and experience, a list of hunting and trapping locations by their Dene names is nearly devoid of meaning: the ability to read animal behaviour, understand weather patterns, perform sustainable harvesting practices, and honour the spirituality and cultural importance of a place are just a few examples of knowledge that constitute TEK, and that cannot be well-understood without specific, place-based experience. Further, to be valid



or useful, this knowledge must be situated within the larger framework of Sahtú Dene and Métis values, ontologies, and epistemologies (Gargan, 2004). “The traditional environmental knowledge of the Dene combines ecology and ideology in a harmonious relationship” (Johnson et al., 1992).

When discussing Traditional Ecological Knowledge, some will exclude the word “ecological,” instead referring to it as Traditional Knowledge (TK) (Mackenzie Valley Environmental Impact Review Board [MVEIRB], 2005). TK is a broader, less-environmentally specific type of knowledge than TEK. Some find that the term “traditional” implies that TEK is archaic and unchanging, failing to acknowledge the adaptability of the knowledge (Stevenson, 1996). Others insist on using the word “traditional” as it shows the ancient roots of this kind of knowledge (Nickels, 1999) and emphasizes the idea that knowledge is passed through generations (Brant Castellano, 2000; Hobson, 1992). Still, others use the term Indigenous Knowledge (IK), though Usher (2000) points out that not all Indigenous people hold TEK, and that TEK can be held by any person regardless of ethnicity or culture. Consequently, IK is not necessarily an appropriate term. Due to its widespread academic usage, I will refer to this knowledge as Traditional Ecological Knowledge, or TEK, though with the understanding that it is an imperfect term.

### ***2.3.2 TEK in Environmental Management***

The MVRMA requires that TEK be gathered and incorporated into Environmental Impact Assessment (EIA). Incorporating TEK into environmental management decisions creates opportunities for improved environmental management outcomes, both socially and biophysically.

First, integrating TEK into environmental management decisions leads to a more efficient, sustainable, and informed decision-making process by drawing on a dynamic body of knowledge developed over generations, and by considering the values and knowledge of those with an intimate understanding of the environment (Usher, 2000).

Second, integrating TEK is crucial to ethical, equitable environmental management. It acknowledges the validity and relevance of a knowledge system that has historically been discounted and ignored (Houde, 2007; Usher, 2000).

Third, considering this generations-old, adaptable, and dynamic knowledge can aid not only in identifying potential environmental impacts as understood by local people, but also in devising successful mitigation strategies for those issues (Stevenson, 1996). For example, without TEK, project proponents conducting EIA are likely operating from a Western ontology that separates humans from nature, instead of viewing nature and humans as interconnected as the Sahtú Dene do. It is easy to see, then, how a resource extraction proponent may fail to identify what effects will be experienced by locals (Dokis, 2015:76).

There is a spectrum of beliefs, knowledge systems, and values held by Indigenous peoples and all Canadians. Such varied ontologies and epistemologies can mean that processes of environmental management created within Western worldviews may fail to accommodate knowledge that is situated in an Indigenous worldview. While some warn that combining these “incompatible” worldviews within a co-management regime may not be possible (Houde, 2007), recognizing and engaging with these differences can indeed lead to successful co-management arrangements (Natcher et al., 2005).

There are issues with operationalizing TEK in environmental management processes because of the varied social, geographic, political, economic, and historical factors that apply to

each Indigenous community in Canada. There is no “one size fits all” approach to gathering or incorporating TEK. It is extremely specific to the context within which it is generated, and cannot be extracted from its holder, nor easily shared with those who do not fully understand its cultural, ontological, epistemological, and ecological context (Baker & Westman, 2018; Houde, 2007; Pearce, 2018; Stevenson, 1996).

Academics hold varying perspectives on the best ways to discuss, collect, and integrate TEK into research and environmental management decisions. Some resist the notion that TEK — which, in the Sahtú, is mostly shared orally through story or shared experience — can be recorded in writing. They argue that this removes its cultural context, and therefore its meaning, as it is no longer situated within the value system in which it was generated (Dokis, 2015; Houde, 2007; Notzke, 1994; Usher, 2000).

Some argue that the very act of collecting TEK for environmental assessment is an extractive process that violates Indigenous principles of reciprocity (Baker & Westman, 2018). Further, some Indigenous people are hesitant to share their TEK, as there is no way to ensure how it may be interpreted, understood, and applied once it is taken from its original context (Stevenson, 1996; Usher, 2000; Wenzel, 1999). Risks include appropriation of knowledge, delegitimization by Western scientists, and unclear ownership of the knowledge once it is shared (Stevenson, 1996; Usher, 2000). A nuanced and specific understanding of local history, culture, ontology, epistemology, spirituality, norms, and law is crucial to the success of integrating TEK into co-management regimes (Baker & Westman, 2018; Carter, 2010; Dokis, 2015; Hill et al., 2012; Notzke, 1994).

While incorporating TEK into EIA processes is mandated by the MVRMA, some argue that this requirement can lead to tokenistic collection of TEK without meaningful integration

(Huntington, 2000). The requirement to incorporate TEK is often met by collecting data and factual observations that complement Western scientific knowledge, rather than situating Western data within Indigenous ontologies or epistemologies (Houde, 2007; Huntington, 2014; Pearce et al., 2018). As such, locals should retain “exclusive control” over how this knowledge is “collected, interpreted, and applied” (Stevenson, 1996).

There is great potential to enhance environmental management decisions and processes by integrating TEK. However, the knowledge must be collected with an understanding of local circumstance and society, not collected following generic protocols in order to fulfill a minimum requirement. TEK is not just a series of data points; it is a system of beliefs that shape a culture, create wisdom, and inform a relationship to the world. It must be treated accordingly.

## **2.4 Indigenous engagement in natural resource management reclamation projects in northern Canada**

### ***2.4.1 Natural Resource Management Processes in Northern Canada***

Processes for resource management in Northern Canada are somewhat varied, though largely are managed via co-management boards that share common core characteristics. Before devolution and land claim settlements, resource management in Northern Canada rarely, if ever, included Indigenous perspectives (e.g. James Bay Cree Hydroelectric Dam, the Canol Pipeline, the El Dorado Mine on Great Bear Lake).

In recent decades, responsibilities for land and resource management have been devolved to transfer control from the federal government to territorial governments. Yukon passed its Devolution Act in 2003, Northwest Territories in 2014, and Nunavut passed an Agreement in Principle for devolution in 2019. Land claim agreements, or modern treaties, have established co-management boards to govern resources across the three territories. Resource management

projects in Yukon Territory, Nunavut, and Northwest Territories are each regulated by one of 25 co-management boards. Nearly all co-management boards across the Territories are claims-based, though there are some (e.g. Ruby Range Sheep Steering Committee and Beverly-Qamanirjuaq Caribou Management Board) that are not. Graham White (2008) splits claims-based boards into four categories. The first category of co-management boards deals with wildlife management. In the Sahtú region, the Sahtú Renewable Resource Board (SRRB) fills this role. The second category is for land-use planning, which in the Sahtú is handled by the Sahtú Land Use Planning Board (SLUPB). The third category “which is involved in licensing projects that might disturb or damage the environment, has two subsets” (2008:73). The first subset, like the Sahtú Land and Water Board (SLWB), issues licenses and permits, while the other subset conducts environmental impact assessments as part of the licensing process. In the Sahtú, this role is filled by the Mackenzie Valley Environment Impact Review Board (MVEIRB). Finally, the fourth category identified by White is boards that resolve claims-based issues, though are quite rarely, if ever, used. The Sahtú Arbitration Panel hypothetically fills this role in the Sahtú, though at the time of writing, there are no board members or chair.

White (2008) evaluates the elements of some northern co-management boards that allow for increased Indigenous influence in environmental decision-making, though not particularly in reclamation. Some elements include how the boards are structured and how members are appointed, and board independence, though the most compelling element was the way and extent to which TEK can shape boards’ decision-making processes. One positive example cited is the Nunavut Wildlife Management Board, which requires that all publicly available documents must be available in Inuktitut, and long reports must make a summary available in Inuktitut. TEK and language are intertwined, and together are important for understanding an Indigenous worldview.

He expands on this idea in his book (2020), explaining that Dene worldviews are expressed in Dene language in a way that cannot simply be translated by an interpreter while also maintaining its full, contextual meaning. White quotes a Dene person in his book (2020) who says, “Expressing some aspects of TK in English is practically impossible,” and another who emphasizes that in order to understand Dene people, one must speak the language (2020:277-278). For Dene people to express themselves in English, then, requires them decontextualize the TK they are sharing from its worldview, and therefore lose knowledge in the translation, when being consulted.

#### ***2.4.2 What is Successful Engagement?***

What constitutes ‘successful engagement’ differs greatly among all involved, with Indigenous definitions centering power, equity, and reconciliation, while industry definitions centre on achieving a so-called “social license to operate,” and government definitions placing more importance on legal fulfillment of the duty to consult. ‘Successful’ engagement does not have a universally accepted definition. Groups from differing epistemic backgrounds will hold different ideas about how knowledge should influence environmental decision-making and what the scope of successful remediation will look like (Webler and Tuler 2021). As such, Indigenous peoples, Industry, and Federal and International governments each hold their own ideas of what constitutes meaningful and successful engagement. Thus, effective engagement requires meaningful public participation and consultation to understand the needs of all groups who may be affected (Arnold and Hanna 2017; Glucker et al. 2013; O’Faircheallaigh 2010).

The Federal Government of Canada appears to understand successful consultation and engagement as a fulfillment of legal requirements (Hipwell et al., 2002), a reconciliatory effort (Boyd and Lorefice, 2018), and a balancing act between all parties.

*"What is required is a process of balancing interests, of give and take [...] seeking compromise in an attempt to harmonize conflicting interests and move further down the path of reconciliation"* (Haida Nation v. British Columbia, 2004, para.48-49.)

This idea of reconciliation, though, is not conceptualized by the Crown as repairing the harms done by historical and political processes, but as improving existing relationships for mutual benefit (Boyd and Lorefice, 2018). One can see, then, that efforts at reconciliation through community engagement in remediation may not address that which needs to be reconciled from an Indigenous perspective. If it is not being used to dismantle colonial power structures, community engagement is not a tool of reconciliation. The National Orphaned/Abandoned Mines Initiative (NOAMI): Best Practices in Community Involvement: Planning for and Rehabilitating Abandoned and Orphaned Mines in Canada outlines recommendations for best practices in community involvement (recorded in Tremblay et al., 2006). Many of these recommendations outline who should be involved in community engagement regarding mine remediation, and where meetings should be held. They also do not engage with spiritual or cultural components of remediation, with its only recommendation about culture being that “meetings should be conducted in a manner that respects local cultures and traditions” and that NOAMI will “continue to examine ways to foster meaningful community involvement and engagement.” These best practices do not engage with ideas of power, TEK, or remediation beyond the technological and biophysical.

The International Association of Impact Assessment Best Practices for Respecting Indigenous Peoples and Traditional Knowledge discusses engagement of traditional knowledge in a way that perpetuates the knowledge hierarchy: traditional knowledge can be used “to *complement* the knowledge gained from ‘Western’ scientific methods” (Croal and Tetreault, 2012:2, emphasis added). It goes on further to assert that “Indigenous Peoples have the right to

be *well informed* of the decisions made concerning their traditional lands” (Croal and Tetreault, 2012:3, emphasis added). This language portrays Indigenous peoples as disempowered, reinforces the knowledge hierarchy, and does not recognize or ensure the power to influence decisions; merely the right to be informed.

From many Canadian Indigenous perspectives, because humans are not separate from the land, remediation activities are able to contribute to the project of reconciliation, as it furthers healing the relationship between humans and the earth (Joly, 2017; Tully, 1995). This is true of Sahtú Dene and Métis culture, as well (Gargan, 2004). Building on the work of Carroll (2015) and Tsosie (2015), Beckett and Keeling argue that remediation “must confront ongoing colonial histories of waste and environmental destruction” and centre Indigenous values in its planning to contribute to reconciliation work. In order to understand and centre those goals, this engagement must be done in a culturally appropriate manner to achieve site remediation that can address what needs healing: the often-ignored cultural and spiritual harms *as well as* biophysical harms (Beckett and Keeling 2019). This raises the question: how should industry engage with Indigenous peoples in Northern Canada to effectively address the socio-economic, cultural, and spiritual aspects that are crucial to a holistic reclamation strategy that serves the needs of Indigenous communities?

#### ***2.4.3 Culturally Appropriate Conceptions of Remediation***

Beyond the Western technical and physical aspects of remediation, which involve ecological restoration, removal of physical infrastructure including buildings and equipment, containing toxins and hazardous materials, backfilling pits, and stabilizing waste, there are multiple other aspects of remediation that must be considered (Dance, 2015). Other aspects that receive far less attention are cultural, spiritual, political, and socioeconomic, but these are necessary parts of



reclamation and healing (Edwards and Maritz 2019; Van Wyck 2005). One participant from Joly's research asserts that in Western conceptions of reclamation, 'The spirit, the culture is missing' [...] 'The culture must also be reclaimed' (2017:170).

To make engagement meaningful for Indigenous peoples, it must entail more than a simple fulfillment of minimum legal requirements (Bosgoed, Collett, and Willier 2014; Carter 2010; Larsen 2018; Udofia, Noble, and Poelzer 2015). That said, even minimum legal requirements for engagement processes are unclear and poorly defined in federal law (Dokis, 2015). This lack of clarity has potential to be a positive: Indigenous communities in Canada have developed distinct social, cultural, and legal traditions, rooted in varied historical and geographic contexts over thousands of years. For this reason, what constitutes meaningful community engagement is not universal across Indigenous cultures. Instead, engagement practices can be adapted to the specific context where it is taking place. "Indigenous criteria for successful reclamation require landscape connectivity, abundant wildlife habitat, experiential methods to redevelop cultural place-attachment, and inter-generational temporal scales" (Joly, 2017:167). To understand what these mean, one must have an understanding of the place and people being reclaimed. As one example, many Indigenous cultures emphasize a connectedness with land (Tsosie, 2015).

*Where communities discover [...] that their land and people have been irretrievably contaminated, it alters their perceptions of themselves, their cultural memory. The need for understanding how the site came to be; for healing, telling the history, for lament, for commemoration, is essential.* (Kuyek, 2011)

As such, successful reclamation for some Indigenous peoples would not only return land to a similar biophysical state as it was in pre-resource extraction, but also create opportunities for people to grow and heal along with the land that has been harmed (Joly, 2017). Sandlos and Keeling emphasize that it is not enough to "merely contain and manage toxins," but that land should be remediated to a higher-than-industry standard, and that "lost resources such as fish and

berries should be restored to their former abundance,” (2017:282). Further, taking a Cultural Keystone Species approach to remediation asserts that re-establishing species of importance to an Indigenous group during reclamation is necessary to address the spiritual, cultural, and ecological aspects of reclamation (Garibaldi, 2009). If lost resources such as fish and berries are to be restored, as recommended by Sandlos and Keeling (2016), it must be done in a way that assists Indigenous people to repair their connection to land and grow with it, as opposed to “affording another a means for industrial proponents to ‘tick a box’ for consultation and include TK in a tokenistic manner” (Joly, 2017:181). Another example is the way that Sahtú people think in terms of multiple generations at a time:

*Our Dene Nation is like this great river. It has been flowing before any of us can remember. We take our strength and our wisdom and our ways from the flow and direction that has been established for us by ancestors we never knew, ancestors of a thousand years ago. Their wisdom flows through us to our children and our grandchildren to generations we will never know. (T’Seleie, 1976:1778)*

Therefore, for remediation to be successful for Sahtú Dene people, it must engage with the intergenerational perspective held by Dene people by striving to achieve “long-term success rather than short-term fixes.” (Joly, 2017:169). This, again, illustrates the concept of growing together with the land in healing. To achieve this healing, closure and reclamation activities will need to recognize and challenge current power relationships so as to avoid reproducing harmful colonial processes and outcomes.

#### ***2.4.4 Contending with Power Relations***

Consultation and engagement with Indigenous communities is taking place within the context of an ongoing colonial history. Critical literature on engagement and Environmental Impact Assessment highlights that power is unevenly exercised through EIA processes (e.g. Youdelis 2016). To some, participation is “a categorical term for citizen power. It is the

redistribution of power that enables the have-not citizens, presently excluded from the political and economic processes, to be deliberately included in the future” (Arnstein 1969:216).

However, successful engagement with Indigenous peoples must seek to understand and dismantle colonially-enforced relations of power (Boyd and Lorefice 2018), as some have pointed out that participation in EA processes can actually perpetuate colonial power relationships rather than dismantle them (Devlin and Yap 2008; Parsons et al., 2014).

Participation is powerful, yes, but participation does not automatically equate to wielding power. Additionally, “development of new participatory regulatory institutions does not automatically translate into more representative or inclusive decision-making processes,” (Dokis, 2022) as they often perpetuate or further entrench colonial institutional structures and worldviews (J. M. Baker & Westman, 2018; Coulthard, 2014; Dokis, 2015; Nadasdy, 2003; Stevenson, 1996; White, 2008).

Many land claims require incorporating Traditional Ecological Knowledge (TEK) into environmental decision-making and engagement processes: “recognition and enhancement of traditional knowledge are integral parts of most treaties and policies for [Indigenous] rights and community engagement” (Boiral et al., 2020). This is one crucial element of successful community engagement with Indigenous peoples (Ellis 2005; Glucker et al. 2013; Hill et al., 2012; Houde 2007; Huntington 2000; Stevenson 1996). The incorporation of TEK into environmental decision making is not an easy practice, and when done improperly, can serve to reinforce colonial power relations. Some assert that mandating collection of TEK has become a “box-ticking exercise” (Bohensky and Maru 2011), a practice that can lead to tokenistic collection of surface-level information, without meaningful consideration of the knowledge or its epistemological roots (Baker & Westman, 2018; Houde, 2007; Huntington, 2000; Pearce, 2018).

Some even argue that the very act of collecting TEK for environmental assessment is an extractive process that violates Indigenous principles of reciprocity (Baker & Westman 2018). Without culturally specific considerations, more generic requirements can be abused “when steps, rules and standards dictate engagement as a predetermined task to be uncritically completed” (Carter 2010; Muller 2008; Stacey et al., 2010). A lack of specific criteria could, at least hypothetically, allow for engagement processes to remain adaptable and flexible to meet the needs of different situations. Without specific standards, though, it may also allow for insufficient engagement to be labelled as ‘successful.’

As such, uncritically requiring integration of TEK in consultation processes does not ensure that unequal power relations are considered or addressed. Engaging another knowledge system in consultation does not ensure equal “power to shape the way in which socioenvironmental impacts are treated” or affect outcomes (Barnard-Chumik et al., 2022; see also Devlin and Yap, 2008; Glucker et al., 2013). The “knowledge hierarchy” that prioritizes and validates knowledge generated from Western scientific worldview over TEK (Barnard-Chumik et al., 2022) leads to unequal influence over outcomes and legitimizes industry and government power.

Successful engagement with Indigenous peoples must contend with power relations by situating knowledge developed in both TEK and Western Scientific knowledge systems within a nuanced and specific understanding of local history, culture, ontology, epistemology, spirituality, norms, and legal systems (Baker & Westman, 2018; Carter, 2012; Dokis, 2015; Hill et al., 2012; Notzke, 1994). To conceptualize remediation purely through a Western scientific lens is to reproduce the colonial power relationships that are enforced when Western science is prioritized over TEK and Indigenous conceptions of remediation (Espelund 1993:299 in Joly, 2017). At present, however, “reclamation regulations legitimize scientific ways of knowing the land, rooted

in quantifiable conceptions of land use” (Joly, 2017:181). Indigenous conceptions of successful remediation are currently taking a backseat to government and industry conceptions of success.

#### ***2.4.5 Industry Perspectives on Engagement***

Definitions of ‘successful engagement’ from an industry perspective are reflective of industry goals. “Industry documents typically understand consultation as a mechanism for economic development” (Boyd and Lorefice, 2018:581).

