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First Nations Values in Protected Area Governance: Tla-o-qui-aht Tribal Parks and Pacific Rim National Park Reserve

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Abstract Over the past few decades there has been increasing attention paid to 'shared' forms of governance and to the creation of new protected areas (PAs) that are designed to address 'non-biological' goals and values. The rationale for these initiatives has, in part, been based on the belief that well-designed systems of protected area governance will help to deliver desired outcomes and meet linked sociocultural, economic and environmental objectives. Addressing these questions has become increasingly important in British Columbia, where a number of First Nations are asserting increasing control over existing state-run protected areas, as well as establishing new protected areas and designing governance systems for them that deliver outcomes consonant with cultural beliefs, values and goals. This paper reports on an in-depth case study of the Tla-o-qui-aht Tribal Parks and the Pacific Rim National Park Reserve, with a focus on comparing how these physically adjacent protected areas with different objectives each attempt to meaningfully engage the Tla-o-qui-aht First Nation in PA governance.

Keywords Community conserved areas · First Nations · Governance · Values · British Columbia

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Introduction

The creation and management of protected areas (PAs) continue to be the cornerstone of strategies to conserve biodiversity worldwide and the number of protected areas has increased dramatically over the last several decades. Concurrently, there have also been significant changes in the global discourse on PAs, as well as in the particular form this discourse has taken in Canada and British Columbia. The 1980s and 1990s, for example, saw the development of a 'new approach' (as it is sometimes referred to), involving a shift in the conversation towards notions and phrases such as plurality, increased community participation, decentralization, and a broadening of the perceived objectives for PAs. This shift was based on a growing realization that top-down (state-administered), exclusionary PAs focused on the conservation of biodiversity were not consistently working and did not always fit well in the increasingly complex playing fields of global conservation. The rationale for these new approaches has been based in part on the belief that well-designed and 'participatory' systems of PA governance will help to deliver socially just outcomes and more effectively meet linked sociocultural, economic and environmental objectives (Wells and Brandon 1992; see also West and Brechin 1991; Western and Wright 1994; Büscher and Whande 2007).

This new approach can be analytically separated into at least two components: 1) the desired outcomes from PAs; and 2) PA governance. The first component in this new approach considered the desired outcomes from PAs and, in brief, suggested that if PAs could be of more direct benefit to local communities they would be more likely to succeed. These changes were captured in a reclassification of the

International Union for Conservation of Nature (IUCN) system for PAs which was expanded to include a spectrum of six PA types. This reclassification developed a system for categorizing PAs based on their objectives, ranging from highly protected sites managed strictly for biodiversity conservation (Type I), through to multiple use areas allowing for the sustainable extraction of resources (IUCN 2011).

The second major component of this new approach was a reconsideration of appropriate governance for PAs with a distinct emphasis on increasing the scope and depth of community participation in management. The rationales for a change in governance can be loosely grouped into two areas: efficacy and social justice (Brechin *et al.* 1991; Goodland 1991; West and Brechin 1991; Pimbert and Pretty 1997; Colchester 1997; Fortwangler 2003; Chapin 2004; Cernea and Schmidt-Soltau 2006; Wilkie *et al.* 2007; Adams and Hutton 2007; Roe 2008). In part because of these shifts, the IUCN has also more recently developed a spectrum of governance types that include: government-managed PAs, co-managed PAs, private PAs, and community conserved areas.

Yet the relationship between these two shifts (desired outcomes and governance) remains an under-researched area, and there is a relative lack of explanation as to how governance systems can best be designed to reflect the diverse values and objectives of various actors as well as which specific governance structures and processes tend to result in particular desired outcomes. Addressing these questions has become increasingly important in British Columbia, where a number of First Nations are asserting increasing control over existing PAs, as well as seeking to establish new PAs (managed by a First Nation) and design governance systems for them that deliver outcomes consonant with cultural beliefs, values and goals. This is a complex issue as the values and objectives associated with the land and sea held by First Nations can be quite different from the dominant ones held within the Canadian National Parks system (McAvoy *et al.* 2003; Clark *et al.* 2008; Dearden and Langdon 2009).

In this article we present some findings from our research at two physically adjacent but very different PAs: the Pacific Rim National Park Reserve, which is administered by Parks Canada, and the Tribal Parks of the Tla-o-qui-aht First Nation, which are a unique protected area governance model developed by the Tla-o-qui-aht themselves. These areas therefore present an interesting analytical opportunity as both are attempting to meaningfully integrate some of the values held within the Tla-o-qui-aht First Nation into quite different models of protected area governance. After outlining our methods, we begin with a brief description of the Tla-o-qui-aht First Nation. Next, we present in-depth case studies of each protected area before our discussion and conclusions.