For industry, successful engagement requires gaining Social License to Operate (SLO) (Moffat & Zhang, 2014; Rickard, 2020; Thomas et al., 2018) and produces consent to proceed (Baker & Westman 2018; Bernauer 2020). Mercer-Mapstone et al. (2017:327) define SLO as “an ongoing and fluid level of acceptance by stakeholders, at multiple levels, which may be revoked at any stage of the project lifecycle based on changes in perceptions, and reflective of the relationships between a company and its external stakeholders.” Extractive industries “need to take into account the interests and concerns of native (sic.) populations to improve the social acceptability of their operations” (Boiral et al., 2020:4). SLO affords a company “reputational capital,” limits future legal liability, helps a company avoid costly time delays (Boiral et al., 2020; Gunningham, et al., 2004; Nelsen, 2007). Successful consultation and engagement with Indigenous communities is not necessarily a tool to promote Indigenous self-determination or to legitimize Indigenous knowledge, but to ensure that extractive activities can proceed profitably (Boyd & Lorefice, 2018; Jones et al., 2013; Moffat & Zhang, 2014; Thomas et al., 2018).

Performing consultation and engagement is critical to maintaining SLO: “Meaningful’ stakeholder engagement and communication have been proposed to be of central importance to SLO and social acceptance” (Mercer-Mapstone et al., 2017).

One such example of successful community engagement from an extractive Industry's perspective is Prno et al. (2021)'s assessment of community engagement in the Back River Project, which claims that "effective community engagement subsequently played a key role in Sabina securing major licenses and permits for Project advancement." This identifies the importance of community engagement not in establishing positive relationships or progressing reconciliation efforts, but for ensuring that extraction can proceed.

According to some scholars, securing consent to proceed is inherent to EA procedures. As it is used, they argue, EA can influence scope, direction, and conditions of development more than it can be used to dissent to a project entirely (J. M. Baker & Westman, 2018; Bernauer, 2020; C. A. Dokis, 2015; Kennedy Dalseg & Abele, 2015; Larsen, 2018; Thomas et al., 2018; Youdelis, 2016).

This view of consultation as a means to produce consent is certainly present in Fort Good Hope. In the Berger Inquiry, Fort Good Hope Chief Frank T'Seleie thanked Thomas Berger for coming to "listen and learn from us, and not just come to tell us what we should do, or trick as into saying yes to something that in the end, is not good for us" (T'Seleie, 1976:1768).

## **2.5 Summary and Knowledge Gap**

Indigenous peoples in Canada have historically been excluded from discussions surrounding resource management that affect them and their lands, despite disproportionately experiencing the negative impacts of these industries (Booth & Skelton, 2011a, 2011b; Dokis, 2015; Hipwell et al., 2002). Closure is an inevitable part of resource extraction projects (Monosky & Keeling, 2021), and as an increasing number of mines, oilfields, chemical plants, and other industrial sites "that present similar risks and perpetual care challenges" are closing

across northern Canada, planning for closure is becoming a highly relevant issue (Beckett & Keeling, 2019).

Following the Berger Inquiry in the 1970's, the Sahtú Dene and Métis formalized a Comprehensive Land Claim agreement with the federal government. This agreement is part of a larger shift toward returning environmental decision-making power to Indigenous peoples in Canada. Within the context of this increasing self-determination arises a new challenge: how to proceed as an ever-larger number of resource extraction sites begin closure and reclamation projects.

There is now a legal duty to consult Indigenous peoples when performing activities that may infringe upon their ability to exercise their legally protected rights. One such mode of consultation in the Sahtú is a co-management governance structure outlined in the MVRMA and SDMCLCA. Co-management boards oversee Environmental Assessments conducted by project proponents, which performs the legally mandated consultation. Communities can also leverage their rights in Impact Benefit Agreements, a private legal agreement between communities and industry.

There is a large body of literature exploring the issue of environmental remediation in the Arctic as a biophysical and technical issue (Aislabie et al., 2004; Camenzuli et al., 2013; Camenzuli & Freidman, 2015; Filler et al., 2009; Jorgenson et al., 2003; Kalinovich et al., 2008; Leewis et al., 2013; Mair et al., 2013; Malakhova et al., 2021; Mumford et al., 2013; Naseri et al., 2014; Prince et al., 2003). Some studies have examined the role of Indigenous knowledge in remediation outside of a Northern context (Bainton & Holcombe, 2018; Joly, 2017; O'Faircheallaigh & Lawrence, 2019; Tsosie, 2015). Others look at some social aspects of Northern mine remediation, but not oil and gas remediation (Beckett, 2021; Cassady, 2007;

Dance, 2015; Monosky & Keeling, 2021). Though some studies exist, there exists a need for research on economic, social, cultural, and spiritual aspects of oil and gas remediation in Indigenous Northern Canada.

Reclamation processes, particularly those guided by local communities, and driven by traditional knowledge, can help “mitigate and manage some of the worst impacts of Northern resource development” (Dance, 2015).

“Effective reclamation demands more than a particular technological fix or planning strategy; it involves a candid discussion of the goals and limitations of reclamation projects, both past and present” (Dance 2015). That said, very little attention is paid to community engagement in reclamation processes and how the results of engagement and consultation can direct reclamation (Banfield & Jardine, 2013).

The Sahtú community of Norman Wells has been the site of Imperial Oil’s oilfield for over a century. Now Canada’s longest operating conventional oilfield, the Norman Wells Oilfield is entering the reclamation and closure stage. The path forward is somewhat unclear given that there is no other reclamation case like it in the Sahtú’s history, and that the SDMCLCA has not yet been tested on a project like this.



### **CHAPTER III: CASE STUDY**

This study was conducted using a qualitative and participant observation approach to best understand the community culture. Fort Good Hope was chosen as a research location for its relatively large population as compared to the rest of the region: 507 people, ~90% of whom have an Indigenous identity (Government of Canada, 2021c), its location as the only Sahtú community downstream of the Norman Wells Oilfield, and for housing the headquarters of the Sahtú Land and Water Board, who requested this research.

The Sahtú region today comprises five communities: Déline (formerly Fort Franklin), Tulita (formerly Fort Norman), Norman Wells, Fort Good Hope, and Colville Lake. The town of Norman Wells, established at the same time as the foundation of the Norman Wells Oilfield, is the largest community in the Sahtú and acts as the regional hub. These five communities total approximately 2,300 people in 2021, just over 2000 of whom are beneficiaries of the SDMCLCA (Figure 3 - Map of the Sahtú Settlement Area. Source: SLUPB Background Report, 2022.

) (Statistics Canada, 2022a-e). The Sahtú Settlement Region is an administrative region in the Northwest Territories of 41,437 km<sup>2</sup>, the exact boundaries of which were officialized in the SDMCLCA (1994) (Figures 3, 4). Approximately 1700, or 78%, of the region's 2600 people identify as First Nations (Government of Canada, 2021a-e), though if Norman Wells is excluded, the region is 92% Indigenous.

Though approximately 97% of Sahtú inhabitants speak English, it is the first language of only ~64% of the population; any of three variations of North Slavey is the first language of ~34% of Sahtú people (Statistics Canada, 2022a-e) (Figure 3 - Map of the Sahtú Settlement Area. Source: SLUPB Background Report, 2022).

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For thousands of years, the inhabitants of the region thrived as subsistence hunters and fishers (Brown, 2014) before becoming a linked to the fur trade in 1670. Over the following centuries, the economy shifted from subsistence hunting and fishing toward a mixed economy with the arrival of the fur trade (Auld & Kershaw, 2005). In 1789, Sir Alexander Mackenzie paddled North down the Mackenzie River and recorded the ‘first’ observation of oil seepages on its banks, though the Dene people of the area were already well-aware of the oil seepages (Auld and Kershaw, 2005). The North West Company established a trading post in Fort Good Hope in 1836 (Usher, 1971). As the Sahtú Dene and Métis transitioned from a subsistence economy to a mixed fur trade economy over the course of a century and a half, a resource-based economy gained prominence as Imperial Oil’s well “Discovery” struck oil in 1920 (Auld & Kershaw, 2005; Brown, 2014).

*Table 1 - Population in Communities in the Sahtú Settlement Region.*

<b>Official Name</b>	<b>Total Population (2021)</b>	<b>Indigenous Population (2021)</b>	<b>% Indigenous Population</b>	<b>Dialect of North Slavey spoken<sup>9</sup></b>
Colville Lake	110	110	100%	Hare Dialect
Déline	573	520	91%	Bear Lake
Fort Good Hope	507	470	93%	Hare Dialect
Norman Wells	673	300	45%	Mountain Dialect
Tulita	396	365	92%	Mountain Dialect

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<sup>9</sup> Adapted from Dana, Anderson & Mason, 2009

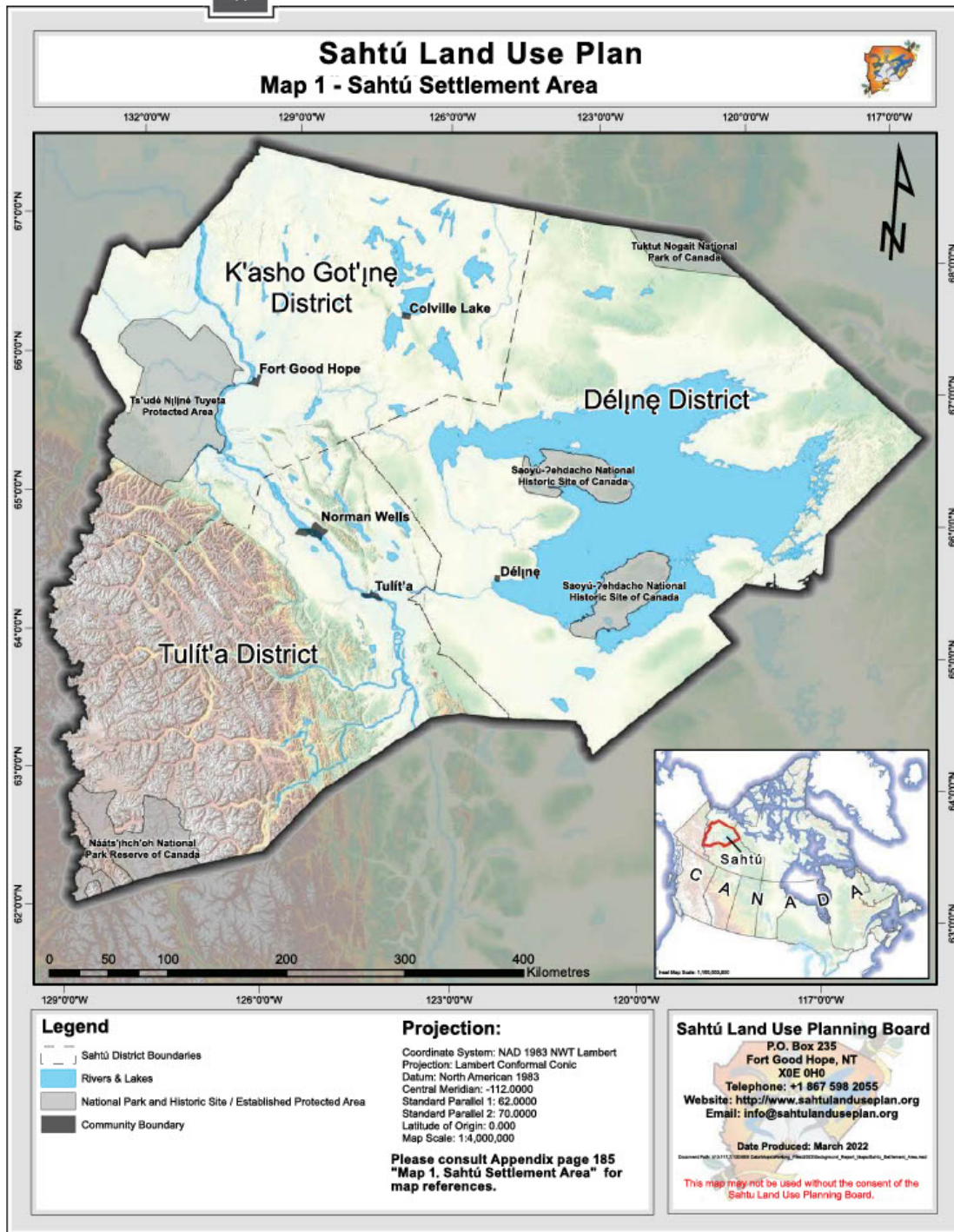


Figure 3 - Map of the Sahtú Settlement Area. Source: SLUPB Background Report, 2022.

To clarify resource and land rights following the discovery of oil at Norman Wells by Imperial Oil, the Crown negotiated Treaty 11 in 1921. The Sahtú people “did not understand the Treaty to be extinguishing title to their traditional lands” (Auld and Kershaw, 2005), while the Canadian government viewed it as a large-scale land surrender that “brought Indigenous people under the jurisdiction of the Dominion of Canada and its laws” (Crown-Indigenous Relations and Northern Affairs Canada, 2020). This fundamental disagreement about the nature of Treaty 11 culminated in 1977, when a decision by the Supreme Court of the NWT ruled that “there was sufficient doubt on the facts that Aboriginal Title was extinguished” (*Paulette et al. v the Queen*, 1977). The decision forced the Canadian government to re-evaluate its approach to its relationships with Indigenous peoples in the Northwest Territories.

Concurrently in 1974, Judge Thomas Berger was tasked to lead an inquiry into the possible economic, social, and environmental impacts of a proposed pipeline and energy corridor that would connect the western Arctic to southern Canada. Today, the inquiry he conducted is held as a model of Indigenous community engagement, incorporation of traditional ecological knowledge, procedural justice, and participatory resource management (Goudge, 2016). His investigation, dubbed The Berger Inquiry, is the foundation on which modern environmental assessment in Canada’s North is built.

Justice Berger held both formal and community hearings, which allowed any interested stakeholder to participate in a way that was meaningful and productive. Judge Berger travelled throughout the Canadian arctic, visiting 35 communities to “hear evidence given in eight languages” (Gamble, 1978). Formal hearings were conducted in southern Canada as well, which ultimately allowed all citizens to participate— this resulted in over 40,000 pages of transcript from the entire inquiry (Dokis, 2015; Goudge, 2016).

Among other conclusions Judge Berger made in his report, two stand out: first, that the pipeline should be postponed by 10 years to allow land settlement claims time to proceed. Second, that the public should view the Canadian arctic not as a “frontier” to be exploited, but as a “homeland.” This important distinction is emphasized in the title of the first volume of the report: *Northern Frontier, Northern Homeland* (Berger, 1977).

The federal government heeded Judge Berger’s recommendation, choosing to delay the project. Within the next five years, the *Canadian Charter of Rights and Freedoms* affirmed existing aboriginal and treaty rights (1982) and a wave of comprehensive land claim agreements followed. It was during this period of solidifying Indigenous rights and agency in environmental decision making that the *Sahtú Dene and Métis Comprehensive Land Claim Agreement* (SDMCLCA) (1994) was created. This agreement gives the Sahtú Dene and Métis rights and ownership of land and resources, allocates various subsurface rights, affirms hunting and fishing rights, recognizes and encourages the way of life of the Sahtú Dene and Métis, encourages the ability to fully participate in all aspects of the economy, and grants the Sahtú Dene and Métis people the right to participate in environmental management decisions affecting their territory. The *Mackenzie Valley Resource Management Act* (MVRMA) (1998) emerged shortly thereafter to provide a resource management structure and process that mirrored Judge Berger’s.

Dokis (2015) documents the way that Sahtú Dene and Métis people are engaged in the 2006 environmental assessment of a pipeline project. The book holds that while there has been some progress toward Dene and Métis influence in environmental assessment, engagement falls short of Sahtú people’s expectations and is ultimately incompatible with their knowledge and belief systems.

Fort Good Hope (or Radilih Kq, meaning “home at the rapids”) is a charter community in the Northwest Territories located at 66.2557° N, 128.6340° W. It is approximately 175km north of Norman Wells on the Mackenzie River, 27km south of the Arctic circle.

The community is small but relatively well-equipped, with a school, two grocery stores that also sell furniture, bicycles, tools, and other necessities. There are two places to buy snacks after the stores close, (though no restaurants) the Band Hall, attached to the Band Office, a water treatment plant and various small buildings where people work to support the community in various capacities (e.g. the housing society, self-government association), a health centre, a one-story office building where approximately 30 people work (on co-management boards, for the Yamoga Land Corporation, as Business Development Officers, for the Guardians, etc), called the Yamoga Building, and a recreation field large enough for a stage, to play baseball, to have cookouts, and to gather.

The community relies almost entirely on diesel-generated power and wood burning stoves from trees harvested from the land. The fuel is delivered by either barge or on the winter road. Transportation infrastructure includes an airport with gravel runway that can service smaller aircraft, and gravel roads. From roughly late December to early April winter ice roads connect the Sahtu communities with each other and with the rest of the territory, making winter a time when people visit one another in neighbouring communities, getting provisions from the South, and travel. Plans to extend the Mackenzie highway from Wrigley to Norman Wells to Wrigley are well underway, with engagement and consultation ongoing. The Mackenzie River enables barges to transport goods between June and September, and Sahtú people use private boats and ATVs to navigate waterways and land throughout the year. Passenger air travel is primarily provided by North-Wright Air, which is 51% owned by Sahtú Land Corporations.

Canadian North Air links Norman Wells to larger centers like Edmonton, Inuvik, and Yellowknife. Planes also transport cargo, though it is the most expensive option over river and winter roads.

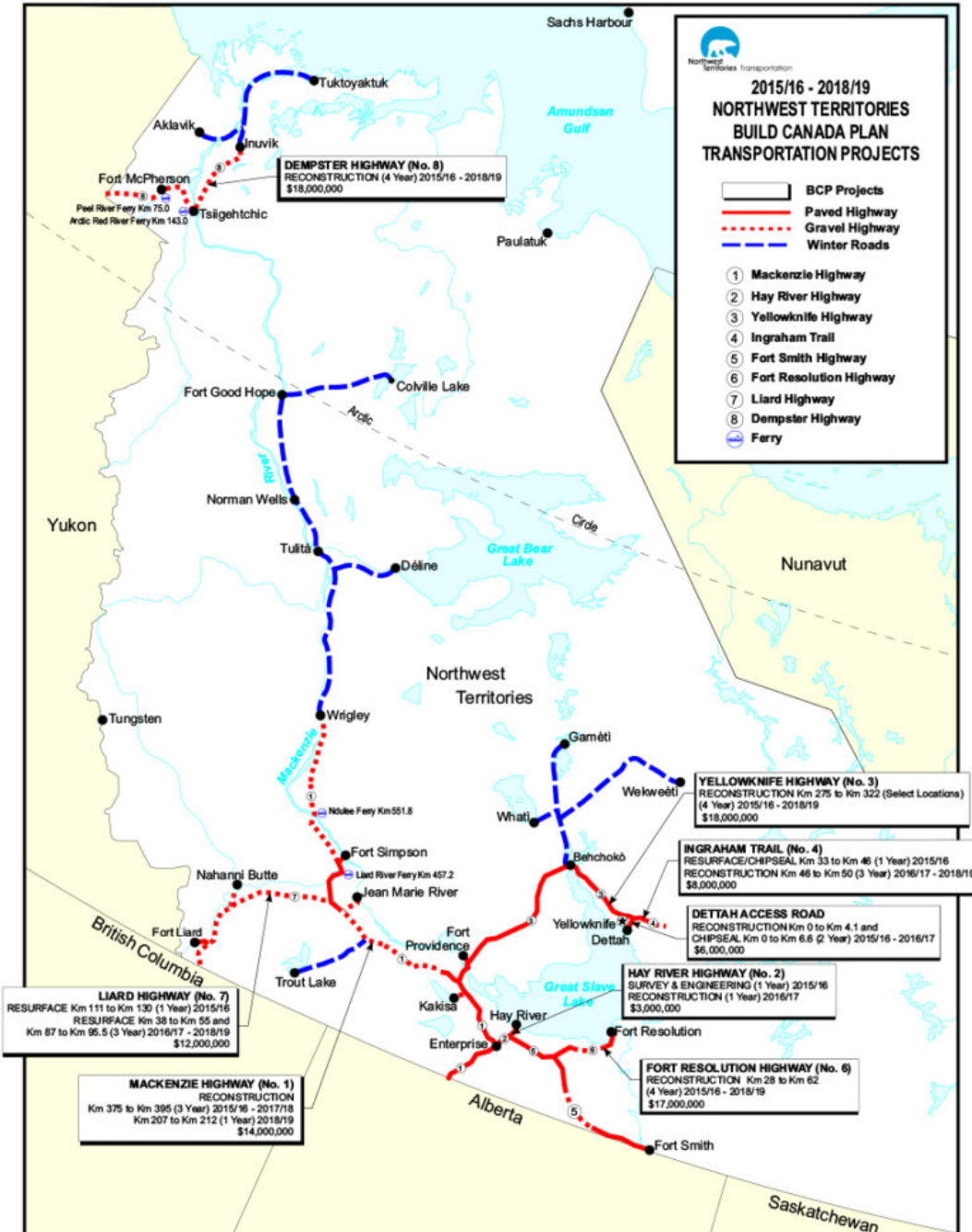


Figure 4 - Highway map of Northwest Territories. Blue dashed lines indicate winter roads. Source: GNWT.



Sahtú diets are a combination of country foods and purchased groceries. Multiple species of fish, as well as waterfowl, moose, caribou, rabbits, and muskox are traditionally harvested and shared among families. However, most residents are reliant on groceries purchased at the Northern Store and Co-op for their primary food supply. The community is facing issues of food insecurity: in 2019, 41% of people in Fort Good Hope responded “yes” when asked if they were worried about having enough money for food (NWT Bureau of Statistics, 2019).

Each community is governed by a Band Council, and at the regional level is governed by the Sahtú Dene Council. These bodies oversee matters under treaty and the Indian Act.

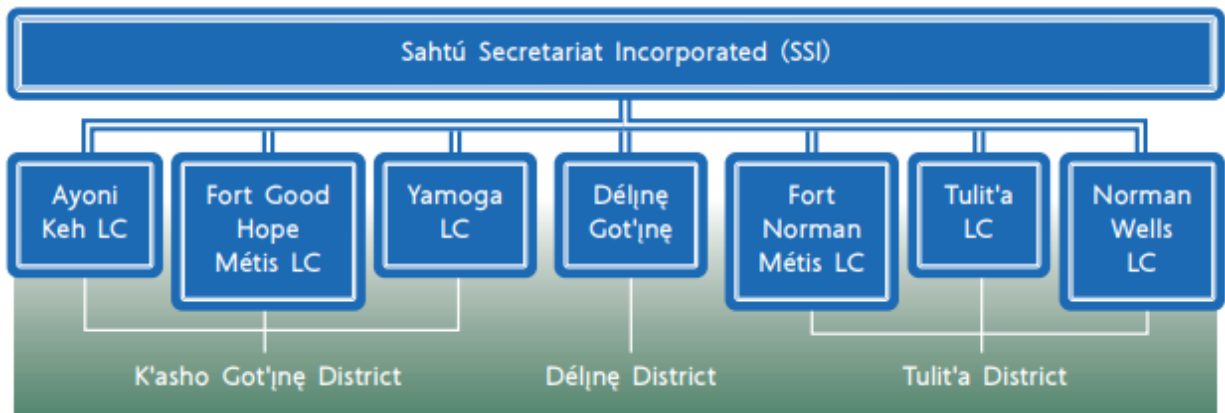


Figure 5 - SSI Organizational Structure. Source: SLUPB Background Report, 2022.

Additionally, each community in the Sahtú Region (or Sahtu Settlement Area) is represented by one or more land corporations (Figure 5), which are responsible for holding land in trust for Sahtú beneficiaries and managing land claim fund, and “is the main contact for federal and territorial governments with respect to education, health, environment and economic development” (Sahtú Land Use Planning Board, 2022:8).

The community was home to the Sahtú region’s first fur trading post, established by the Northwest Trading Company in 1805 (Auld and Kershaw, 2005). Oblate priest Henri Grollier

established a Catholic mission in Fort Good Hope in 1859; a century later, Father Emile Petitot constructed the Northwest Territory's first Catholic Church (Auld and Kershaw, 2005).

Fort Good Hope faces myriad issues that are common in northern communities. Housing is one major concern, with 65.7% of households reporting issues of affordability, suitability, or adequacy in 2019. 12.4% of households in Fort Good Hope are unaffordable to its occupants, meaning that shelter costs amount to more than 30% of household income. 17.5% of households are unsuitable, meaning there are not enough bedrooms for the number and characteristics of occupants, as determined by the National Occupancy Standard requirements. Finally, 57.7% of households are inadequate, which indicates a lack of running water and/or need for major repairs. Some houses are a combination of unaffordable, unsuitable, and/or inadequate (NWT Bureau of Statistics, 2019). Statistics Canada data from the 2021 Census shows that nearly 36% of houses in the community require major repairs (Statistics Canada, 2022f).

Unemployment is another large and longstanding issue in the community, with the Sahtú region seeing higher unemployment rates than the rest of the NWT and even higher than the rest of Canada, on average (Figure 6). As an example, in 2021, the unemployment rate in Fort Good Hope was 16.3%, the lowest it had been in the *entire* preceding decade. For reference, in the same year, the entire Sahtú region faced an unemployment rate of 14%, while Northwest Territories experienced an 8.6% unemployment rate and Canada saw only 7.5% unemployment (Statistics Canada, 2022a-e; NWT Bureau of Statistics, 2023; StatCan, 2023). That said, Fort Good Hope's economy is mixed. While many residents' formal employment is captured in these statistics, the full picture also includes other ways of making a living, such as non-wage subsistence activities like hunting, trapping, and fishing.

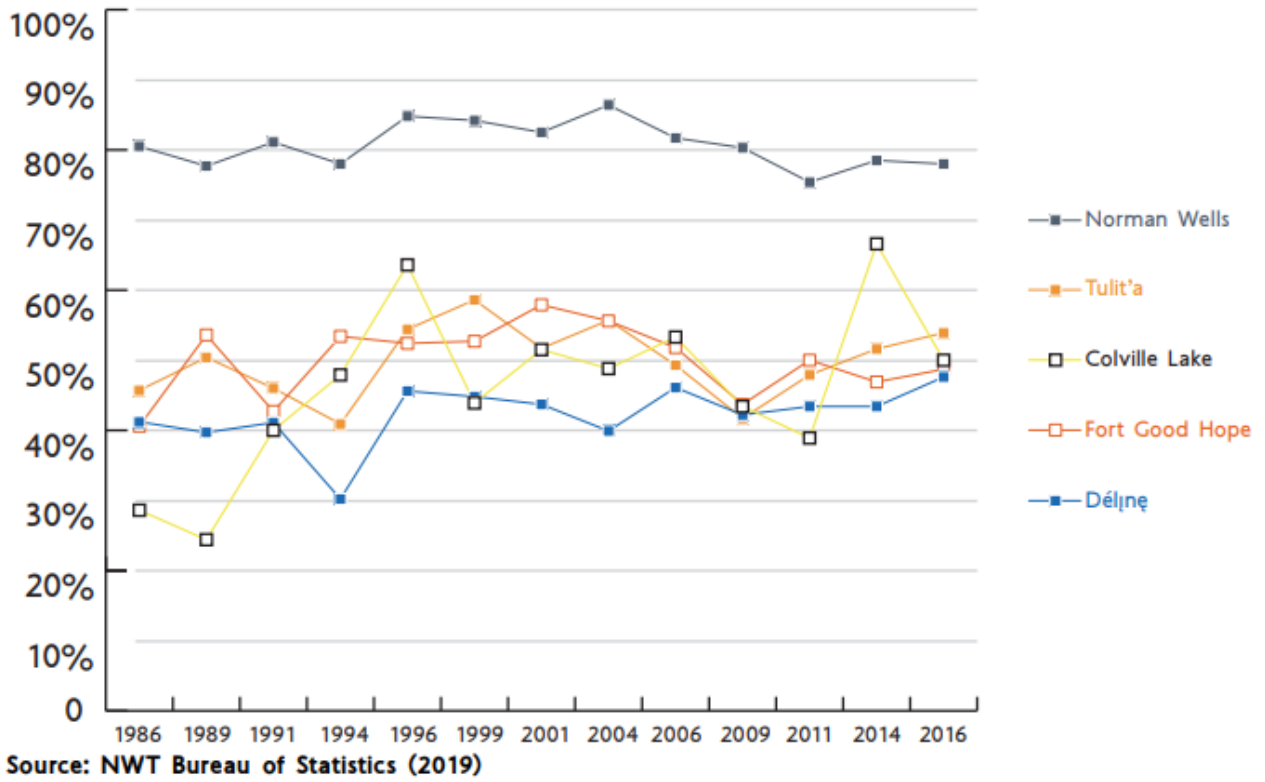


Figure 6 - Employment Rates in the Sahtú region from 1986 through to 2016. Sourced from SLUPB Background Report, 2022.

## CHAPTER IV: APPROACH AND METHODS

### 4.1 Research Approach

This research responds to a request made by the SLWB to help fill knowledge gaps about the upcoming reclamation of the Imperial Oilfield. In communication with the SLWB, it was decided that the research would be conducted with people living in Fort Good Hope, NWT. The research was guided by the principles of Community-Based Participatory Research (CBPR). Though the research was primarily conducted over eight weeks in Fort Good Hope, three additional days were spent in Norman Wells.

Data were collected using a qualitative research approach and a consciousness of decolonized methodology. Decolonized methodology begins from a recognition that research conducted in Indigenous communities has traditionally perpetuated harm as it has been done by Western scientists and researchers using colonial research approaches incompatible with Indigenous ways of living, knowing, and being (Smith, 2021). Without understanding the colonial nature and effects of the traditional researcher-participant relationship, Western academics risk continuing to harm and traumatize Indigenous communities with their research (Smith, 2021).

With this understanding and recognition, I was extremely conscious as I conducted my research. I positioned myself as a student learning from experts of their own lives as opposed to an authority, collecting data. I am conscious of the Dene principle of reciprocity and plan to disseminate this research in a way that is useful to the community, making clear to all participants that I recognized how much people were sharing when they shared knowledge. I imagine myself not as a storyteller, but as a carrier of Dene stories, a conduit for Dene voices. It has been my great honour to work with the people of Fort Good Hope.

#### ***4.1.1 Community-Based Participatory Research***

The research was conducted in partnership with the Sahtú Land and Water Board, and Sahtú Dene and Métis people were involved throughout the project. The guiding principle behind this research is deeply participatory and collaborative approach of Community-Based Participatory Research (CBPR), which is intended to address social and structural inequalities (Israel et al, 2013). CBPR is not so much a research method as an orientation toward research that is meant to facilitate knowledge exchange, equality, and collaboration between all research partners (Israel et al., 2013).

CBPR is informed by two converging academic traditions (Wallerstein & Duran, 2006). First, CBPR is heavily rooted in Kurt Lewin’s “action research,” which asserts that research and societal action are linked through critical reflection (Lewin, 1946). Second, CBPR is influenced by a body of literature surrounding participatory research, which emerged from global South scholars (e.g. Fals-Borda & Rahman, 1991). Participatory research literature questions the role that academics play in perpetuating social inequality and highlights the potential to bring about societal transformation with research.

Time is an important, if not critical, component of conducting quality research (Emerson, 1987; Jeffrey & Troman, 2004). However, pressures created by the intensification of academic responsibility-- a two-year window within which I had to take classes, conduct my research, analyze data, and write my thesis—my time in the Northwest Territories was limited. Though ideally, I would have wanted to spend another month or more with the community, I was lucky to have had the opportunity to spend eight weeks in Fort Good Hope, and three days in Norman Wells during June and July 2022. I was additionally able to return in December 2022 for 9 days to gather additional data and confirm some initial findings.

#### ***4.1.2 Importance of Relationships***

One of the keys to conducting effective CBPR is relationship-building (Mitchell, 2018). Research partners at the Sahtú Land and Water Board (SLWB) have asserted that engaging with Sahtú people is, “all about building relationships” (Paul Dixon, pers. comm. October 2021). It takes time and energy to form relationships that are meaningful, collaborative, trusting, and productive (Alvarez & Gutiérrez, 2001; Minkler et al., 2002; Stoecker, 1999).

As such, relationship-building was a big goal of mine in doing this research. The Executive Director of the SLWB is on the supervisory committee for this research project, and he played a pivotal role in developing the research questions.

Funding from the SLWB supported the hiring of three local research partners, each of whom made invaluable contributions to the outcomes of this research. Two were high school students that helped me tremendously. My other research partner was an Elder named Celine, who shaped and supported this work in many ways: she helped to refine the interview questions, structure, and my approach in the community. Being able to call this research CBPR relies on the relationships formed with people, who cannot fully represent the community in its entirety, but must act as a proxy due to the limited time in which to conduct the study.

The high school research partners accompanied me to my first few community events--a soup lunch and then a barbecue--and introduced me to several people at those events. They accompanied me on my first interview and took notes with me and debriefed with me later to help improve future interviews. Their company connected me to community members I otherwise may not have had the opportunity to speak to for weeks. They helped with recommending and recruiting participants. These two research partners were paid the SLWB-recommended rate.

Celine was able to help refine my interview guide and my approach to interviews. She advised me on how and when it would be appropriate to take notes, explained that many Elders were reticent to be recorded, and gave me advice throughout my stay on how best to approach and navigate community members. Celine was able to schedule interviews with community members and Elders I otherwise likely would not have met, and her presence and knowledge made an incalculably large difference in setting interviewees at ease. In one case, she acted as an interpreter throughout an interview with a unilingual Slavey-speaking Elder. She was also paid the rate recommended by the SLWB. We increased this rate for her work as an interpreter.

Engaging local peoples as research partners is shown to produce mutual benefit (Schensul et al., 2015). It can increase community participation, offer guidance when navigating local language and culture, add valuable perspectives on shaping research questions to create more outcomes useful to the community, and ensure that data is appropriately collected (Schensul et al., 2015). Additionally, local research partnerships facilitate skill-, resource-, and information-transfer to community members. These processes of co-learning generate capacity within the community for further research and individual capacity, confidence, and skill to the individual research partner(s) (Schensul et al., 2015).

A secondary visit in December, 2022 gave me the opportunity to reaffirm my commitment to people in the community and to maintain the relationships I had built. Returning after I had spent time evaluating data additionally allowed me to confirm preliminary results and analyses with interview participants. I was able to see how the community operated in Winter as opposed to Summer, connect with people in different ways (such as making gingerbread houses, seeing the Christmas concert held by the school, and attend a Christmas meal hosted by someone

I connected with on my first visit). A final visit is proposed to disseminate research findings to the community in ways that will be determined in conjunction with the SLWB.

#### ***4.1.3 Building Relationships***

On one of the first days I arrived, I found a group of men drinking coffee in the foyer of one of the town's office buildings. They were very kind and introduced themselves, but when I sat down to join, perhaps as coincidence of my timing, they each had to get up and return to work. The next day I again tried to join them, and again they politely welcomed me and asked a handful of questions about my research, but soon after I sat down, they left to return to work. Throughout the following few days, I returned nearly daily, and they began to stick around when I sat down. Maybe my timing improved, but I suspect they realized I was probably not going to get the hint, and they weren't about to let me ruin their coffee time. I was wary that I was intruding, but everyone was kind enough, so I kept returning. By the beginning of week two, they were telling me stories, teasing me, and actively involving me in conversations. They asked a lot of questions about the work I was doing and what I planned to do with the research when I was done. Near the end of my second week in Fort Good Hope, I had to take a phone call during the usual coffee time. Later that day, one of the men from that group asked where I had been that morning and why I had not joined them for coffee. I was in!

That was the way it went in Fort Good Hope. People were always kind, welcoming, and polite, but building trust understandably took effort, as it does anywhere. I did my best to demonstrate that I was not going to disappear after collecting people's stories, knowledge, and generosity, never to be heard from again. I tried to communicate that I understood that they were sharing a gift with me when they shared knowledge, that I was grateful for it. I promised that I would treat it with respect and return what I had learned in whatever way I could. In return, the



community of Fort Good Hope generously shared so much with me, and I am so grateful to them.

I joined whenever the community gathered. I went to Soup Lunch Wednesdays at the community hall. I went to ladies' spa nights on Thursday nights. I went to a sewing circle every Saturday. I joined the community Facebook group. I attended Elders' gatherings and town hall meetings just so I could watch and understand what was important to the community. Fort Good Hope has a recreation field where they gather and cook meals for the community. Sometimes they are formally organized, like for Father's Day, Sahtú Day, or Indigenous Peoples Day, and there were prizes, games, and music. At those cookouts, the food is usually provided by one or a few of the local organizations. Some cookouts are less organized and happen sporadically. At those events, people are fed by each other's particularly full fish nets and recent hunting successes. I was made to feel welcome at all these events.

I certainly blundered a few times. As an example, during my first week I went to spend time at Culture Camp, a campsite where Elders were teaching women in the community how to tan moose and caribou hides. I took some pictures, thinking people might like to have photos of themselves. One of the Elders quietly pulled me aside and asked what I planned to do with the pictures. Her hesitation and discomfort, she explained, came from a handful of past experiences with non-Indigenous researchers and consultants who had published pictures of cultural activities without community consent, or had taken stories and quotes without returning anything.

Throughout my stay, this theme arose a lot: people told me various stories of white settlers extracting their knowledge, exploiting their culture, and disrespecting their people. One man only agreed to an interview after including the caveat: "when Alexander Mackenzie came,

we helped him survive, and then he called us scabby-kneed Indians<sup>10</sup>. Don't do that, and it'll be alright. Just treat us with respect.”

I certainly have a deep respect and gratitude for the people of Fort Good Hope. They are incredibly generous. I cannot thank the community enough for welcoming me so warmly and sharing so much with me. I hope I do their stories justice.

## **4.2 Research Considerations**

### **4.2.1 Ethical CBPR**

Conducting ethical CBPR requires careful consideration on the part of the researcher when designing a study (Ansley & Gaventa, 1997; Hall, 1992; Minkler, 2004). One important factor is where the “impetus” for research comes from (Green, 1995).

Drawson et. al. (2017) reminds us of the importance of reciprocity in research with Indigenous partners: in many cases, when communities are approached by researchers, the relationship has the potential to become one-way and extractive (Baker & Westman, 2018; Hay, 2016). The impetus for research on this project comes from the SLWB, allowing us to build a partnership on equal footing.

Other researchers (Ansley & Gaventa, 1997; Hall, 1992) also emphasize the importance of the ownership and dissemination of information gathered via CBPR. To this end, data of willing interviewees is being stored by the SRRB, and community dissemination is built into this project. Effective methods of dissemination will be determined in collaboration with local

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<sup>10</sup> In Mackenzie's journals, he recounts a handful of interactions with Indigenous peoples of the area who fed he and his crew and acted as guides. He describes these people as, “a meagre, ugly, ill-made people, particularly about the legs, which are very clumsy and covered with scabs” (Wade, 1927).

research partners; potential examples are plain language summaries in English and North Slavey, community presentations, and sharing findings at the community school.

Finally, ethical CBPR necessitates that participants benefit from research outcomes through increased capacity, systems development, or empowerment (Israel et al., 2013); this is incorporated into the very nature of the research. In identifying opportunities for engagement and rights of the community, the research may foster more equitable and sustainable relationships between all stakeholders and rightsholders and increase capacity for future negotiations.

#### ***4.2.2 Formal Ethics Considerations***

All necessary permits for conducting research were received. Conducting research in the Northwest Territories requires a Scientific Research License from the Aurora Research Institute. The University of Northern British Columbia also required approval through the University of Northern British Columbia's Research Ethics Board. I also acquired a TCPS-2 Certificate, meant to ensure that researchers are aware of their responsibilities in upholding Tri-Council ethical standards. This research was guided by the ethical requirements set out by the Aurora Research Institute, Tri-Council, and the University of Northern British Columbia Research Ethics Board. All permits and approvals are included in Appendices A & C.

#### ***4.2.3 Power and Positionality***

Given that the population of the Sahtú region is over 70% Indigenous (Statistics Canada, 2022a-e), it was necessary for me to center Indigenous history and perspectives in designing this research, from problem identification and description, approach and methods, to results interpretation and dissemination. Canada's ongoing history of settler colonialism has created and systemically reinforced a power structure which disadvantages Indigenous peoples, including in research. As a white woman, I have benefitted from this power differential my entire life. Some

research in Indigenous communities has created harm and trauma, even when the research being conducted was intended to benefit the community (see also Foulks, 1989; Hodge, 2012; Mello & Wolf, 2010).

In her book *Decolonizing Methodology*, Māori scholar Linda Tuhiwai Smith expands upon these relationships and power imbalances (2021). The book challenges researchers to recognize these relationships present in traditional Western research: research should be conducted *for* and *with* Indigenous communities; not *on* or *about* Indigenous communities (Israel et al., 2013; Smith, 2021). To challenge this unequal dynamic, I chose CBPR to interrogate the “location of power” (Cornwall & Jewkes, 1995) in a research relationship and centre power-sharing to ensure equity in research partnerships (Mitchell, 2018). Using CBPR allows for all to have agency in developing, conducting, and interpreting research, which creates more meaningful outcomes than could be accomplished by traditional research. In co-designing research projects, working together to collect and interpret data, and ensuring that findings are distributed to all in a language and format that is accessible to all participants promotes co-learning, enabling transfers of skills, resources, and information between all those involved (Cornwall & Jewkes, 1995; Israel et al., 2013).