Methods

This article stems from a research program entitled "Protected Areas and Poverty Reduction: A Canada-Africa Research and Learning Alliance" (PAPR).[1] Both Pacific Rim National Park Reserve (PRNPR) and Tla-o-qui-aht Tribal Parks are partners in the PAPR research project and have participated in all phases of the research process, from proposal development on. As such, members, Councilors, elders and youth of Tribal Parks have participated in many intensive meetings, seminars, and travels and have generously devoted their time and energy in engaging in the research process and helping academic researchers understand some of the dynamics and nuances of the Tla-o-qui-aht history, world view, governance and value systems. Personnel from PRNPR have been similarly engaged in helping us understand that organization. More specifically, we have held over ten workshops and meetings of different size and emphasis, and we have conducted many lengthy and repeated interviews with personnel from both organizations. In addition three formal interviews were conducted with Tribal Parks personnel for the specific production of this article. Documents (both published and unpublished) related to the planning and management of both PAs were made available to us. Thus the methods employed in the research on which this paper is based include participatory research, participant observation, in-depth iterative interviewing and document analysis. We would also note that the PAPR project engages in a range of knowledge mobilization activities, and the findings presented here, which are tailored for the audience reading this journal, are being communicated through a variety of other mechanisms, including community meetings and feedback sessions.

The Tla-o-qui-aht First Nation

The phrase Tla-o-qui-aht literally means people of Tla-o-qui, a location on Haa'uukimun/Kennedy Lake (see Fig. 1) that is considered the point of origin for the people. The Tla-o-qui-aht First Nations is a name given to this group of people to identify them as an 'Indian Band' as mandated under the Canadian Federal Indian Act to deliver civil and human services. The Tla-o-qui-aht First Nations can be thought of as a created confederacy of aboriginal groups who historically were

[1] Funding for PAPR comes from Social Sciences and Humanities Research Council of Canada and the International Development Research Centre under the International Community-University Research Alliance Program.

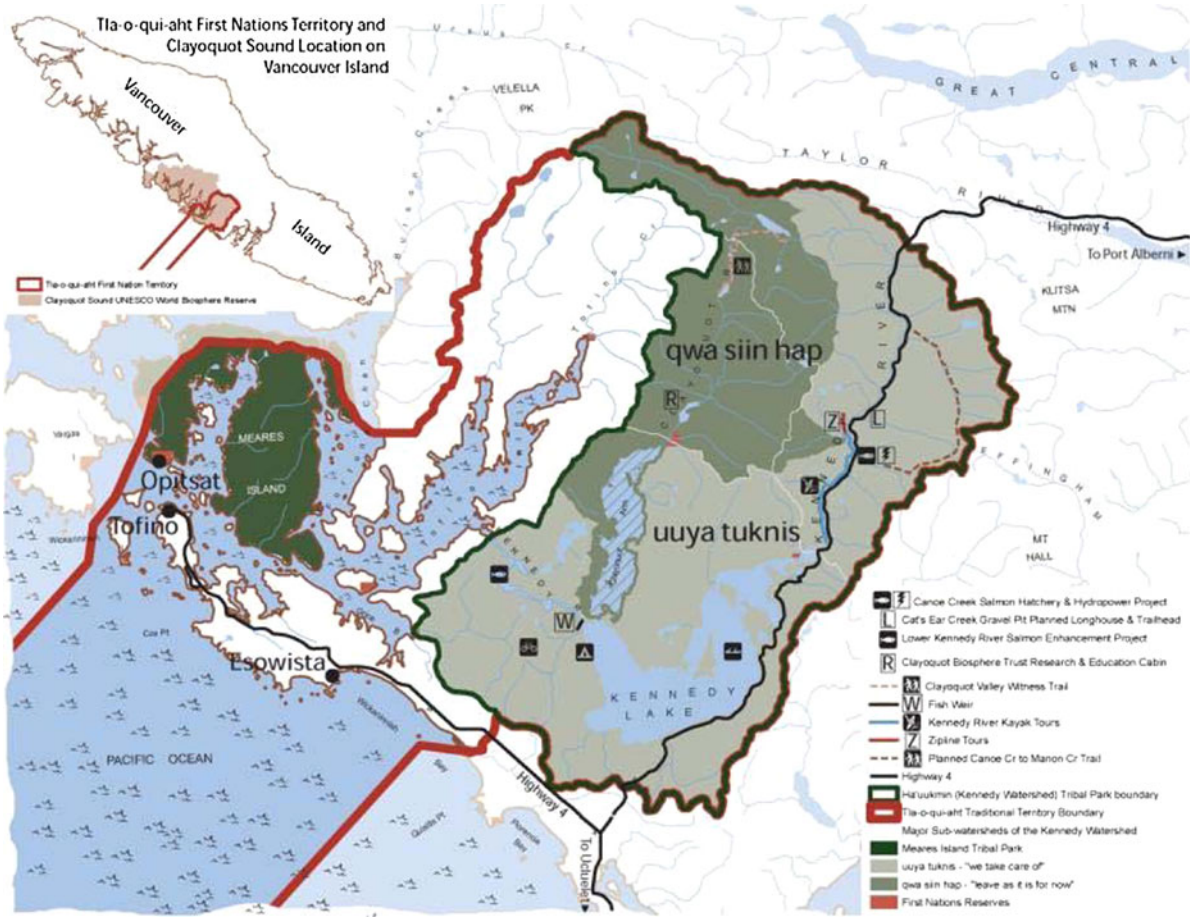

Fig. 1 Map showing Tla-o-qui-aht Traditional Territory and location of Tribal parks. Reprinted with permission from http://www.tribalparks.ca/

independent from one another but that once lived all around the Haa'uukimun lake system (also called Kennedy Lake). The *ha'huulthii* (chiefly or 'traditional' territories) territory of the Tla-o-qui-aht extends well beyond Haa'uukimun, however, and was organized at a watershed level from the high ground along the spine of Vancouver Island to the sea, and is shown in red boundaries in Fig. 1.

Approximately one third (336 of 990) of the registered members of the Tla-o-qui-aht First Nation live 'on reserve' with the vast majority residing on two separate reserves,[2] one on Meares Island (Opitsaht) and the other at Esowista, which is surrounded by the Pacific Rim National Park Reserve. A reserve expansion called Ty-hystanis is planned for the Esowista site, which will involve an unprecedented 85 ha expansion into PRNPR. These reserves are obviously quite a bit smaller than the traditional territories (the largest, Esowista, is just over 84 ha) claimed by the Tla-o-qui-aht. The Tla-o-qui-aht First Nation can be further organized into the Nuu-chah-nulth, a confederation of 15 different groups that share a common language (with important differences in dialect) and together range across much of the west coast of Vancouver Island (Enns 2008; INAC 2011).[3] The Nuu-chah-nulth are represented in some cases by the Nuu-chah-nulth Tribal Council.

The Tla-o-qui-aht are now engaged in the British Columbia Treaty process, which has been ongoing since 1993 and involves many other First Nations in British Columbia. Unlike other parts of Canada, in British Columbia much of the land base is not covered by formal treaties and the treaty process is a primary arena within which contested claims over the land and sea (and the resources within them) are contested. The treaty process is a complex issue, but for the purposes of this paper it is important to note that the Nuu-chah-nulth Tribal Council (NTC) states "Our authority and ownership have never been extinguished, given up, signed away by Treaty or any other means or superseded by any law. We continue to seek a just and honorable settlement of the land and sea question within all of our respective territories." They add that "…the goal of negotiations with the

[2] There are a total of 12 reserves for the Tla-o-qui-aht First Nation.

[3] The Nuu-chah-nulth were formerly mislabeled by settler communities as the Nootka.

governments of Canada and British Columbia [is] to reach agreements and/or treaties which will recognize and re-affirm our ownership and governing authorities over our respective Ha'huulthii" (NTC 2011). In other words, the land within the traditional territories of the Tla-o-qui-aht First Nation is contested terrain.

Case Study: Pacific Rim National Park Reserve

The Pacific Rim National Park Reserve was established in 1970 as the first national park on the west coast of Canada. PRNPR was created as a 'Reserve' using a specific designation under the Canada National Parks Act to acknowledge that "…First Nations in the area have a claim with respect to Aboriginal rights that has not been settled" (Parks Canada 2010a: 2). It includes over 125 km of coastal lowland forest ecosystem, covers a 525 km^2 area, and contains a significant marine component representing the near-shore waters of the Vancouver Island Shelf. The Reserve is spread over three non-contiguous field units: the Long Beach Unit, Broken Group Islands Unit, and the West Coast Trail Unit and receives over 800,000 tourists per year (Parks Canada 2010b).