## **4.3 Methods**

### ***4.3.1 Data Collection***

#### **4.3.1.1 Semi-Structured Interviews**

I conducted 42 semi-structured interviews in Fort Good Hope with approximately equal representation in interviews from men and women in each age category (18-29, 30-39, 40-49,

50-59, 60-69, 70-79, 80-89). One interview was excluded from the study as the interviewee joined another interview partway through, and left the interview early. Interviewees ranged in age from ages 24-84 as indicated in Table 1 and Figure 7. A sample interview guide is included in Appendix F.

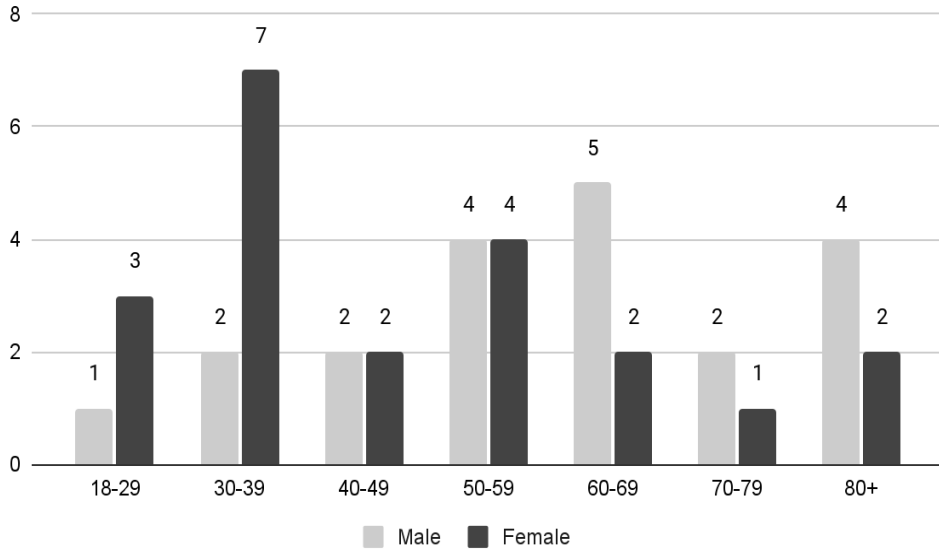
While in Norman Wells, I also had a meeting with two representatives of Imperial Oil, also attended by two other Norman Wells residents, one of whom was former Member of the Legislative Assembly (MLA) Danny McNeely. I also had sit-down meetings with 2 employees of the government of the NWT, with Norman Wells mayor Frank Pope, and various other conversations with people in town. These meetings were far more casual conversations and less structured. They provided valuable context and additional perspective. Demographic information was not collected during my meetings in Norman Wells.

Of all these meetings, only two were audio recorded as most would not allow me to. As illustrated above, building trust was a slow process. Further, I saw a reluctance to be recorded at all. As an example, the Elder coordinator in Fort Good Hope, Verna Pierrot, was hoping to record a short video of Elders speaking about their time boating out to a nearby lake. Despite being from the community, and only intending to share within the community, they had each still refused to be recorded.

*Table 2 - Interviewee Demographics for Semi-structured Interviews in Fort Good Hope*

	18-29	30-39	40-49	50-59	60-69	70-79	80+	<b>Total</b>
Male	1	2	2	4	5	2	4	<b>20</b>
Female	3	7	2	4	2	1	2	<b>21</b>

Total	4	9	4	8	7	3	6	41
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*Figure 7 - Interviewee Demographics for Semi-structured Interviews in Fort Good Hope*

**4.3.1.2 Participant Observation – Reflexive Diary.** Participant observation is often considered the “central and defining method” of cross-cultural learning (Musante (DeWalt), 2015). In participant observation, a researcher takes part in the daily lives of the group of people with whom they are researching, acting as the research instrument themselves by recording observations as data (Hay, 2016). According to DeWalt, participant observation is a useful method for three reasons (2015). First, it increases the quality and quantity of data generated. Second, it improves a researcher’s interpretation of data (gathered via observation or other means) by situating it within cultural context. Third, it allows for a researcher to adjust specific aspects of their research instruments and methods to be “grounded in ‘on-the-scene observation’” (2015:258), thereby improving research outcomes. Reflexive diaries are one such method of recording participant observation, allowing one to “uncover one’s underlying epistemological assumptions” (Guba & Lincoln, 1982:235). Participants were aware that they were being observed, as I identified myself as a researcher. Field notes contained observations, quotes, stories, and conversations. The researcher also observed such situations as Sahtú Land and Water Board office proceedings, community meetings, and other community gatherings.

#### **4.3.1.3 Document Review of Secondary Sources.**

Document review and analysis has been conducted to investigate the history of community engagement between Imperial Oil and the Sahtú Dene and Métis people. “Document analysis is a systematic procedure for reviewing or evaluating” documents of many forms (Bowen, 2009). This research focuses primarily on records of engagement between Imperial Oil and the Sahtú Dene and Métis people to determine the frequency, modes, methods, and structures of engagement. That said, other records, such as land claim negotiation records, books about the community, flyers, posters, brochures, and other materials have been evaluated to provide

context in which to situate interview and observation data. I also carefully reviewed transcripts from public hearings that are within the SLWB online repository.

Additionally, I was given access to the onsite library maintained by the Sahtú Land Use Planning Board. These findings play a complementary role to primary data collection, which hopes to illuminate attitudes and opinions of local people on these engagement practices.

**4.3.1.4 Sample and Participant Recruitment.** This research collected data from a non-probabilistic sample, recruited using various purposive recruitment methods. The labour-intensive, in-depth nature of a semi-structured interview case study methodology places constraints on the quantity of data that is possible to collect. Thus, to ensure quality of data, participant selection should be non-probabilistic, not random (Bernard, 2006).

There are a range of non-probabilistic recruitment methods. This study employed a purposive (or judgement) sampling method to identify key informants with experience in community engagement with non-renewable resource extraction proponents. From there, three further recruitment methods identified by Bernard (2006) were used:

1. Chain referral (or snowball, or respondent-driven sampling): participants are asked to refer other potential participants to researcher.
2. Convenience (or haphazard) sampling: allows for a researcher to select participants based on accessibility.
3. Opportunistic sampling: allows for a researcher to flexibly follow leads that arise during the course of fieldwork.

#### **4.3.2 Data Analysis**

Data triangulation is “the combination of methodologies in the study of the same phenomenon” (Denzin, 2009). That is, more sources and types of data deployed in analysis, the



more accurate and credible the analysis (Bowen, 2009). This project uses semi-structured interviews, participant observation, and secondary source document analysis to triangulate results.

Interview data were transcribed and analyzed using latent content analysis to identify recurring themes using NVivo coding functions (Hay, 2016). This is in opposition to using manifest content analysis (Hay, 2016). Given the multi-lingual nature of this research, with barriers such as translation and interpretation, latent content analysis is a stronger tool for analysis of concepts and themes in interview data. Recurring themes were identified using latent content analysis.

#### **4.4 Knowledge Mobilization**

The research has already been presented at a conference in poster format and in this format as a student thesis. I also plan to present at future conferences, and to return the information to Fort Good Hope in one-on-one discussions, a plain language summary report which presents the information in both English and North Slavey and/or in other ways identified as appropriate. There are also opportunities for partnerships with local and regional education groups such as the Sahtú Education Board, northern education organizations, and others. Other mainstream dissemination methods like podcast, radio, and print media will be explored.

## CHAPTER V: RESULTS

This chapter presents the findings from the analysis of interview data complemented by insights from participation observation by the author and secondary sources (documents in the SLWB public registry, public hearing transcripts, news reports, etc.) when appropriate. The presentation of empirical data is organized into main themes identified from the interview data. These are: trust, reciprocity, and cultural appropriateness. The content of each theme is dealt with independently for the purpose of presentation, but it is recognised that information within themes often overlaps.

### **5.1 Historical Timeline of Consultation and Regulatory Structures for how Sahtú Dene and Métis People have been Engaged**

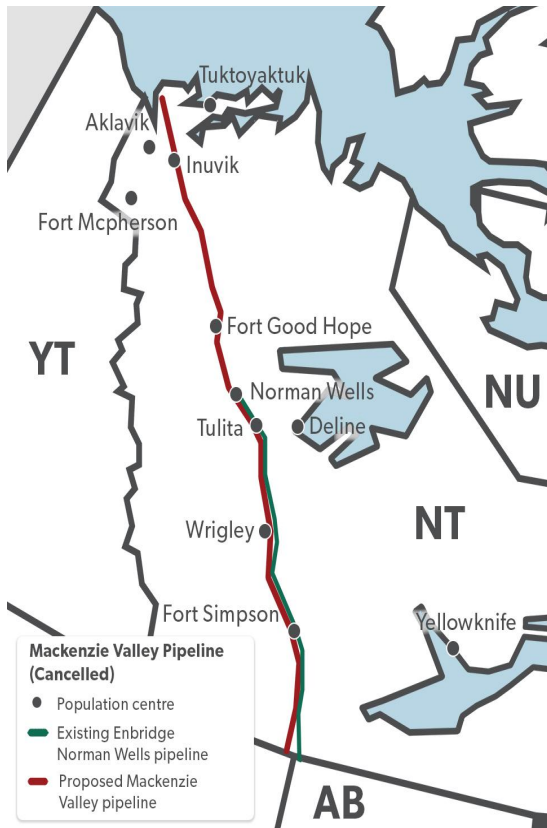
The regulatory structures that governed the Norman Wells Oilfield, and therefore the requirements for consultation, have changed a lot over time. In 1920, Treaty 11 was negotiated so that Imperial Oil could access and extract the oil at Norman Wells. After this treaty was established, there was very little, if any formal public participation or consultation between Imperial Oil and Sahtú people. In 1944, the Norman Wells Proven Area Agreement (NWPAA, 1944) was signed between Imperial Oil and the Canadian Government, which established Canada's one-third share in the oilfield. The NWPAA also established the boundaries and ownership of surface and subsurface rights (Appendix D). Sahtú people were not involved in the negotiation of this agreement. In 1970, Imperial Oil's first license was issued by the Department of Indian Affairs and Northern Development under the Northern Inland Waters Act (Northern Inland Waters Act, 1970), and the NWT Water Board was established. In 1974, Justice Thomas Berger began the Berger Inquiry. Sahtú people had not, to that point, been given an opportunity to participate in environmental management decision-making. To illustrate how rare public

participation was prior to this point in the Sahtú, one can look to the opening lines of Chief Frank T'Seleie's speech at Fort Good Hope's hearing:

*Mr. Berger, as Chief of the Fort Good Hope Band I want to welcome you and your party to Fort Good Hope. This is the first time in the history of my people that an important person from your Nation has come to listen and learn from us (T'Seleie, 1976:1768)*

In 1977, Thomas Berger published results from his inquiry, and recommended a 10-year moratorium on the construction of the Mackenzie Valley pipeline, as that was the time that he estimated it would take to settle the area's land claims.

However, just 4 years later, despite the 10-year moratorium, in 1981 Imperial Oil and Interprovincial Pipe Line jointly proposed a pipeline and an expansion of the Norman Wells Oilfield. This proposed pipeline follows a nearly identical route of the pipeline proposal investigated in the Berger Inquiry (Figure 8) though does not go as far North as the first proposed pipeline.



*Figure 8- Proposed Mackenzie Valley Pipeline and Imperial Oil Pipeline. Source: Marsh & Baker, 2018*

Imperial Oil and Interprovincial Pipe Line did consult with Indigenous groups about the proposed expansion and pipeline. Three sets of public hearings were held by the NWT Water Board, National Energy Board (NEB), and an Environmental Assessment Review Panel. Very little information is available on the process of these hearings, but their results showed that Sahtú people were opposed to the pipeline, and highlighted various concerns, including a need for time to settle land claims (Wallace, 1985). Some had concerns about the pipeline and expansion's potential impacts on their livelihood, but were persuaded to give conditional approval (Bone, 1992; Difrancesco, 1996; Mountain & Quirk, 1998). One such condition was that they would have a regulatory and monitoring role, that they were promised would have significant power over the direction of the project, and were promised to receive a benefits package to “cope with

possible disruptions and changes” (Department of Indian and Northern Affairs and Development, 1981 qtd. In Rees, 1986) While the Sahtú people had understood this to be an agreement with Indian and Northern Affairs (INAC) Minister John Munroe, Cabinet later rejected their conditions (Bush, 1990).

Despite the broken agreement, the Berger Inquiry’s recommendations, and the Sahtú Dene people’s reluctance, the Environmental Assessment Review Panel approved the expansion in 1981 (Lawrence, 2004). John Olthius of the Committee for Justice and Liberty called this decision, “unbelievable and unjust,” because the National Energy Board had been made aware that, had they had time to negotiate land claims, some of the impacts of the pipeline could have been mitigated. The Dene were “able to assume only a minor advisory role in project co-ordination and had experienced lengthy delays and other difficulties in accessing the funds necessary to mount their own socio-economic monitoring study” (Rees, 1986). As a result,

*The Dene and Métis were dissatisfied with the public participation. [...] The Dene believe they did not benefit from the public participation process. The results of the public participation for the Dene and Métis were frustration, too much work, and distrust of the federal government. They are now more strongly opposed to resource development not under their control. (Bush, 1990:6).*

In their follow up reports, Dene made clear that they felt ignored and dismissed in the process (Wallace, 1985). One Elder told me of the situation, “We never had a say and it’s still affecting us forty years later.”

Within 10 years of the pipeline and expansion being built, the SDMCLCA was signed despite debate among the Sahtú people (Kulchyski, 2018), giving regulatory power to Sahtú co-management boards. The last water use license issued by the NWT was issued in 1994. It was a 5-year Licence (N3L1-0919), issued by the NWT Water Board under the Northwest Territories Waters Act (1992). The SLWB took over the regulatory role for the NW Oilfield in 1998. At a

public hearing in July 1999 for Imperial's license renewal, Imperial outlined their consultation process: they had held community meetings in three Sahtú communities, as well as three other presentations (to the SSI, and two land corporations), and had given facility tours. They described that consultation as follows:

*We have engaged in an extensive process to consult with the public and regulatory agencies about our water license. The consultation process proved very useful in explaining our operations and in gaining a better understanding of the communities' expectations and concerns. We also believe that the public concerns identified during this process have been addressed. (Imperial Oil, 1999:8; emphasis added).*

Despite Imperial's perception that the public's concerns had been addressed, the rest of that hearing highlighted the enduring concern that some residents had about fish health and fish abundance; Imperial reminded members of the audience of the scientific study that they had conducted, which was interpreted by scientists as having disproven any linkages between Imperial's operation and fish health. There were also concerns raised about who would be financially liable for the costs of the eventual remediation. This is due, in part, to the fact that the Government of Canada owns a one-third stake in the oilfield, but reclamation is usually required to be performed to "the standard of the [federal] minister," a potential conflict of interest. The SLWB issued a 5-year water license (S99L1-003) in 1999.

In 2004, Imperial applied for another license renewal, this time for 10 years. According to their license application engagement records, a total of 30 people from the entire region attended consultations during the week they were performed in February 2003: four people attended the meeting in Norman Wells, eight attended in Colville Lake, seven attended in Fort Good Hope, nine attended in Délı̄ne, and two attended in Tulita (Sahtú Land and Water Board, 2004). A public hearing in Norman Wells in July of 2004 revealed residents' ongoing concerns about fish health and some specific issues with the fish studies. In particular, there were concerns about the lack of baseline data and the feeling that there had been inadequate consideration of Traditional

Ecological Knowledge, which is apparent when reading the hearing transcript (Imperial Oil Resources N.W.T. Limited, 2004). In response, Imperial’s representatives highlighted their collaboration with 14 Elders from Fort Good Hope in creating study parameters, and Imperial showed openness to further discussing the study specifics. There was also a request by the SRRB for more plain-language materials and posters for communities. The SLWB approved the application for a 10-year water license (S03L1-001).

In 2015, the SLWB issued another 10-year license (S13L1-007). This process required Imperial Oil to submit an Aquatic Effects Monitoring Program Design Plan, a Closure and Reclamation Plan, and to pay a security deposit of approximately \$180 million for the site’s eventual closure. As with the other licenses, a degree of community consultation and engagement was required. In fulfillment of those duties, Imperial conducted public consultation sessions in each Sahtú community during May 2013, held a safety workshop, and performed a Traditional Knowledge River Study in Fort Good Hope and Norman Wells to map locations of significance, which Frank T’seleie called “really encouraging” (Imperial Oil, 12 June, 2014:154). Though the number of attendees at each is not listed in their engagement log, the log does list the issues addressed: water quality, water quality monitoring, and amount of water being used (Imperial Oil Resources N.W.T. Limited, 2013).

As with past licenses, there was a public hearing, on July 12 and 13, 2014, in Norman Wells. On the first day of the hearing, Imperial gave a presentation about progressive reclamation activities. They fielded questions about site remediation, ongoing closure and reclamation processes, technical details about testing procedures, briefly spoke about financial liability, and discussed how to fulfill some of the requirements for their upcoming license, like forming working groups. On the second day, people had time to speak, voice concerns, and ask questions

of Imperial. Two attendees, both from the SSI—Edwin Erutse and Ethel Blondin-Andrews—acknowledged that there had been positive strides in the relationship between Imperial Oil and the Sahtú people, especially in the preceding decade. Edwin Erutse acknowledged, “the efforts made by Imperial to address the environmental concerns” (Imperial Oil, 12 June 2014:142). Ethel Blondin-Andrew spoke about the nature of the relationship between Imperial and the Sahtú people. She stressed that the SSI wanted “better engagement. We want to be equal partners. We want an equity stake. We want to be able to be significantly considered when it comes to what happens on our land” (Imperial Oil, 13 June 2014:66). She continued, “Maybe we have ten years left. Whatever we have left, we got to do it differently” (Imperial Oil, 13 June 2014:73).

Imperial Oil officially applied in September 2021 to amend their license to include a Waste Management Facility (WMF) for long-term waste storage that could be used to house waste from progressive and future reclamation activities. Their application included an Engagement Summary, a log of all engagement done regarding the proposed WMF prior to the application. This engagement log includes issues that were raised at each engagement, and how Imperial responded to these issues. At an open house in January 2019, Norman Wells residents asked why Imperial Oil was constructing a WMF instead of shipping their waste southward. The company’s response was, “the waste was generated from Norman Wells Operations, and *a made-in-the-north solution is appropriate rather than expecting the south to accept the north’s waste*” (Imperial Oil Resources N.W.T. Limited, 2021:79; emphasis added).

On May 25, 2022, the Sahtú Secretariat Incorporated (SSI) submitted a letter to refer the proposed WMF to Environmental Assessment (McNeely, 2022). When this letter was published, I printed it out and stuck it to my bulletin board, as it was so powerful. The right of referral to



EA is provided for under the MVRMA (MVRMA, 1998:102)<sup>11</sup>. In this letter, the SSI cites and explains three main reasons for their referral: Incrementalism, Artificial Islands, and Colonialism by any Other Name. *Incrementalism* explains the SSI's concern that breaking reclamation and closure into discrete steps without performing an EA might pre-determine what is possible in future reclamation steps (e.g. that the size of the WMF will determine how much waste can be stored, and therefore whether certain parts of the operation will be taken down or left) and fail to consider cumulative impacts. *Artificial Islands* raises concern about Imperial's stated plan to the artificial islands built in the 1980's to be allowed to erode naturally or not, and asserts the need for further study. Finally, *Colonialism by any Other Name* addresses the long relationship between the Sahtú and Imperial, highlighting that Imperial has made hundreds of millions of dollars in profit from their operations. They then discuss Imperial Oil's opinion that a "made-in-the-north solution is appropriate rather than expecting the south to accept the north's waste," calling this statement "a most egregious one, bordering on colonialism." The letter continues,

*SSI believes that Imperial Oil's full Closure and Reclamation plan needs to be looked at to remove any trace of the kind of thinking found in the quoted statement and to ensure that such thinking does not influence the remediation work to the detriment of the Sahtú Region and its people. Such thinking reflects badly on the company and makes light of the sacrifices the people of the Sahtú have made over the past one hundred years.*

Approximately four months later, in September 2022, Imperial Oil withdrew their application for cited three reasons. First, after affirming that they are "committed to ongoing engagement with communities," they note that it had become "clear that members of communities and other stakeholders in proximity to NWO want to engage on closure holistically and waste management within the context of broader closure." Their other two cited reasons were logistical and regulatory concerns about timelines, and lack of clarity on some processes.

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<sup>11</sup> MVRMA, 1998. Section 126(2)(b)

The Waste Management Facility proposal being sent to EA, then withdrawn by Imperial Oil, is symbolically important. It represents a rare and powerful exercise of the rights provided by the land claim, and showed Imperial Oil the importance of thorough engagement and consultation.

*Table 3 - Summary of Historical Timeline*

1920	Treaty 11 signed
1944	Norman Wells Proven Area Agreement signed
1970	Department of Indian Affairs and Northern Development issued first license
1977	Treaty 11 Overturned
1977	Berger Inquiry Published - 10-year moratorium on pipelines
1981	Pipeline and expansion approved
1983	Pipeline and expansion construction began
1985	Pipeline and expansion construction finished
1992	NWT Waters Act
1994	SDMCLCA enacted
1994	NWT Water Board issued N3L1-0919
1998	MVRMA enacted
1999	SLWB Issued S99L1-003
2004	SLWB Issued S99L1-001
2015	SLWB Issued S13L1-007
2021	License Amendment Application for WMF
2022	Referral of WMF to EA
2022	Withdrawal of Application for WMF

## 5.2 Trust

Early in my time in Fort Good Hope, I noticed that when I discussed the work I was doing, people often seemed to put a guard up. That is, until I made it clear that I did not work for Imperial Oil, after which people were almost always willing to speak more freely with me. It even became a running joke that I would benefit from a t-shirt that said, “*Not with Imperial.*”

During interviews, eleven respondents spoke explicitly about their lack of trust for Imperial, in addition to the many other conversations I had in my time there with people who shared distrust and their perception of non-transparency on the part of Imperial Oil. One respondent said, “I can’t trust them. I wear that in the back of my mind all the time when dealing with them. Be good to them, but don't trust them.” Another insisted that “nobody trusts them. Nobody,” and continued to say that Imperial Oil was “sneaky” and that they had the money and resources to “make things go away.” I was informed that employees of Norman Wells are required to sign Non-Disclosure Agreements, which furthered the distrust for many people: “it lets you know they're up to something.”

As for what could restore trust, one respondent said that if Imperial worked with Sahtú communities to make a plan and then stick with it, then perhaps it could be restored. In a conversation over coffee that I attended in Norman Wells, Imperial Oil indicated an intention to improve their relationships and communication in the region. Another attendee of the meeting told me afterward: “I've seen this too many times. I'll believe it when I see it.” This sentiment was shared by then-Chief Tommy Kakfwi: “They promise the world but they don't have to deliver... They never do.” This problem is not necessarily *just* because of Imperial Oil, though. When asked, “do you think Imperial Oil will do a good job of remediation?” one man responded with, “What oil company does?” Another person told me that “Industry doesn't keep its word,

and that's why people have lost trust in Industry." I spoke to Bonnie Bergsma, a regulator with the Sahtú Land and Water Board, who said that there was a "long history of distrust. Not for lack of trying on [Imperial's] part, but because of bureaucratic and colonial structures." Indeed, one community member cited that their loss of trust was "a side effect of broken treaties."

This long history of distrust meant that some community members had difficulty envisioning a future where they could ever trust Imperial Oil. "We are never going to fully regain trust, and there's no real solution. [...] The damage is done, can't reverse it." Another emphasized, "Trust is a big thing, and it's hard to restore." A third said, "Up to this point, trust has been gone quite a while."

### **5.3 Reciprocity**

Interview respondents viewed the relationship with Imperial as non-reciprocal, with Imperial gaining more from the relationship than Sahtú people, and the Sahtú people additionally experiencing harm. This is in direct conflict with the ideal of reciprocity, which is highly valued in Dene communities. Reciprocity is a value that applies to both human/human relationships and to human/other-than-human relationships. Dene ontologies hold that human beings are not separate from the environment, but are part of a complex web of relationships governed by the principle of reciprocity (Abel, 2005:42; Gilberthorpe & Hilson, 2016; Walsh, 2015, 2016). Reciprocity governs the way that the Dene and Métis people of the Sahtú hunt animals, how they treat animals once they have been hunted, and how they treat one another and the environment. I heard about this from people throughout my entire stay in the Sahtú but did not fully understand what it meant until I had been there for a few weeks.

During my first week in Fort Good Hope, I sat down with an Elder on a stack of pallets on main street for over an hour. One story he shared that day, among many others, was that if you hit a caribou with a stick, you would never see another one. At the time, this advice did not register with me: I had no plans to hit any caribou. Later in our conversation, he told me that people from Fort Good Hope used to catch and dry herring, or *lugeya*, in huge volumes, sometimes hundreds per day, but it had been a long time since anyone had seen herring like that. These two threads remained separate in my mind for weeks.

Throughout my time in the Sahtú, I was told by dozens of people about how herring used to be a staple for their people. People recounted stories about catching herring, some pulling them out by the bucketful, setting up camps to dry them, selling the dried fish to the Northern Store by the bale, and feeding herring to their dog teams during the winter. However, the fish had become a rarity to catch since the 1980s. The lesson finally came together for me when another Elder was telling me about how important herring had been to him and his family in the past. After Imperial Oil underwent its expansion in the 1980s, though, the herring had all but disappeared and his family had suffered as a result. This Elder believed that the contamination and siltation from the oil well expansion, and the noise made by trucks and heavy machinery, gravel blasting, and other activities associated with construction amounted to mistreatment of the fish. The herring had disappeared, he believed, because expanding and operating the oilfield was like hitting a caribou with a stick. This stick rule is not to be interpreted literally:

*Caribou exist in order to feed the people, and this gift has been offered as long as people follow the protocols for being respectful to the caribou... If a person acquires a deep understanding of what this rule means, they will understand the principle that underlies protocols for harvesting, butchering, processing meat and sharing. (SENES Consulting, 2009).*

The underlying meaning, as I understand it, is that animals offer themselves to the Dene as long as the animals are respected. Violating that respect, whether that is by hitting a caribou

with a stick, or by extracting oil at Norman Wells, violates that important Dene rule (Johnson et al., 1992). The cost of this disrespect is the disappearance of an important species.

### **5.3.1 Environmental Degradation**

There is a widespread perception of Imperial Oil in Fort Good Hope that operations have caused irreparable damage to the Mackenzie River, affecting environmental change that has fundamentally changed the lives of Sahtú people. Edwin Erutse, president of the Yamoga Land Corporation, said that Imperial Oil's operations are:

*going to impact our culture. It's going to impact our ability to exercise our tradition. Fish is one of our main staples for our diet. So how are we going to be able to address those issues? We hunt, we fish, water is a necessity to life! If you tamper with that, how do you fix it?... We have a right to hunt and trap and fish on our land for eternity.*

As illustrated in the story about herring above, Sahtú people believe that Imperial Oil's activities at Norman Wells have cost them an important species. Eleven interview respondents, and many other conversations within the community cited the disappearance of herring as one impact they had noticed since Imperial Oil's expansion in the 1980s. It is worth noting that scientific studies shared by Imperial show that there has been no biological effect of the operations at Norman Wells on fish populations, and Imperial denies the connection. That said, despite a widespread belief in Fort Good Hope that Imperial Oil's activities have contaminated the Mackenzie River, people do not necessarily assert that direct contamination is the mechanism that has made the herring population dwindle. Rather, many believe that the herring have all but disappeared because their operations have violated a rule known by every Sahtú community (SENES Consultants, 2009), which is not to hit a caribou with a stick.

### **5.3.2 Land Rights to the Norman Wells Proven Area**

The Norman Wells Proven Area Agreement (NWPAA) was signed in 1944 between the Canadian Federal Government and Imperial Oil. The NWPAA gives Imperial Oil the exclusive

right to extract the petroleum and natural gas of the Norman Wells Oilfield, the boundaries of which are also confirmed in the NWPAA (Figure 9). The agreement gives a two-thirds ownership interest in the Norman Wells Oilfield to Imperial Oil. The federal government, not the Sahtú, receives the other one-third ownership interest in gross production from the field. Later, when the SDMCLCA was signed in 1994, the NWPAA stood unaffected. After remediation, the rights to this land will return to the Sahtú people, but in the intervening time, the land rights and rights to profit have remained in the hands of Imperial Oil and the Federal government.

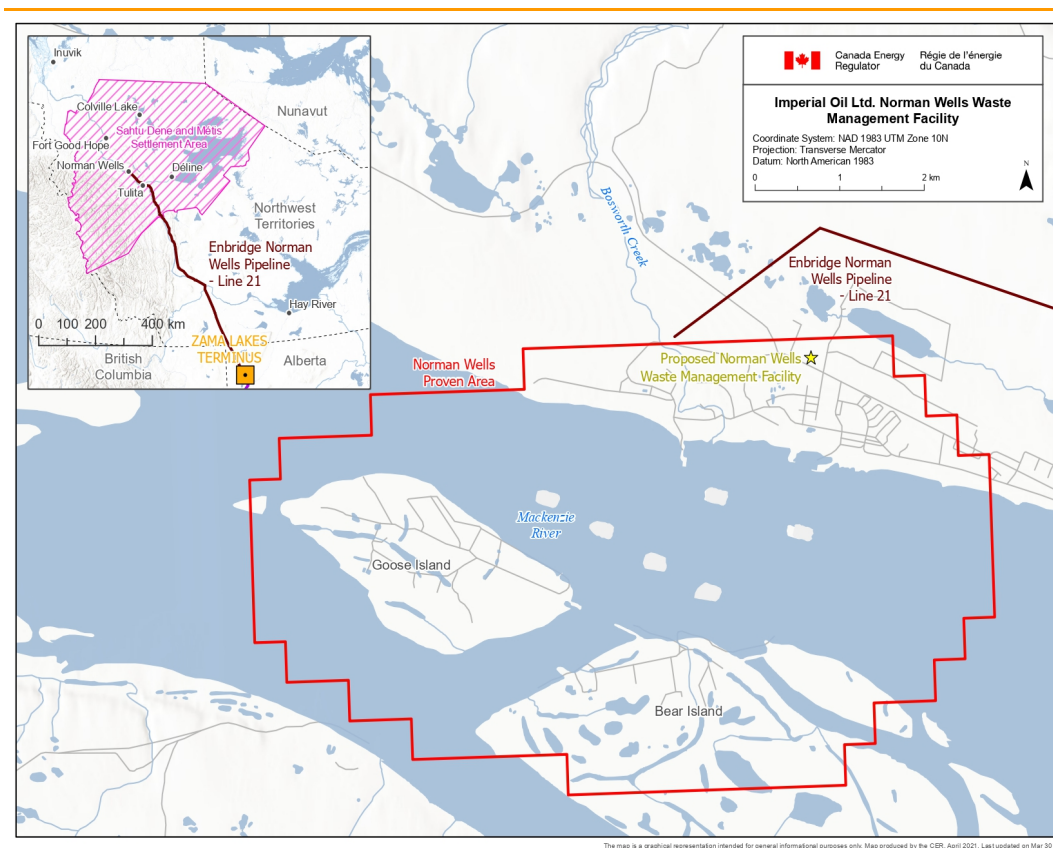


Figure 9 - Norman Wells Proven Area Boundary. Source: Canada Energy Regulator.

### 5.3.3 Financial Costs and Benefits

Imperial Oil has financially benefitted from its operations at the Norman Wells oilfield. Imperial Oil profited \$93 million per year on average between 2010 and 2014 (Quenneville,

2016).<sup>12</sup> Edwin Erutse said in our interview, “All that oil gets converted to money. So, you might as well say all they did was suck up the money and ship it down a pipeline. That's the simplest way you could describe it.” A letter written by the chairperson of the Sahtú Secretariat Incorporated, Charles McNeely, adds:

*Imperial Oil has been active in the Sahtú for just over 100 years now and has benefitted handsomely, with Canada, from its Norman Wells oilfield operations... Canada and ultimately, Imperial Oil, were able to access these benefits by virtue of a treaty that effectively transferred the ownership of the Sahtú subsurface lands from their original Indigenous owners to the Crown (McNeely, 2022).*

Every year, Imperial Oil earns millions of dollars from the oilfield at Norman Wells. On the other hand, the Sahtú people benefit from Imperial Oil's financial contributions to their communities. The size and meaningfulness of these contributions, however, are a topic of much discussion. The company does invest financially into the Sahtú. Their website claims that they donate \$100,000 to \$200,000 to the Sahtú every year (A Century of Production, n.d.). In 2022, some of those donations included 10 houses to Sahtú communities, \$50,000 to a non-profit that supports Sahtú residents travelling for medical care, \$15,000 for a regional youth conference and \$12,000 to a food pantry in Norman Wells (Lamberink, 2023). These types of contribution were recognized by some interview respondents. Four respondents recalled that Imperial Oil had financially supported multiple events in the community like graduations, educational events, and a small music festival. One former resident of Norman Wells remembered money being donated to the school to purchase iPads, laptops, and that they knew someone who had received a \$250 scholarship, though they laughed at the amount. A former employee of the band said that Imperial would donate prizes and money for events “every time we requested money.” That said, some people from Fort Good Hope feel that Imperial Oil does not benefit their community

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<sup>12</sup> I was unable to find more recent figures, but this gives a rough idea.



financially or in any other tangible way. In a public hearing in 2014, Sahtú beneficiary and former Member of Parliament Ethel Blondin-Andrew said:

*We don't have anything to show for Imperial Oil having been here eighty years. Show me the library. Show me the art centre. Show me the traditional knowledge centre for Sahtú. Show me the swimming pool for the kids. Show me all those things that were left behind as a legacy.*” (Imperial Oil, 13 June 2014:60).

Later, she added: “You have not made, in eighty years, a statistical difference in the lives of our people” (Imperial Oil, 13 June 2014:62) and that if Imperial Oil had done positive things for the Sahtú, they were “well hidden, because I've been looking” (Imperial Oil, 13 June 2014:63).

Upon being asked, some respondents were unable to name any tangible contribution to their community made by Imperial. Five interviewees insisted that there had been *no* tangible benefit. Edwin Erutse said that Imperial “took all that resource, sent it down a pipeline, left no infrastructure. Left us with nothing.” One respondent speculated that perhaps the reason people were unable to name tangible benefits was because this funding was “inconsistent and spotty,” and that Imperial Oil had “no consistent presence” in Fort Good Hope.

#### **5.3.4 Employment**

Employment and training, or “workforce development” are some of the benefits that Imperial identifies from their presence (Imperial Oil, 2022). Indeed, four interviewees noted that employment and jobs at the oilfield had been positive for the region’s economy, and many others thought employment and training might be one of the best things to come out of the reclamation. One person expressed that the jobs and training were the *only* benefit to the Sahtú.

It is not necessarily that people are unhappy with the prospect of employment with Imperial Oil. Eighteen respondents, when asked what outcomes they wanted out of the closure of the oilfield, responded that they could see opportunities for jobs in remediation-specific labour work, in environmental monitoring, and in office jobs. They saw this being beneficial in the short term,

as unemployment rates are high in the Sahtú, but also in the long term, as the experience and training could act as a steppingstone for reclamation and work opportunities elsewhere. That said, even respondents who recognized the benefit of employment added that very few Sahtú people worked for Imperial Oil. To that end, one respondent asked, “It’s 100 years later and, what, 7 [Sahtú] people have jobs?”<sup>13</sup> Nine other interviewees shared in this view, claiming that the number of Imperial Oil employees from the Sahtú is minimal, some unable to name even one employee. Further, six interviewees said that even for those relatively few Indigenous people hired by Imperial, there is limited opportunity for upward mobility within the company.

Of course, no opinions are universal. There were some community members, usually former employees from before the expansion in the 1980’s, who believed Imperial Oil was not responsible for the disappearance of herring, who deeply enjoyed working for the company, and who were happy for the company’s presence in the region.

Imperial developed the Norman Wells Northern Development Program in 1990 to provide “qualified Sahtú beneficiaries” with training for careers at the Norman Wells Oilfield. As of February 2023, the website reports 23 graduates and 10 full-time employees.

### **5.3.5 Overall Balance Sheet**

*We are waking up and realizing that apart from the glossy pamphlets and promises, apart from the smiles and slaps on the back, apart from the good-natured small talk, what your nation is really doing to us is destroying us (T’Seleie, 1976:1775).*

There is no simple or definitive way to weigh “costs” against “benefits” of the past century, nor can it be implied that each Sahtú individual has experienced the effects of the Norman Wells

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<sup>13</sup>A contact at Imperial Oil shared that as of December 2020, 14 of the 75 employees at the Norman Wells Oilfield were Sahtú Beneficiaries, though she noted that the workforce fluctuates (3 May 2023, pers. comm. Jaci Mersereau). Another contact shared that as of April 2023, there were 74 employees, but was unsure how many were Sahtú Beneficiaries (24 April, 2023, pers. comm. Gail Lammi). Norman Wells Business Development Officer Danny McNeely estimated that there were 70 employees and that 8 are Sahtú Beneficiaries (29 Mar, 2023 pers. comm.).

Oilfield in the same way. It should also be noted that a Dene conception of reciprocity is not one of quantifiable variables, nor is it meant to be determined by assessing as a list of specific factors. However, it is illustrative to compare the way that Sahtú people and Imperial Oil have each benefited and suffered costs because of the oilfield by considering environmental change, land rights, economic costs and benefits, and employment and training (

*Table 4).*

*Table 4 - Cost-Benefit Comparison Table of Imperial Oil and Sahtú People*

	Cost	Benefit
Imperial	<ul style="list-style-type: none"> <li>- \$100,000 - \$200,000/year directly</li> <li>- Regulatory costs</li> <li>- Salaries of employees</li> <li>- Costs of performing engagement activities</li> </ul>	<ul style="list-style-type: none"> <li>- \$93 million/year</li> <li>- Subsurface and surface rights</li> </ul>
Sahtú	<ul style="list-style-type: none"> <li>- Displacement of families</li> <li>- Subsurface and surface rights</li> <li>- Environmental change, affecting way of life and tradition</li> </ul>	<ul style="list-style-type: none"> <li>- Employment (though there are issues)</li> <li>- Training</li> <li>- \$100,000-\$200,000/year in financial support</li> </ul>

With this in mind, the sacrifice of the Sahtú people over the past century becomes more apparent, and the lack of return for those sacrifices is also apparent. The perception held by Sahtú people is that Imperial has benefitted at their expense, thereby violating the Dene principle of reciprocity.

### ***5.3.6 Indemnification or Reconciliation***

In writing this section, I considered many different descriptors for how to label what proper remediation could mean. Initially, I was considering using “indemnification,” “restitution,” “repayment” or “reimbursement” to describe potential outcomes. Outcomes along this line are certainly part of the discussion happening in Fort Good Hope. Some shared that perhaps a

repayment in the form of a monetary sum could begin to help: “They owe us” said former Fort Good Hope Chief and current Executive Director of the Tuyeta Management Board, Danny Masuzumi. “You would think with the damage being done to the land, they could give us more” said one woman, and an Elder added that if the Sahtú people are financially compensated, it could be their “return for the harm [Imperial] did.” Conversely, others think that “no amount of money could cover the damage,” because “the damage is already done” and that “money doesn’t fix things. Money doesn’t fix the land.” This is not to say that financial compensation would not be helpful for the community. It could help to pay for suggestions that some people raised: building a highway, a cultural center, a pool, a community rink, linking the community to a new water source, easing housing insecurity, and many others.

Along similar lines, the community would likely benefit from the employment opportunities arising from closure activities, including transferable skill training that could be leveraged into future employment elsewhere. To others, though, this idea of repayment in the form of jobs, training, and a boost to the local economy should be considered “the bare minimum,” as Edwin Erutse puts it. Further, even remediating and reclaiming the land properly is a minimum expectation. One woman thought, “after what damage Imperial has done to the land, they need to clean up.” One interviewee felt that “they owe us closure” and need to “show people you’ve cleaned up.” When I asked their hopes and expectations for the remediation, nearly every interviewee responded with a request for Imperial to clean up and to foot the bill for that cleanup.

However, this conversation remains along the lines of simple repayment, compensation. This does not engage ideas of healing, of repair, of reconciliation. Reconciliation is a big word, and one that I do not want to use lightly. Imperial Oil has spent over 100 years in the Sahtú region, causing much harm and benefitting greatly. Simply cleaning up, supplying jobs, and paying for

the reclamation will not erase the impact that the Norman Wells Oilfield has had. “They already took everything.”