PRNPR is located within lands that have been occupied for thousands of years by several First Nations societies, loosely grouped together as the Nuu-chah-nulth. In addition to the Tla-o-qui-aht, the Yu?lu?il?ath, Tseshaht, Hupacasath, Huu-ay-aht, Ditidaht, and Pacheedaht Nations all claim territory within the Park, and there are 21 Indian reserves belonging to seven different First Nations within or adjacent to the Park (Parks Canada 2010b).[4] The Long Beach Unit falls within the traditional territory of the Tla-o-qui-aht but is conspicuously absent from the map shown in Fig. 1 (which was produced by the Tla-o-qui-aht First Nation). PRNPR is also located in close proximity to other communities, including Tofino (estimated population of 1,800) and Ucluelet (est. pop. 1,600) near the Long Beach Unit, and Bamfield (est. pop. 300) and Port Renfrew (est. pop. 200) on either end of the West Coast Trail Unit.

While PRNPR's creation in 1970 did involve negotiation among government authorities, local First Nations were not well consulted at that time. In an early examination of the Park history, Miller (1972: 22) outlines what was characterized at the time as "the Indian problem:"

> An important current problem is the plight of the Indians who have long made their homes in the areas now included in the park, or who reside in the Nitnat region [located within the West Coast Trail Unit]. The National Parks branch has suggested that the Indians sell lands within the proposed park boundaries or exchange them for land outside the park. … The Indian bands are angry because they were not consulted in the initial planning stages of the park, and oppose land exchange for historical purposes.

Even as late as 1990, First Nations involvement in the Park was minimal to non-existent. Dearden and Berg (1993: 201) described the situation in 1990 and stated that the Nuu-chah-nulth "have no say in the management of their traditional lands which fall within the park, and there are no plans for special consultation with them during the preparation of the park management plan." The authors go on to add that Nuu-chah-nulth were not recipients of the jobs created by the tourism industry.

Since the 1990s, however, the situation has changed significantly. Coupled with an evolving global discourse, a series of court decisions, policy revisions and legislation changes has moved Parks Canada from a state-managed PA governance model to one which places greater emphasis on cooperative management and/or relationship building with local First Nations communities, as well as increased opportunities for benefit sharing and resource usage (Gisday Wa and Delgam Uuk 1989; East 1991; Notzke 1995; Battiste 2000; Gardner 2001; Weitzner and Manseau 2001; Gladu 2003; Chunick 2006; Timko and Satterfield 2008; Dearden and Langdon 2009).

As the local level, Pacific Rim National Park Reserve has moved to meaningfully integrate some of the values held within the Tla-o-qui-aht First Nation into area governance. The created the First Nations Program (FNP) in 1995 and the program has been active in a number of areas to improve relationships with First Nations (Haugen and Crookes 2009). These areas include; 1) enhancing relationships with Aboriginal communities; 2) Aboriginal heritage presentation and interpretation; 3) developing economic partnerships; 4) commemorating new national historic sites focusing on aboriginal history; 5) enhancing employment opportunities for Aboriginal peoples; 6) cultural awareness training for PRNPR staff; and 7) ongoing resource conservation and cultural resource management (Haugen and Crookes 2009).

A few highlights from these efforts are worth mentioning here. Enhancing relationships has been a central component of the FNP, and significant achievements in this vein have included such things as developing cultural memoranda of understanding, access agreements, and timber agreements with several of the interested First Nations. PRNPR have also held several workshops designed to bring Park staff together with community members, including several held during the development of the Reserve's Management Plan (published in mid-2010). They have reached a protocol agreement with the Tla-o-qui-aht First Nation during

[4] The Toquaht Nation and the Uchucklesaht Tribe are in close proximity and are also working with the Park (Parks Canada 2010a).