Numerous residents were concerned about the long-term fate of the waste, asking for any trace of Imperial’s presence to be removed: “absolutely everything they brought up and used needs to go or else it becomes someone else's problem.” Some community members were very concerned about who would bear responsibility for the waste in the long term, with ten expressly concerned that Imperial would not bear long-term responsibility after initial cleanup and worried about the safety of waste storage. Edwin Erutse fears that “it’s going to leak pretty soon, well after I'm gone, maybe after my grandchildren are gone, but no science out there has convinced me” that long term storage of waste is safe. He asserted: “we have a right to hunt and trap and fish on our land for eternity.”

## **5.4 Cultural Appropriateness**

### ***5.4.1 Relationship-Building***

For Sahtú Dene and Métis people, relationships and relationship-building is essential. Relationships with individuals are just as important, if not more so than relationships with Imperial as a whole, or as a company. For any number of reasons, the company has had multiple representatives for the region throughout the years: “We’re the same, they cycle through,” said Heather Bourassa. At the public hearing in 2014, Ethel Blondin-Andrew said to Imperial’s superintendent at the time, “We've been through I think five or six superintendents [...] And that's been going on forever and ever” (Imperial Oil, 13 June 2014:63). This lack of continuity is problematic: Heather emphasized that relationships with individuals are very important to Sahtú people, and that having a positive relationship with a particular person at Imperial was paramount for the community. When new ambassadors are hired to represent Imperial, the

continuity of developing a relationship with an individual is interrupted, and the community must start over. Heather explained, “the community has a longer memory than each new boss,” and that Imperial’s “management feels like the past is less important.” Further, the lack of continuity leads to challenges in trying to “evolve the conversation,” finding solutions, asking questions and receiving answers.” At least three interviewees indicated that they preferred to meet with decision-makers from Imperial Oil, not ambassadors, as they did not feel their opinions were being heard by people of power. The lack of continuity, paired with visits by ambassadors rather than leadership, contributes to residents’ frustration at a lack of accountability, as a representative can promise things without the power to deliver.

Even when consultation is done, one respondent thinks that Imperial “maybe came to the community and talked to a few people,” but did not engage with *enough* people or, “Maybe they *say* they’ve done consultation” but have not consulted in a meaningful way.

Buddy Gully, Guardian of the land for the K’ahsho Got’ine Foundation and former boat captain at Norman Wells, said about Imperial Oil during our interview: “How do you know us without visiting us? You don’t know us because you’re strangers on our land. Until I’ve been on the land with you, I don’t know you.” While this opinion may not hold for all members of the community of Fort Good Hope, it may be worthwhile to understand what format of engagement is best for building relationships and trust.

#### ***5.4.2 Format of Engagement***

According to consultation records and interviews, when Imperial has meetings with the public in Fort Good Hope, those meetings are usually held in the band hall (Figure 10), which serves as a community gathering space. While no interviewees expressed any issues with this format, and others thought it was satisfactory, there are some potential issues with the format.

A typical meeting was described to me by several participants: Imperial Oil will often arrive on a flight in the morning, have meetings with leaders during the morning, spend the afternoon or evening having a meeting in the band hall, and then leave that night or the next morning. As for format, Imperial pays for a community feast, then gives a presentation, and fields questions from attendees.

Other examples of engagement by Imperial include emergency safety workshops, site tours, and a Traditional Knowledge workshop in 2013. Ethel Blondin-Andrew commented on the efficacy of these engagement activities:

*We acknowledge Imperial's efforts to address, to engage with the Sahtú, including hosting traditional knowledge workshops last year and to make contributions to our community. Those are easy. Those are called activities. But what we need is a fundamental rethinking of our relationship, the way we work together. (Imperial Oil, 13 June 2014).*



*Figure 10 - Fort Good Hope Band Hall. Source: Ann King*

#### **5.4.3 Reluctance to Speak Publicly**

In Fort Good Hope, there is a reluctance to speak on behalf of others. People would often respond to my questions with answers that began with “I can’t speak for anyone else, but I think...” or “I can’t say what others want, but what I want is...” In my interview with the president of the Yamoga Land Corporation, he told me his opinion about something, an opinion

that was shared by almost every person I had spoken to, yet he made sure to preface it by saying “in my opinion, and in my opinion only...” Perhaps this was a way to avoid being seen as speaking for other people, despite his position as President of the land corporation.

Many people in the community also expressed a hesitance to share their opinion in front of others. Of the nearly 50 interviews I conducted, I was only given permission to record 2. One person told me, “Everyone is scared of one another... People are too afraid to speak up.” Another said that if they were to speak up at a meeting with Imperial, they “would get pulled apart by [their] family and friends.” Many others expressed an interest in attending future meetings with Imperial to *listen* but did not plan to say anything in front of their community.

Midway through the summer, there was a meeting with territorial MLAs about the issue of homelessness in the North. Though many people did speak publicly at the meeting, some twice, many others did not. Near the end, a woman suggested to organizers that in order to hear from more people, they may need to create time for one-on-one meetings with people who were not comfortable speaking publicly. She suggested that perhaps they should make themselves available somewhere to create a space for more-private conversations. There were nods and murmurs of approval throughout the hall. The Sahtú Dene people, like many other Northern Indigenous groups, are not an outspoken people, and in “a culture where the wisest and most competent members regard outspokenness and adamance as foolhardy, childish, and profoundly self-defeating, how can a way of life protect itself, when its protection requires outspoken and adamant protests?” (Brody, 1981). For a Sahtú person to put forward a concern in the type of public meeting held by Imperial Oil requires that they set aside their cultural and social norms to become outspoken advocates for their land.



#### **5.4.4 Elders**

There are nine Dene Laws. I saw a list of these laws all over Fort Good Hope, painted into murals at the school or printed and stuck to bulletin boards in town buildings. They guide the actions of everyone. One of those nine laws is “Be respectful of Elders and everything around you.” This law is followed in a way that is visible. This comes through in the way the community operates— there is tangible respect for Elders in Fort Good Hope. The community ensures that Elders have enough firewood, goes hunting and sets aside meat for Elders, carries their plates at community meals, washes their water tanks and takes care of them in so many other ways. When Elders speak, they are sharing knowledge, so others listen.

Participants told me that they felt that Elders spoke more than others at public meetings, as there is a culture of deference to Elders (Johnson et al., 1992; Legat, 2012).

It seems that because Elders have lived the longest and have experienced the most, they are therefore best positioned to speak with a measure of authority on the history of the Sahtú people, their culture, how the land has changed throughout time, and what the community needs in order to preserve their ways. As such, the public hearing format that Imperial Oil uses to engage and consult Sahtú people limits the ability of younger people to voice concerns and opinions and promotes the consultation of Elders, even when others are present.

Several interviewees spoke positively about an instance of community engagement that had combatted some of these issues. This engagement was about negotiating self-government under the land claim. Respondents described a multi-day workshop that had split the community into three separate age groups that each separately answered the same questions. This allowed for younger people who would normally not speak at community meetings to feel more confident

speaking in front of their peers. On the last day of the workshop, all three age groups were brought together to hear what other groups had discussed and get the main takeaways from the workshop. This last step was important, as it made sure that there was full transparency and to ensure that people's views had been adequately interpreted. Additionally, one interviewee explained that people like to know that “what they say is being retrieved, acknowledged, and archived.”

Young people shared that Elders' stories often seem circular or repetitive, and as a newcomer to the community, the meanings of stories was not always immediately apparent to me. Despite critical importance of storytelling in Dene culture, storytelling is not well-respected or well-understood by Westerners (Bayha, 2012).

## **5.5 Evaluating Past Engagement and Consultation**

### ***5.5.1 Frequency and Target of Engagements***

Speaking to the perception that Imperial Oil does not consult with the public, one respondent said in our interview, “When Imperial comes, they come to meet with leadership only - it's rarely public.” Three other interviewees shared the same sentiment, though one noted that it seems they are beginning to meet with the public more often.

In the Waste Management Facility License Amendment Application submitted by Imperial Oil, there is an engagement log that tracks engagements made by Imperial Oil between 2015 and 2021. There are 102 total engagements. Of the 102 engagement events in the entire region over 6 years, 31 are emails, and 23 are events hosted by Imperial Oil. (Figure 13).

Leaders are the most-engaged group by Imperial Oil across the Sahtú region (Figure 11) and within Fort Good Hope in particular (Figure 128). Of the seventeen distinct engagements logged

by Imperial within, or with, people from Fort Good Hope between 2015-2021 (Appendix E), only six were accessible to the public.

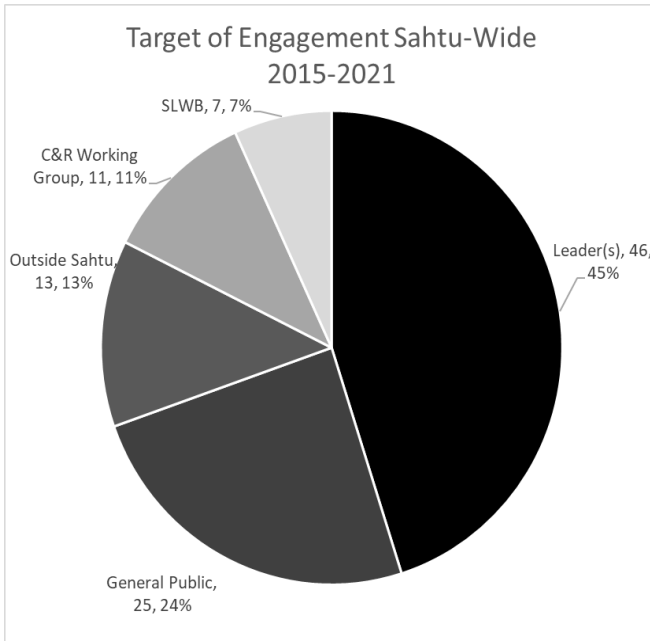


Figure 11 - Target of Imperial Oil's Engagements in Sahtu-Wide, 2015-2021

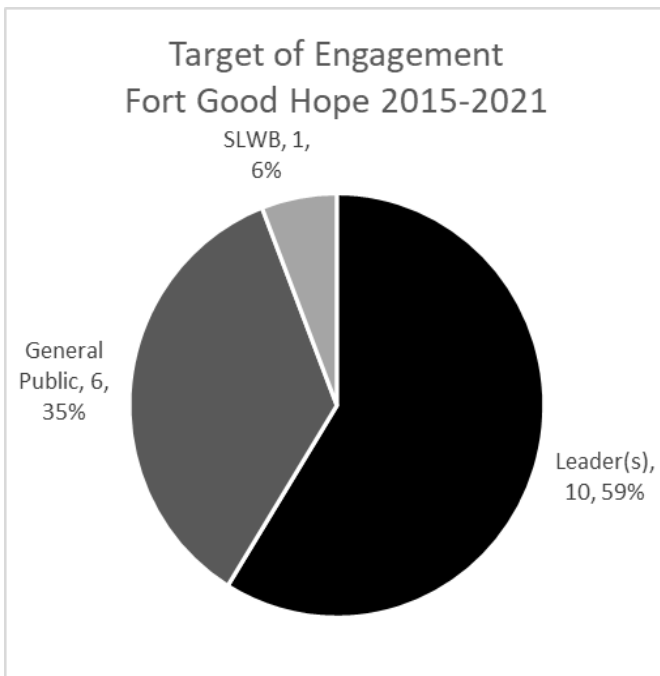


Figure 12 - Target of Imperial Oil's Engagements in Fort Good Hope, 2015-2021

Two of those six publicly accessible were Chapter 9 Meetings, which is an annual meeting required by Chapter 9 of the SDMCLCA, wherein Imperial Oil is required to present a report about the past year's operations, finances, any environmental incidents and cleanup, employment, training, plans for upcoming year(s), and "other matters of concern to the participants" (SDMCLCA, 1994:25).<sup>14</sup> Chapter 9 meetings are required to be in Fort Good Hope, Norman Wells, or Tulita. The attendance count of these meetings is not included in the engagement log. Regardless, they are not considered sufficient consultation. The president of the Fort Good Hope Renewable Resource Council was sure that he had never been invited to one of the meetings. One interviewee who had attended multiple Chapter 9 meetings did not believe them to be effective, citing that they were overly technical in nature and that questions from Sahtú people often went unaddressed. At a public hearing held by Imperial Oil in 2014, Ethel Blondin-Andrews said that she was unsatisfied with Chapter 9 meetings, calling them "a dog and pony show, a show and tell," asking that the parties work together to "build a bigger and better relationship." (Imperial Oil, 13 June 2014:72). Gina Dolphus, former president of the Délı̨ne Land Corporation, had said the day before: "reporting requirements under Chapter 9 should not define the relationship between the Sahtú and Imperial" (Imperial Oil, 12 June 2014:146).

As far as which community receives the most engagement (Figure 14) Norman Wells saw the most, at 28 instances between 2015 and 2021. Tulita saw 18 engagements in the same period, followed by Fort Good Hope at 17. Colville Lake and Délı̨ne saw relatively few engagements, at 3 and 4 respectively, which could make sense given their lack of geographic proximity to Norman Wells Oilfield and their lack of direct hydrological connection.

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<sup>14</sup> SDMCLCA, 1994. Section 9.2.4 (a)-(e)

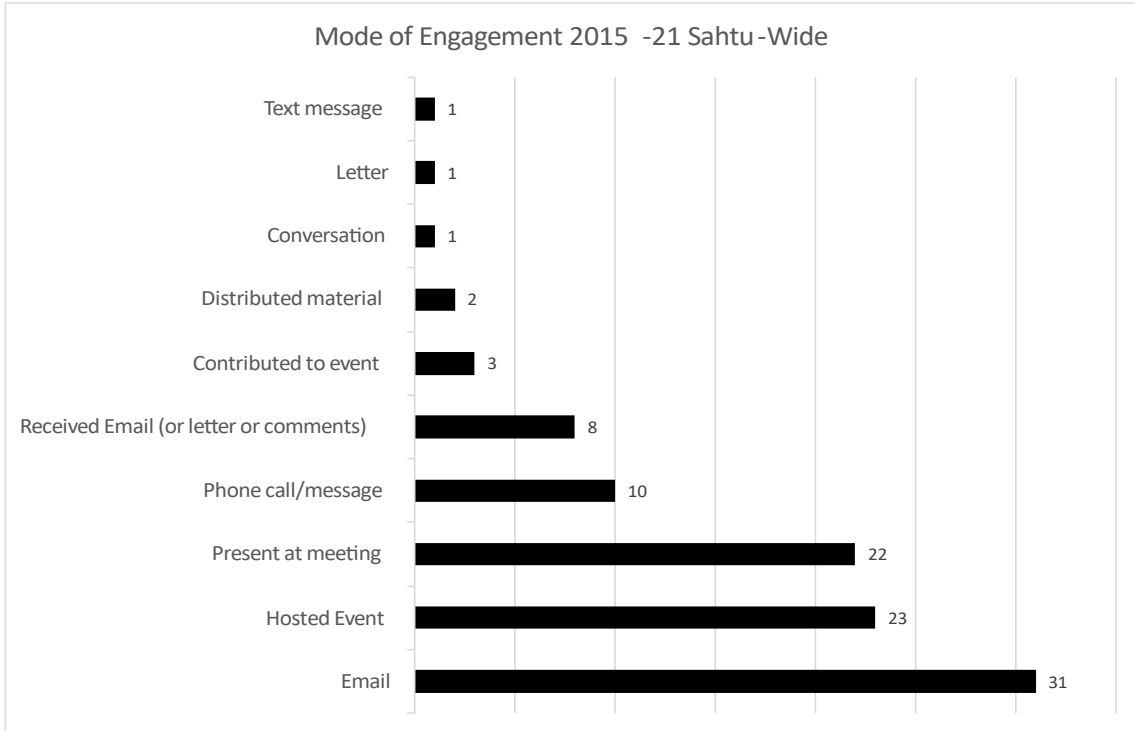


Figure 13 - Mode of Engagement 2015-2021, Sahtu-wide

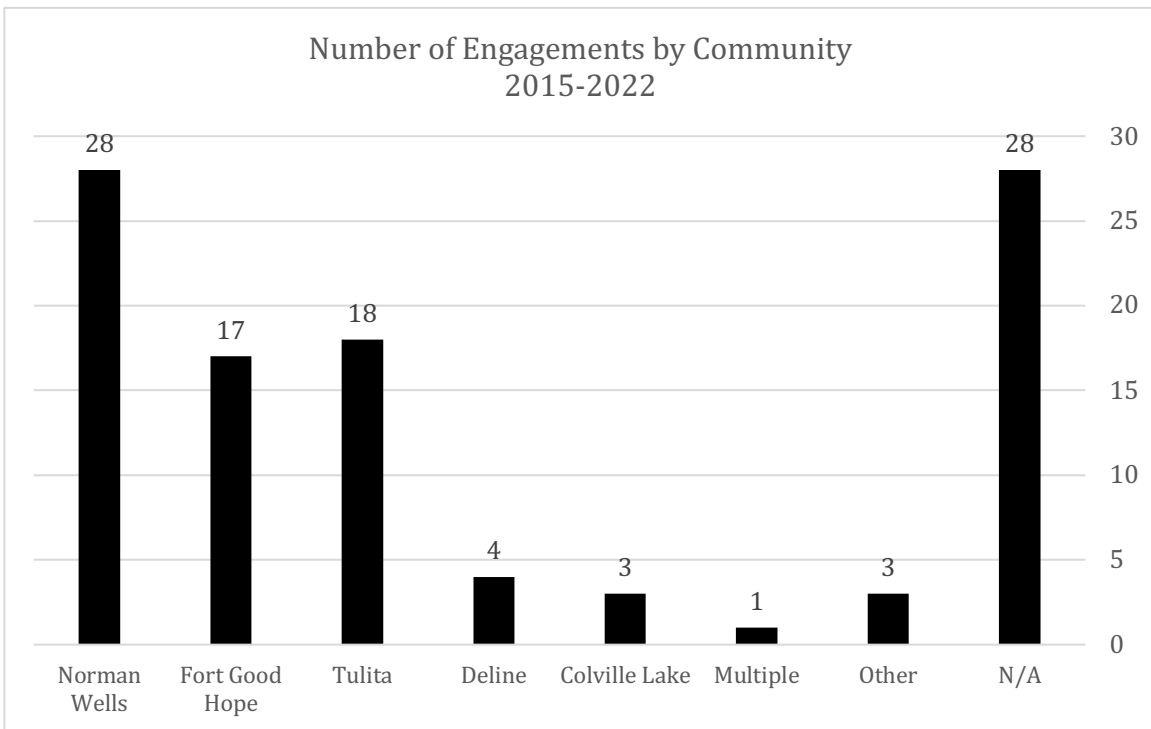


Figure 14 - Number of Engagements by Community, 2015-2021

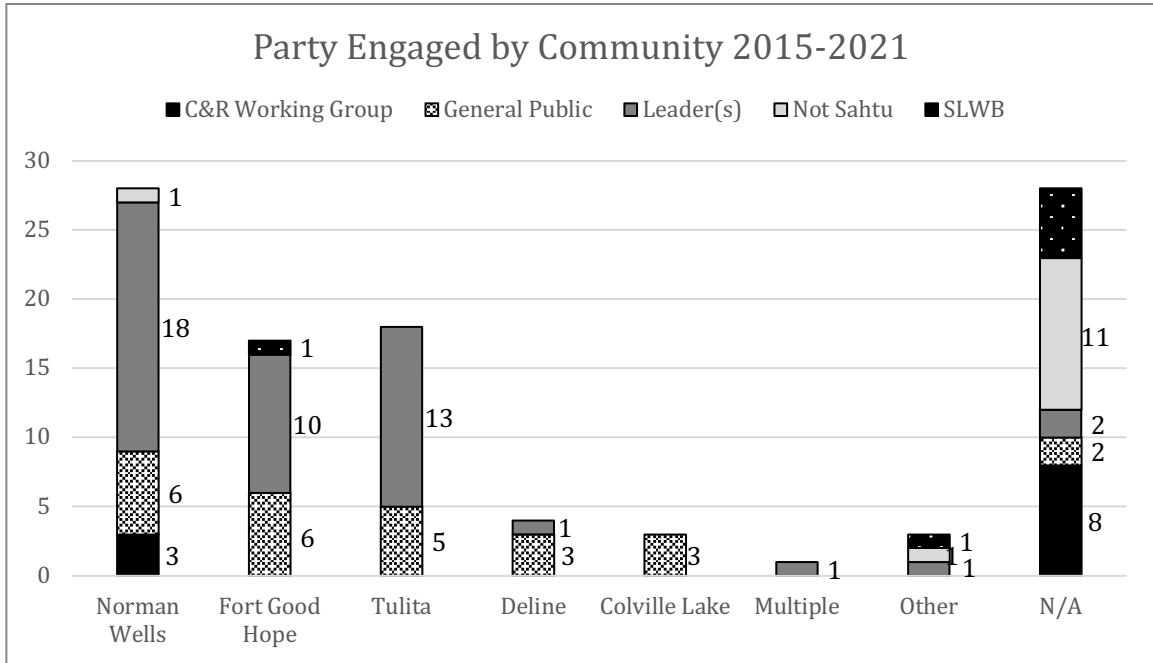


Figure 15 - Party Engaged by Community 2015-2021

### 5.5.2 Effectiveness of Engagement and Consultation

After evaluating many aspects of how engagement and consultation are performed, we must also evaluate how that engagement is perceived, or how effective it is. When I asked an Elder how he had been engaged in the past, he told me, through an interpreter, that “Maybe they’ve done engagement, maybe they haven’t. I don’t know, I don’t remember. But I know that I’ve always been concerned, and I’ve never felt heard. Their presentations don’t work, we’re not having our questions answered.” He was later able to recall a particular meeting he attended at the band hall but insisted that they had not addressed his concerns about the disappearance of herring.