negotiations over an 85 ha expansion of the Esowista community into Park lands (the Long Beach Unit). In terms of Aboriginal heritage presentation and interpretation, PRNPR recently worked with First Nations partners to develop a new interpretative trail in the Park (the Nuu-chah-nulth trail), have supported Aboriginal Days Celebrations, have included cultural information in the Park's primary orientation document (a tear-away map), and have begun to retrofit the Interpretative Center to include Nuu-chah-nulth information. Economic partnerships have so far been limited but have included a firewood concession for the Tla-o-qui-aht nation for parks campgrounds and a contractual agreement with several First Nations for trail maintenance and interpretation along portions of the West Coast Trail. The gift centre is also owned by the Yu?lu?il?ath First Nation. In addition, PRNPR has developed contracts with the Tla-o-qui-aht First Nations Guardians program which provides interpretation in areas of the Park, as well as patrol and infrastructure maintenance and development functions in the Tribal Parks. The PNRPR has helped fund and support planners from Tla-o-qui-aht that have worked to develop a management (land-use) plan for the Haa'uukimun Tribal Park (see below). Under the Quu'as Approach to Training Program, PRNPR has developed a human resources program targeted at increasing First Nations employment opportunities and has increased the proportion of Aboriginal employees from 0 % in 1997 to 18 % in 2001 (Haugen and Crookes 2009).

With several ongoing treaty negotiations having potential to impact PRNPR, Parks Canada (2008: 5) describes the park as operating in a "post-treaty environment, through recognizing First Nations' interests and making a concerted effort to include their values in all aspects of parks management." Furthermore, with the recent ratification of the Maa-Nulth Treaty, comprising six other First Nations in the area (Maa-nulth First Nations 2010), Parks Canada and several First Nations are working towards formalized cooperative management arrangements (Dearden and Langdon 2009; Parks Canada 2010b). There has also been attention paid to resource harvesting and benefit sharing with First Nations communities. In fact, limited subsistence resource harvesting was allowed as early as the 1990s (Dearden and Berg 1993), the extent of which is likely to broaden as treaties, such as the Maa-Nulth, are ratified.

PRNPR is moving away from what might best be called a project based approach towards a more comprehensive approach to sharing management responsibilities with local First Nations. For example, several new cooperative management boards have been created to parallel and anticipate the treaty process. The development of the first management plan for PRNPR also involved an unprecedented level of consultation with First Nations (and other stakeholders) and the management plan contains strong language about ongoing consultation as important management measures are considered and adopted, including the redevelopment of zoning boundaries and restriction. The PRNPR Management Plan, for example, states that working with First Nations partners is one of four key strategies to achieve the mandate of the Park and identifies three objectives of this strategy: 1) formal, cooperative processes are established for PRNPR in collaboration with partner First Nations (which includes the development of cooperative management boards and cross-cultural training); 2) visitor experiences within the park related to authentic Aboriginal culture and heritage generate Aboriginal economic benefits and increased tourism; and 3) resource conservation and management of cultural and natural resources are undertaken collaboratively by PRNPR and First Nations (Parks Canada 2010b). If met, these objectives will represent a significant advance in improving relationships with partner First Nations.

Tla-o-qui-aht Tribal Parks[5]

The two Tla-o-qui-aht Tribal Parks (Meares Island and Haa'uukimun) are located in the coastal temperate rainforest of the west coast of Vancouver Island, and comprise portions of the Tla-o-qui-aht Traditional Territory (Fig. 1). One of the most critical things to realize is that, while entirely within the traditional territories of the Tla-o-qui-aht, the Tribal Parks are overlain with a patchwork of different tenures, including Crown (government owned) land, British Columbia Provincial Parks, forest tenures, private lands and portions of Pacific Rim National Park Reserve. As we outline in this case study and the discussion that follows, the way the term "Park" is deployed by the Tla-o-qui-aht is therefore very different from the way it is deployed by Parks Canada. It is not, for example, an area with clear tenure or a single management structure. Tribal Parks can be understood as a projection of sovereignty over contested terrain, or an assertion of Tla-o-qui-aht rights and title—outside but parallel to the treaty process—over areas that fall within their traditional territory through the elaboration of Tribal Parks' governance and management mechanisms. As we discuss below, Tribal Parks can therefore be seen as a unique[6] creation of the Tla-o-qui-aht First Nation that refer as much to the physical spaces within them as to the management tools and processes and the nascent implementing

[5] This section draws heavily on an unpublished Haa'uukimun land-use plan made available to the authors and on interviews with key informants involved with the Tribal Parks organization. Unless otherwise cited, quotations come from the land-use plan document.

[6] One of the principal Tribal Parks proponents we talked with noted that some of the inspiration has come from the Navajo Nation Tribal Parks.

organization that is developing a sort of counter-governance for the area.