Many other interview respondents agreed with this sentiment, reporting feeling that they could not get their questions answered when engaging with Imperial Oil. “They don’t answer questions,” said Danny Masuzumi.

Communication was another issue cited by respondents. One interviewee told me that Imperial Oil is “exceptionally poor” at communications. She continued, “They’re a *big* company. They should come here and update us! There are so many ways! Facebook, social media, local radio, posters on our bulletin boards...” but that Imperial was not making an effort to inform the public of what was happening. She thought that if engagement was important to Imperial, they would do it.

Another common issue that respondents raised was that the nature of consultation had been unidirectional. Some felt that the Sahtú was powerless in any consultations with Imperial Oil. One characterized consultation with Imperial as, “they show up with a plan and tell us what they’re *going*, not *hoping*, to do.” Another respondent said that “‘Consultation’ just means ‘telling us.’ It’s not about consensus, it’s about what they’re going to do.” Yamoga president Edwin Erutse explained that “they tell us what they’re gonna give us,” and added:

*When they show up, they already got a plan of what they're going to do, how they're going to solve this. Once they come up with that solution and I see it, I'm not happy. Are you even open to solutions, to another way?*

One conversation with a former Yamoga Land Corporation president echoed this point. According to her, Imperial “orchestrate[s] the conversation. They show up and tell us how it will benefit us. They’re really directing things.” She continued, “They involve you to the degree they want to involve you” and “keep their cards to their chest so they can control the conversation” by presenting options for Sahtú people to choose between, as opposed to co-creating solutions.

Some in the community view this unidirectional consultation as tokenistic, transactional, just a way for Imperial to “check off a box,” and that Imperial Oil does engagement only when it is required. I asked one respondent: “Do you think they’ll do a good job of consultation?” He responded, simply, “No, they don’t need anything from us.”

Community members found some of the presentations by Imperial difficult to understand. In many meetings, information is shared in the form of a slideshow with a question period afterward. The information delivered is often of a very technical nature, making it difficult for some community members to keep pace. One community member told me he believes Imperial makes their presentation materials intentionally difficult to understand. They reasoned that this is done so that people, especially leaders, are unable to fully grasp the issues and effectively advocate for themselves or their people. Additionally, regulatory and leadership capacity are limited, said former and current leaders. With minimal capacity for parsing large quantities of technical information, and limited resources to hire additional support, the volume of information can quickly become overwhelming and impair the ability of leaders and regulators to effectively respond.

Moreover, when resources exist to hire outside consultants, it “gives the power of exercising the land claim to someone else,” and continues a pattern identified by one interviewee as the community’s habit of deferring to white southerners, even when they are not the best suited to the job.



## 6.0 DISCUSSION

### 6.1 Trust

The finding that Sahtú people do not trust Imperial Oil is not surprising, given that lack of trust has been cited in other natural resource reclamation projects in the past (Jardine et al., 2013; Joly, 2017; National Orphaned/Abandoned Mines Initiative, 2003; Rickard, 2020). Imperial Oil's perceived lack of meaningful engagement over the past 100 years, combined with the conduct of other natural resource extraction companies operating in the Sahtú region, and placed within the greater ongoing Canadian colonial context, has degraded Sahtú people's trust of resource extraction companies over time. This distrust is shown in the example of Sahtú people not accepting the findings of a study commissioned by Imperial Oil to test if their operations were linked with the decline of herring. Sahtú people disagreed with the study design, but nevertheless, Sahtú people have so little trust for Imperial Oil that there is likely no study which could have convinced them that Imperial Oil was blameless. This phenomenon has also been documented elsewhere as something that Jardine et al. (2013) call a "historical legacy of mistrust." Looking to the Berger Inquiry's 10-year moratorium being followed by Imperial Oil's new pipeline approval within 3 years is just one example of a historical event that has damaged trust between Sahtú people and Imperial Oil. The effect of disappointments like these and others is:

*A psychological and spiritual fatigue, occurring around the older, more traditional members of the community. They are tired of expressing the same concerns and telling the same stories, which seem to have no effect on the course of development (authors of the 2005 Environment Impact Assessment of the Kearl Lake Project qtd. in Baker & Westman, 2018).*

The importance of acting quickly to rebuild trust must be noted: there is an emerging idea in community engagement literature that distrust and lack of participation are mutually reinforcing: distrust leads to less participation in engagement activities, which compounds distrust, which

makes people less likely to participate (Glade & Ray, 2022; Nixon et al., 2023). Sahtú people's lack of trust is therefore likely to contribute to less participation, worsening the issue.

Some scholars stress the importance of iterative processes of engagement and information-sharing in building a community's trust (Huntjens et al., 2011; Moffat & Zhang, 2014; National Orphaned/Abandoned Mines Initiative, 2003; Pahl-Wostl, 2009). Examining the frequency of past engagement with Imperial Oil, one could hardly call annual community visits in the decade leading up to the proposal of the Waste Management Facility "iterative." Others have also identified good faith communication and interaction as important mechanisms for building trust (Gillespie et al., 2016). Others find that trust is developed through informal dialogue, or conversations that happen outside of formal settings, like sharing a cup of tea or beer (Kuch et al., 2013; Mercer-Mapstone et al., 2017; Prno, 2013). This informal engagement is one way to build a relationship and mutual understanding over time.

## **6.2 Reciprocity**

The finding that Imperial Oil's operations at Norman Wells have violated Dene principles of reciprocity is important in that it illustrates how much there is to do before the relationship can be repaired. Imperial Oil has recorded staggering profits compared with the financial earnings of Sahtú people, while they have been dispossessed of traditional land and the resources beneath. Western views of land as a resource to be exploited differs greatly from Indigenous conceptions of land (Rivera, 2021), and the practice of extractivism is a core part of the colonial project (C.N. Westman, 2013; Willow, 2017). One of the noted benefits of the Norman Wells Oilfield for Sahtú people is employment, but to what extent is that employment truly a benefit? There are

limited numbers of Sahtú people working at the Norman Wells Oilfield, approximately 14, many operating boats and as general laborers. Ethel Blondin-Andrews asked,

*How many highly appointed Sahtú Dene Métis are working in Imperial Oil? How many of our people are major shareholders? How many of our people are upwardly mobile, have achieved a level of performance that's in the senior or management category?* (Imperial Oil, 13 July, 2014:61).

Heading into reclamation, there will be a need for trained labourers. If jobs and training are “the bare minimum,” as Yamoga Land Corporation President Edwin Erutse has asserted, Imperial Oil will at least need to improve upon its training programs. With its past record of 23 graduates and 10 employees over the 33 years of the Norman Wells Northern Development Program, it will need to consult with locals to develop a more robust training and education program. This training and education should not only provide much-needed short term employment opportunities but could enable Sahtú Beneficiaries to more fully leverage the rights guaranteed to them by the Land Claim. The SDMCLCA and MVRMA established co-management boards that are intended to give Sahtú people decision-making power over their natural resources and environment. These boards are supported by staff, like regulators, land use planners, conservation planners, biologists, and more. Imperial Oil could leave a legacy of educated Sahtú people who are prepared along with short-term roles in the reclamation, which could support Sahtú people to fully exercise their rights in the future. As one respondent said to me, “Why work for white people (Imperial Oil) harming the water that comes right down river to your community, when you can be working for your own people?”

### **6.3 Cultural Appropriateness**

The finding that Imperial Oil’s engagement efforts are not culturally appropriate is consistent with findings in other literature (Beckett & Keeling, 2019; Dance, 2015; Joly, 2017;

Rabbi et al., 2015). Joly (2017) highlights a lack of culturally appropriate engagement efforts, not rooted in place-based experience, as one of the most-influential factors creating one Indigenous community's lack of trust. Though Imperial Oil claims that their community relations program is "focused on building relationships and maintaining ongoing dialogue with Indigenous leaders and community members by recognizing and valuing traditional practices, decision-making processes, cultural activities and languages," (Imperial Oil, 2022), this is simply not the case. Over the course of a century, Imperial Oil has not meaningfully bridged the gap between their own Euro-Canadian worldview and the Sahtú Dene worldview. While Imperial Oil has been performing consultation for years, that consultation has not been meaningful to Sahtú people. Rooting engagement practices in the target group's culture is critical in achieving positive and effective community engagement and successfully engaging with Indigenous peoples (Baker & McLelland, 2003; Baker & Westman, 2018; Booth & Skelton, 2011; Dokis, 2015; Hill et al., 2012; Irlbacher-Fox, 2009; Martin & Bradshaw, 2018; Muller, 2008; Notzke, 1994; Papillon & Rodon, 2017; Parsons et al., 2021; Rickard, 2020). Engagement must be performed in a way that is rooted in the worldview of the engaged. Stories hold knowledge and are a method of knowledge transmission for Dene people (Bayha, 2012; Chambers, 1992). We cannot rely on the Western assumption that people, knowledge, experience, land, culture, identity, and place are all separate. For the Sahtú Dene and Métis people, they are inextricable from one another. TK cannot be divorced from its place-based context. As Elders and other Dene and Métis people share stories as evidence for Imperial Oil, those stories need to be rooted in a Dene ontology that gives them context and meaning. As an example, Imperial Oil may think that they have satisfactorily disproven their role in the disappearance of herring by providing scientific studies as proof and by hosting fish-tasting workshops. Without understanding the

Sahtú Dene worldview, this might stand to reason. However, Sahtú people are unsatisfied with the answers they have been given regarding herring, because the answers do not address the true problem Sahtú people have been continuously raising: that Sahtú people do not necessarily believe that herring disappeared because of contamination by drilling activities at the Norman Wells Oilfield. Rather, the herring population has suffered because Imperial Oil's operations have violated the Sahtú rule to not hit caribou with a stick. Just as it took me 6 weeks to understand that people in Fort Good Hope were not literally afraid that I would take a stick and hit a caribou, one Sahtú man shares that it took him 32 years to unravel the meaning of one of his grandfather's stories (Bayha, 2012). The meaning of a Dene story is not always immediately apparent, nor is it meant to be (Chambers, 1992). Without cultural context, Imperial Oil can hear Dene stories and dismiss or misunderstand the knowledge being shared. As one respondent requested, "any proponent needs to understand the Dene Laws."

*One of the reasons it's so difficult is because the Dene culture, their whole system, their worldview is different. It doesn't work the same way as the federal and territorial legal systems. Their laws are different. Imagine trying to take a set of laws, like even as simple as wastage, the same way that Dene people think about it, and stick it into the Wildlife Act. It won't work. We tried it. The federal/territorial legal systems don't allow for the existence of protocols that don't fit. The lawyers would say no, we can't do that. (Bayha, 2012)*

Many other issues could be resolved with increased cultural literacy on the part of Imperial Oil. For one, the pattern of deferral to Elders could be compensated for by holding multi-age engagement sessions. Knowing that many Dene people are reluctant to speak publicly should indicate a need to adjust the format of engagement to be less formal, which as literature reviewed above suggests, also improves trust. One Cree Elder in Northern Alberta speaking of consultation around another one of Imperial Oil's ventures said, "A room is the wrong place to tell information" (Kearl Lake Elder qtd. in Baker & Westman, 2018). Perhaps for Sahtú people, that may mean spending time on the land with Elders and harvesters, though I cannot speak for

what the community would find appropriate. That said, as Buddy Gully was quoted earlier saying: “Until I’ve been on the land with you, I don’t know you.” Finally, Imperial Oil should recognize the importance of building personal relationships in Fort Good Hope, which is important to other Indigenous groups, as well.

*I think just go back to the idea of trust and that people [want to know] that this person is going to be around for a while ... Because the people being consulted, namely the Aboriginal people in Yellowknife or in the north, they don’t want to waste their time informing some bureaucrat who’s going to get on the next plane out of town and the next time it’s probably going to be someone different. (Interested and/or affected party qtd. in Jardine et al., 2013).*

#### **6.4 Effectiveness of, and Satisfaction with, Previous Engagement and Consultation**

The finding that Sahtú people view much of the previous engagement and consultation as tokenistic and/or transactional is documented elsewhere in literature (Baker & Westman, 2018; Mercer-Mapstone et al., 2017; Owen & Kemp, 2013). Imperial Oil’s presence in Fort Good Hope is infrequent. One meeting each year with the public in each community attended by 15-100 people may not be enough to have created a strong impression on community members. This is further exacerbated when one considers that local leaders are the most-engaged group in each community. In a culture where speaking on behalf of others is avoided whenever possible, consulting with leaders is not the same as consulting with the public, who must speak for themselves. That said, frequency of contact is not the most important driver in building trust: “Quality of contact between company and community, not quantity, predicted trust” (Moffat and Zhang 2013). Infrequent communication from Imperial Oil may have damaged trust, but the format, and therefore quality, of engagement is a more important factor in creating that distrust. Correcting issues of cultural inappropriateness may lead to improved communications and increased trust.

## 6.5 Moving Forward

A potential response to the issue of culturally inappropriate engagement might be to enforce cultural education of all Imperial Oil employees involved in the closure and reclamation, or to suggest best practices for this reclamation. While it might be nice to have a list of best practices for engagement with Indigenous groups, or even a list of best practices for Imperial Oil to engage with the Sahtú Dene and Métis people of Fort Good Hope, this would not solve the problem. Best practices and cultural teachings are not a substitute for building relationships and engaging in good faith. Engaging with Sahtú people in good faith must remain a goal of Imperial Oil, and must not “limit the basis of consulting to something done by procedure,” (Rickard, 2020), as “generic protocols can be abused...when steps, rules and standards dictate engagement as a predetermined task to be uncritically completed” (Carter, 2010)

Conversations about reconciliation must be approached with care, but they must be approached, and it appears Imperial Oil wants to contribute to reconciliation:

*In addition, we believe Indigenous reconciliation is the responsibility of all Canadians, including businesses. Imperial’s commitment to positive and progressive Indigenous relations is supported by our guiding principles and our four Indigenous pillars of engagement, focused on consultation, workforce development, business development and community relations (Imperial Oil, 2022).*

To have a “productive discussion about reconciliation,” as Fort Good Hope community member Cody McNeely called for, Imperial Oil will need to evaluate the extent to which the Dene principle of reciprocity has been violated. Then, they must work with Sahtú people to determine whether that disparity can ever be compensated for, or, more likely, acknowledge that there is no possible compensation. Instead, Imperial Oil may need to focus on supporting healing and future growth for the Sahtú, rather than trying to reimburse them. Reconciliation and

consultation should be collaboratively designed and agreed upon (Youdelis, 2016), and should focus on Indigenous needs and aspirations. The harms done to the environment and ability to perform traditional activities like fishing are also harmful to Sahtú people and identity. For one Indigenous group, “their land and people have been irretrievably contaminated, it alters their perceptions of themselves, their cultural memory. The need for understanding how the site came to be; for healing, telling the history, for lament, for commemoration, is essential (Kuyek, 2011). Sahtú peoples’ deep interconnectedness with the land means that the harm done by Imperial Oil has hurt them. “It hurts me, and everybody, but not everybody knows how to say it,” said one K’ahsho Got’ine Guardian. The finding that money cannot fully repair the harm done by Imperial, and that the only way to begin to repair their legacy is to clean up well, is in keeping with other scholars’ work. To create healing will not just require bio-geo-physical reclamation, nor even just political and socioeconomic reclamation, but also cultural, spiritual, and land-based reclamation (Banfield & Jardine, 2013; Beckett, 2021; Edwards & Maritz, 2019; Joly, 2017; Kuyek, 2011; Tsosie, 2015).

*[Fort McMurray] Métis understandings of reclamation seem to emphasize processes of growing together with the environment over generations, with this processual growing being the goal of reclamation. Reclamation can then be seen as a process of mutual healing for culture and environment, reclaiming both through revitalising and maintaining the relationship between peoples and the land. (Joly, 2017).*

There is also a need to reconsider the location of the proposed Waste Management Facility. Imperial Oil posits that a “made-in-the-north solution is appropriate rather than expecting the south to accept the north’s waste.” Indigenous scholars such as Deborah McGregor have investigated the siting of toxic waste facilities and their proximity to Indigenous communities as an issue of Indigenous Environmental Justice.



The Government of Canada owns a one-third stake in the Norman Wells Oilfield, and reclamation of resource extraction sites is usually required to be performed to the standard of the federal minister. This conflict of interest, which is also an acceptance of the power of the colonial government, could be resolved by following in the footsteps of the Great Bear Lake Mine Remediation. In 2021, a governance agreement was signed between the Canadian Government and the government of D  l  n  . The agreement’s vision for remediation is restoring the area to a state that is “culturally acceptable to the community of D  l  n  , enabling a return to traditional activities, healing and rebuilding relationships with the land.” This marks a historic shift in decision-making authority and affirms the right of Saht   people to make decisions which affect them and their traditional territories. The agreement also stipulates that the nearby community of D  l  n   “will be involved in setting remediation standards, undertaking remediation activities, monitoring remediation activities, conducting post-remediation inspections, and undertaking effects and compliance monitoring” (Great Bear Lake Mine Remediation Governance Agreement, 2021). Likewise, standards for the Imperial Oil remediation must be decided by people of the Saht  . One interview respondent reminded me that “the community decides what’s best for itself.” To understand the Saht  ’s standards of remediation, SLWB regulator Bonnie Bergsma asserts that the closure “merits a comprehensive Environmental Assessment on the scale and quality of the Berger Inquiry” (pers. comm. Bonnie Bergsma, 15 May 2023).

## CHAPTER VII: CONCLUSION

This research examined the processes of engagement and roles of Sahtú Dene and Métis knowledge and perspectives for their traditional territory as the reclamation and closure of the Norman Wells Oilfield proceeds. This case study was conducted using qualitative methods, including 41 semi-structured interviews with a stratified sample in Fort Good Hope, as well as key stakeholder interviews, analysis of secondary sources, and participant observation. This methodology was conducted using principles of Community Based Participatory Research because of its ability to interrogate the location of power in research relationships and produce meaningful research outcomes.

Indigenous peoples living in northern Canada have been engaged in natural resource management reclamation projects via IBAs and co-management arrangements which direct EIA and EA processes. TK is included in many of these processes, though is often subjugated by Western scientific knowledge. What different groups view as successful consultation varies by perspective and worldview. For extractive industry, successful consultation is a means to secure consent to proceed with a project, often referred to as a “Social License to Operate.” For the federal government, successful consultation remediation furthers reconciliation efforts, though their definition of reconciliation may be different than the definition held by Indigenous groups. For many Indigenous groups, successful consultation leads to healing for the land as well as healing for relationships—they are inseparable concepts: “Indigenous knowledge does not view revegetation in disembodied data tables, but rather in terms of embedded, relational experience and maintaining quality of life through land-based practices” (Joly, 2017). In consultation that is successful to Indigenous peoples, TK is not just incorporated *into*, but rather frames the

conversations about the environment, relationships to it, and therefore what reclamation and remediation means to the most affected people.

Sahtú Dene and Métis have been engaged in the Norman Wells Oilfield Development reclamation and closure at different levels throughout the project. For the first half-century Sahtú people were not consulted at all, even when the NWPAA was being negotiated between the federal government and Imperial Oil. In the 1970s, the Berger Inquiry was perhaps the first engagement seen by people of the Sahtú and was certainly the first well-regarded consultation. In the 1980s, the Sahtú people were unhappy with the consultation about the proposed pipeline from Norman Wells to Zama. In the 1990s, when the SDMCLCA was signed, Sahtú people gained more power over the process and were able to require more-thorough consultation. However, even into the 2020s, lack of cultural literacy on the part of Imperial Oil has led to engagement and consultation that has been ineffective and unsatisfactory to the Sahtú people. This culturally inappropriate consultation and engagement has been perceived as tokenistic and transactional, violating Dene principles of reciprocity, and breaking down trust.

There is an opportunity for reconciliation in this remediation, but in order to achieve this, Imperial Oil must be prepared to invest many years in developing a stronger cultural understanding in order to properly engage Sahtú people. In time, this engagement can help Imperial Oil better understand the needs and desires of Sahtú people. Without a stronger foundation of inter-epistemic literacy, Imperial Oil risks reproducing and perpetuating harmful colonial practices and relationships. With this understanding, Imperial Oil may be able to advance reconciliation by enabling Sahtú people to heal alongside the land, and to support Sahtú people's ability to leverage the full power of the land claim.

Future research could study if attitudes towards Imperial Oil, their engagement practices, and people's desires in reclamation vary across age, gender, power within the community, or history of employment with the company. Indigenous Environmental Justice scholars may also find the siting of legacy waste storage worthy of further exploration.

Though the time frame imposed by a master's project and my position as not being from the Sahtú Dene or Métis cultures has certainly limited the extent to which I was able to develop cultural understanding of and with the Sahtú Dene and Métis people, this thesis is nevertheless an important contribution to the field of remediation and engagement literature. This work responds to the need for research on economic, social, cultural, and spiritual aspects of oil and gas remediation in Indigenous Northern Canada by exploring the case study of Fort Good Hope. This research emphasizes the importance of cultural understanding and relationships to successfully engage with and consult an Indigenous people in Northern Canada.

In closing, I will share a quote from the testimony Frank T'Seleie, Former Chief of Fort Good Hope delivered at the Berger Inquiry to the president of Foothills and the president of Gas Arctic. His powerful message was deeply relevant when it was spoken in 1976, just as it is deeply relevant today. It commands us to listen, to hear what the Dene people of the Sahtú are asking for and what they have been saying for decades:

*You still have a chance to learn. A chance to be remembered by history as something other than a fool bent on destroying everything he touched. You still have a chance; you have a choice... Which choice do you make for your children and mine?*

*Five hundred years from now, someone with skin my colour and moccasins on his feet, will climb up the Ramparts and rest. And look over the river and feel that he, too, has a place in the universe. And he will thank the same spirits that I thank, that his ancestors have looked after his land well. And he will be proud to be a Dene.*

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# APPENDIX A: AURORA RESEARCH INSTITUTE SCIENTIFIC RESEARCH

## LICENSE

License No. 17070  
File Number: 12 410 1210  
June 27, 2022

2022

### Northwest Territories Scientific Research Licence

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**Issued by:** Department of Education, Culture and Employment (ECE)  
Inuvik, Northwest Territories

**Issued to:** Ann King  
University of Northern British Columbia  
PO Box 372  
Lumsden, SK  
S0G 3C0  
Phone: (306) 531-4893  
Email: kinga1@unbc.ca

**Affiliation:** University of Northern British Columbia

**Funding:** Canada Research Chair, Dr. Tristan Pearce  
British Columbia Graduate Research Scholarship  
Social Science and Humanities Research Council

**Team Members:**

**Title:** Sahtu Dene and Metis Community Engagement in the Closure and Reclamation of the Norman Wells Oilfield

**Objectifs :** To examine the processes of engagement and roles of Sahtu Dene and Metis knowledge and perspectives for their traditional territory in the Norman Wells Oilfield Reclamation and Closure.

**Dates of data collection:** June 17, 2022 to July 31, 2022

**Locations:** Fort Good Hope

License No. 17070 expires on December 31, 2022  
Issued in the Town of Inuvik on June 27, 2022

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Joel McAlister  
Science Administration Officer  
Department of Education, Culture and Employment (ECE)

## APPENDIX B: INFORMATION LETTER AND CONSENT FORM



### **Sahtú Dene and Métis Community Engagement in the Norman Wells Oilfield Closure and Reclamation**

#### **Research Team:**

Annie King, MA Student  
Natural Resources & Environmental Studies Program  
University of Northern British Columbia  
Email: KingA1@unbc.ca  
Phone: 306-531-4893

Dr. Tristan Pearce  
Department of Global & International Studies  
University of Northern British Columbia  
Email: Tristan.Pearce@unbc.ca  
Phone: 250-301-5439

#### **Purpose of Project**

This project will examine the processes of engagement and roles of Sahtú Dene and Métis knowledge and perspectives for Sahtú traditional territory in the Norman Wells Oilfield Development and Pipeline Project.

You are being recruited to participate in this research because of your history living in the Sahtú Settlement Region and experience living near the Norman Wells oilfield. Please note that your participation is voluntary, and if you choose to participate you can refuse to answer any questions that make you feel uncomfortable or upset. If you wish to withdraw from the study, you can do so at any time without giving a reason.

#### **What will happen during the project?**

If you choose to participate in this study, Annie King and [Celine Proctor, Regan Grandjambe, or Marcus Proctor] will arrange to meet you at a location convenient to you to ask you questions about your experiences with resource extraction project proponents, Imperial Oil in particular. It is expected that the questions will take about 30 minutes.

You can conduct the interview in English or North Slavey. The local research partner/interpreter will be [\_\_\_\_\_] and will have signed a confidentiality agreement to ensure that your information is kept confidential unless you give permission to share it. You have the right to decline the interpreter and/or request a different interpreter from the community. If you ask for a different interpreter, they will be chosen between the research team and yourself.



### **Risks to participating in the project**

If at any point throughout the interview you are uncomfortable, you can stop the interview, skip a question, or withdraw your participation at any time without giving a reason or any consequences. If negative feelings should arise as a result of any question, such as discomfort, being upset, or embarrassment, please discuss these feelings as they relate to the research topic.

In the unlikely case of data privacy being breached or released, there may be risk that others in the community may disagree with your opinions on certain questions. To avoid this risk, it is best to share only what you would feel comfortable sharing in a public setting.

Should you become symptomatic with COVID-19 or test positive for COVID-19 in the days following the interview, please contact local health authorities to alert them to the case. Keep this document, as it has the researchers' contact information, which can be given to local authorities to aid in contact tracing. Please let the researcher know if you want more information about their COVID-19 safety plans.

### **Benefits to participating in the project**

Your contribution to this study will help generate information to guide future co-management decisions, and influence how project proponents conduct community engagement.

### **Confidentiality, Anonymity and Data Storage**

If you choose to keep your identity confidential, all personal identifiers (your name, for example) will be removed from the data and replaced with a code (random letters and numbers). This will connect to a master list that will be stored separately from the information you provide in the interview. All data, including confidential information in the master list, will only be accessed by the research team members.

The research team with access to raw data, King, Pearce, and [\_\_\_\_], will keep your identity confidential, and will not connect it to anything you say unless you give permission to do so. King will be accompanied by one research assistant per interview; if you would like to request one of the listed research assistants attends your interview in particular, or request that one is not present at your interview, please notify King. Your identity will remain confidential to the extent allowed by law. The researcher has a duty to report to authorities any information about a child at risk of abuse. The researcher may be required by subpoena (required by government or a court as evidence) to release information gathered during this project.

During the project, the master list of confidential personal identifiers will be stored on the research teams' encrypted computers and external hard-drives. At the end of the project (July 31, 2024), the confidential list linking your information to your personal identifiers will be deleted. All data (voice recordings or interview transcripts, and personal identifiers you want kept confidential) will be stored on the research teams' encrypted laptop computers and encrypted external hard-drives until the end of the project, and on Dr. Tristan Pearce's encrypted external hard-drive for up to 5 years. These computers and external hard-drives are locked and encrypted to make sure that all data remains secure. Finally, because of the size of your community, if the interview is taking place at your house there is a chance that others in the community may know that you have participated or are connected to this study.

**Compensation:**

At the end the interview you will receive \$100 (your choice Co-op Gift Card, cheque, or Northern Store card) for your participation in the project. You will receive compensation even if you choose to withdraw from the study.

**Study Results**

Research findings will likely be shared in the community through a plain-language summary report, community presentations, and on the local radio. You will receive a copy of the plain-language summary report. The findings will also be prepared as a manuscript and submitted to peer-reviewed journals. Aggregate data (overall key themes and findings) will be reported in research findings, and may be shared at academic conferences, poster presentations, and teaching work. However, some direct quotations may also be used to highlight key points. Your own direct quotations will only be used if you give permission to use them. If one of your direct quotations is used, names or other information that may identify you will only be included if you give consent to use your name in connection with the information you provide.

**Questions, Concerns or Complaints about the project**

If you have any questions about what we are asking of you, you are free to contact Dr. Tristan Pearce or Annie King at the phone number(s) and/or email(s) listed above.

If you have any concerns or complaints about your rights as a research participant and/or your experiences while participating in this study, contact the UNBC Office of Research at 250-960-6735 or by e-mail at [reb@unbc.ca](mailto:reb@unbc.ca).

**Withdrawal:**

Taking part in this study is entirely up to you. You have the right to refuse to participate in this study. If you decide to take part, you may choose to pull out of the study at any time up until the project report is completed (estimated to be completed in December, 2022) without giving a reason and without any negative impact to you. If you choose to withdraw from the study your information will be withdrawn and securely destroyed. You will receive compensation even if you choose to withdraw from the study.

If at any time you decide to withdraw from the study, the research team will only continue to store your contact information for as long as required by public health authorities. Other data you have contributed will be removed from the study when you withdraw.

**Contact Tracing**

The researcher may be required by public health authorities to share your contact information if there is a chance that you have been exposed to COVID-19 during a study visit.

**Consent:**

I have read or been described the information presented in the information letter about the project and I have been given a copy of this form.

YES                      NO

I have had the opportunity to ask questions about my involvement in this project and to receive additional details I requested.

YES                      NO

I understand that if I agree to participate in this project, I may withdraw from the project at any time up until the report completion, without giving a reason and with no consequences.

YES                      NO

I agree to be recorded.

YES                      NO

I agree that my name can be used in association with this project.

YES                      NO

As a part of this study, the research team may seek to re-contact and/or re-visit you in order to review and clarify your responses. The research team will also return to the community at some point to go through interpretations of the responses, and the research findings. Do you give your permission to be re-contacted and/or re-visited by the research team in order to review and clarify your interview data, and to go over the results of the study?

YES                      NO

I give permission for direct quotations that I give to be used in publications/research findings after confirming their interpretation in the draft report.

YES                      NO

*Signature:* \_\_\_\_\_ *Date:* \_\_\_\_\_

**NAME** (*please print*): \_\_\_\_\_

*Signature of witness:* \_\_\_\_\_ *Date:* \_\_\_\_\_

**NAME** (*please print*): \_\_\_\_\_

## APPENDIX C: UNBC RESEARCH ETHICS BOARD APPROVAL



### RESEARCH ETHICS BOARD

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#### MEMORANDUM

**To:** Ann King  
**CC:** Tristan Pearce

**From:** Davina Banner-Lukaris, Chair  
Research Ethics Board

**Date:** May 13, 2022

**Re: E2022.0310.014.00**  
**Sahtu Dene and Metis Community Engagement in the Closure and Reclamation of the Norman Wells Oilfield**

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Thank you for submitting revisions to the Research Ethics Board (REB) regarding the above-noted proposal that includes in-person research. Your proposal has now been approved by the REB. Your Safe Research Plan has also been approved by the Safety Department, a copy of which is attached.

We are pleased to issue approval for the above-named study for a period of 12 months from the date of this letter. Continuation beyond that date will require further review and renewal of REB approval. Any changes or amendments to the protocol or consent form must be approved by the REB.

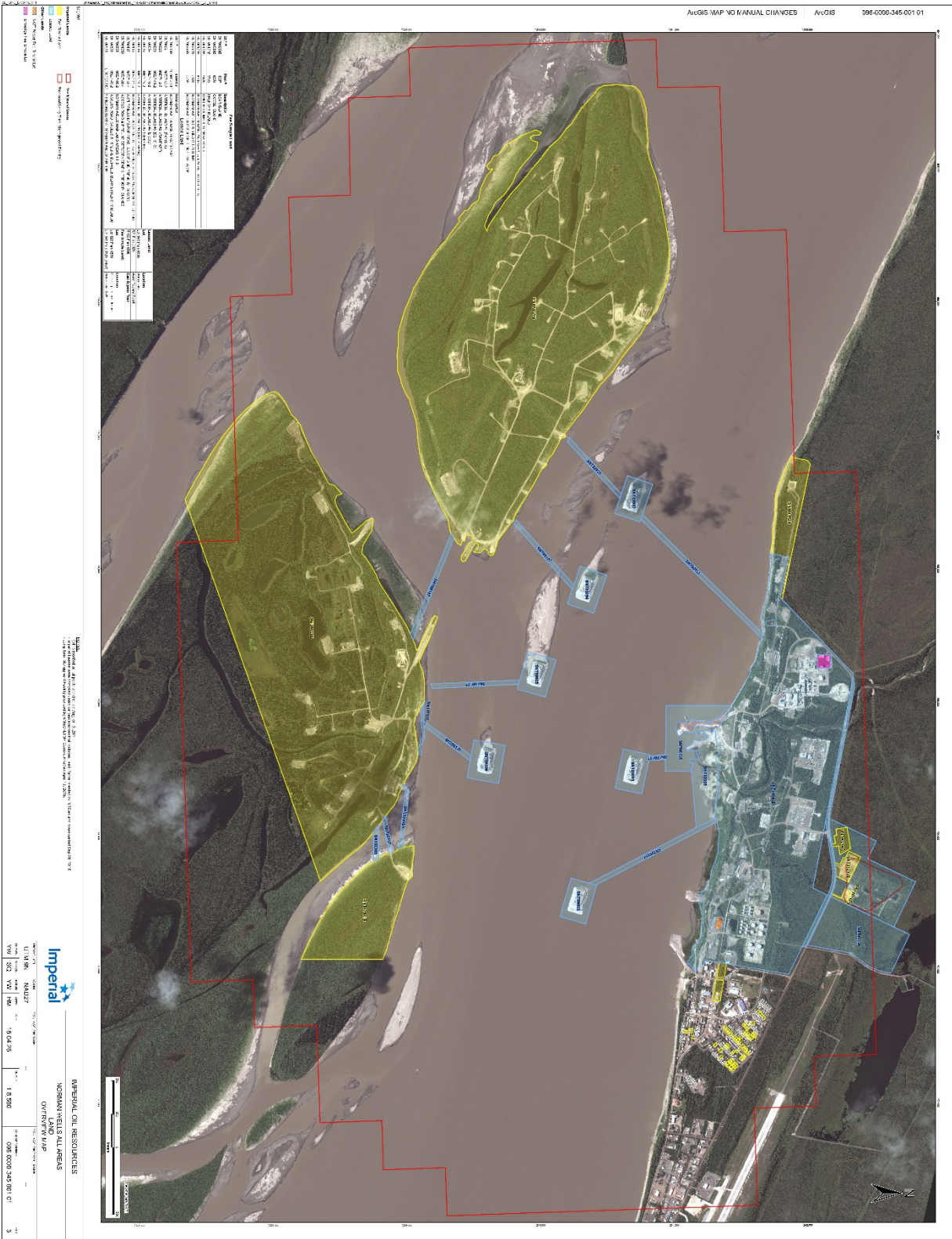
Good luck with your research.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Banner-Lukaris', is written over a light blue horizontal line.

Davina Banner-Lukaris,  
Chair, Research Ethics Board

# APPENDIX D: NORMAN WELLS PROVEN AREA BOUNDARY



**APPENDIX E: ADAPTED WASTE MANAGEMENT FACILITY IMPERIAL OIL  
ENGAGEMENT LOG 2015-2021**

<b>15</b>	<b>Activity</b>	<b>Date</b>	<b>Party Engaged</b>	<b>Approx # attendees</b>
1	Hosted Open House	2015-09-29	General Public	50
2	Hosted Chapter 9 Meeting	2016-07-13	General Public	
3	Present at Meeting	2017-10-18	Leader(s)	
4	Hosted Open House	2017-10-18	General Public	100
5	Received Email	2018-02-28	Leader(s)	
6	Phone Call to book community meeting	2018-02-28	Leader(s)	
7	Email (cancelling already-scheduled Open House due to a death in Fort Good Hope)	2018-03-12	Leader(s)	
8	Email: Meeting Request	2018-06-29	Leader(s)	
9	Email: Meeting Request	2018-07-03	Leader(s)	
10	Hosted Open House	2018-07-17	General Public	15
11	Meeting re: business opportunities	2019-01-15	Leader(s)	+Tulita +Norman Wells
12	Chapter 9 Meeting	2019-10-02	General Public	
13	Informal meeting re: Water License Application	2019-10-02	SLWB	
14	Hosted Open House	2019-12-03	General Public	50
15	Virtual meeting re: WMF	2021-04-06	Leader(s)	
16	Email	2021-05-06	Leader(s)	
17	Email	2021-05-06	Leader(s)	
18	Email and call	2021-05-06	Leader(s)	

<sup>15</sup> Adapted from Imperial Oil's Engagement Log found at [https://registry.mvlwb.ca/Documents/S13L1-007/S13L1-007%20-%20WMF%20-%20AMEND%20-%20Engagement%20Plan%20and%20Record%20-%20Sep%2030\\_21.pdf](https://registry.mvlwb.ca/Documents/S13L1-007/S13L1-007%20-%20WMF%20-%20AMEND%20-%20Engagement%20Plan%20and%20Record%20-%20Sep%2030_21.pdf)

## APPENDIX F : SEMI-STRUCTURED INTERVIEW GUIDE

### Semi-Structured Interview Guide

#### Sahtú Dene and Métis Community Engagement in the Closure and Reclamation of the Norman Wells Oilfield

- Thanks so much for agreeing to do this interview.
- \*Review information and consent letter point by point, ensuring understanding from participant\*
- This project will examine the processes of engagement and roles of Sahtú Dene and Métis knowledge and perspectives for Sahtú traditional territory in the Norman Wells Oilfield Development and Pipeline Project.
- You are being recruited to participate in this research because of your history living in the Sahtú Settlement Region and experience living near the Norman Wells oilfield. Please note that your participation is voluntary, and if you choose to participate you can refuse to answer any questions that make you feel uncomfortable or upset. If you wish to withdraw from the study, you can do so at any time without giving a reason and will still receive compensation for your participation.

### Participant Information

1. Name (if consent given):
2. Age as of May 1, 2022, which age category do you fit within
  - 0 to 4 years
  - 5 to 9 years
  - 10 to 14 years
  - 15 to 19 years
  - 20 to 24 years
  - 25 to 29 years
  - 30 to 34 years
  - 35 to 39 years
  - 40 to 44 years
  - 45 to 49 years
  - 50 to 54 years
  - 55 to 59 years
  - 60 to 64 years
  - 65 to 69 years
  - 70 to 74 years
  - 75 to 79 years
  - 80 to 84 years
  - 85 to 89 years
  - 90 to 94 years
  - 95 to 99 years
  - 100 years and over
  - Prefer not to answer
3. Gender [optional]
4. Does interviewee identify as indigenous?
5. How long has the interviewee lived in the community?
6. Occupation?
7. Any family members involved in mining, oil and gas, industry, etc.?
8. Participant ID:
9. Interview number:
10. Date:
11. Location
12. Contextual Notes

## **Thematic Qualitative Questions**

### Theme 1: Knowledge of Norman Wells Oilfields and Pipeline Project

- What can you tell me about Imperial and Norman Wells?
- What was it like to work with them?
- Do you remember the 1980s expansion?
- What do you remember about the land claim's establishment? What does the land claim do?

### Theme 2: Past: How have you been involved in the project/ closure conversations?

- Have there been any meetings?
- Have you attended them?
- Have you had conversations about anything with Imperial Oil, not just about closure?
- How do those conversations go?
- Do you feel heard?
- What about with other resource extraction companies?

### Theme 3: Future: How would you like to be involved in the conversation?

- What kind of engagement works best? Do you like the band hall for meetings?
- Are there other kinds of engagements you can remember that went well?
- What have you liked about

### Theme 4: Outcome of remediation

- What do you want from the closure?
- What can Imperial Oil do to regain your trust?
- Do you expect anything in particular?
- How do you want the artificial islands to be dealt with?
- Do you think it will be cleaned up well? What would that mean to you?