Since the 1930s the area in and around the traditional territories of the Tla-o-qui-aht has been heavily impacted by logging and, more recently, tourism. The towns of Tofino and Ucluelet are nearby, both of which have transitioned away from resource extraction (forestry and fishing) to tourism-based economies. During the last several decades Tofino in particular has grown quite quickly, changing from a sleepy logging and fishing town at the end of a dirt track road to a resort destination that receives over one million tourists per year.

The involvement of the Tla-o-qui-aht First Nations in Tribal Parks began in the 1980s with the declaration of the Meares Island Tribal Park. This Tribal Park was declared in association with a 1985 decision by the BC Supreme Court (known as the Meares Island Court Case) which placed Meares Island under a Supreme Court injunction until such time as aboriginal rights and title are clarified. This court action itself came about as a result of protests and blockades by the Tla-o-qui-aht First Nation, the neighboring Ahousaht First Nation and environmental groups against planned operations of the logging company MacMillan Bloedel.

In this case study we focus on Haa'uukimun, which is the second Tribal Park declared within Tla-o-qui-aht traditional territories. It is located in the eastern portion of the traditional territory outlined in Fig. 1. Haa'uukimun was declared in the wake of a year-long consultative process in 2008 designed to engage local stakeholders. This process included a series of workshops that engaged a "broad cross-section of Tla-o-qui-aht, other local community representatives, adjacent first nations, government, education, industry, environmental and technical experts."

Currently, the Tribal Parks initiative has three core staff members, each of whom has other responsibilities within the Nation. There is also the Tribal Parks Guardians program, which includes several individuals (the number fluctuates depending on available funding) responsible for infrastructure development and maintenance, patrolling, and some interpretation functions.

This group has taken some unique steps to begin to integrate some of the values held within the Tla-o-qui-aht First Nation into the governance of Haa'uukimun including 1) the development of specific tools (a land-use plan and zoning); 2) the adoption of guiding principles based on traditional teachings; 3) the building of linkages between the Tribal Parks initiative and other nodes of governance within the larger Tla-o-qui-aht First Nation; and 4) the development of partnerships and relationships with actors outside of the First Nation.

One of the key documents for the Haa'uukimun Tribal Park is the land-use plan, completed in 2008. The land use plan sets out four major watershed goals; 1) a sustainable future for the region; 2) healthy abundant watershed ecosystems; 3) working with traditional teachings; and 4) economic growth through sustainable resource management. The first of these goals speaks particularly to sustainability as a holistic concept. The second refers to managing for abundance, which informants mentioned repeatedly as being significant, and fundamentally different. Interestingly, the goal of working with traditional teachings explicitly speaks to a desire to re-connect with traditional teachings while integrating some of the benefits of modern scientific thinking "… and to preserve Tla-o-qui-aht language and traditional use and occupancy for physical and spiritual sustenance, healing, movement, habitation, art, recreation, and ceremony." Economic independence is an important concept and respondents spoke about the desire not only to have a healthy economy, but to have control over economic decisions, and to engage in integrated resource planning and try to establish a 'conservation economy.'

A second key tool is a zoning scheme. Haa'uukimun is zoned into two main sections: '*qwa siin hap'* and '*uuya thluk nish'* (Fig. 1). *Qwa siin hap*, which roughly translates to "leave as it was," holds special significance as including the Tla-o-qui-aht place of origin and is considered sacred. The "…intent is to preserve biodiversity, restore any disturbed ecosystem features or functions, avoid traffic and prevent disturbances of sacred sites and burial areas." Human use (other than traditional use by Tla-o-qui-aht people under the guidance of the Ha'wiih (the hereditary chiefs)) is restricted to: education and research and low-impact 'eco-cultural' tourism.

The second major zone, *uuya thluk nish*, roughly means "we take care," and is composed of moderately to highly impacted sub-watersheds. There are numerous trails and logging roads within the area, as well as a number of culturally significant spots, though the extent of these is unknown. Like *qwa siin hap*, there are also a mixture of tenures, including a mining operation and a run-of-river hydro project. There are active salmon habitat restoration efforts in the area and the entire *uuya thluk nish* area gives priority to restoration but the range of allowed uses is larger than it is for *qwa siin hap*. Allowed activities include: conservancy, low-impact forestry,[7] harvest of non-timber forest products, education and research, recreation and tourism, sustainable energy, harvesting and extraction activities, planting and rearing, and seasonal habitation. Small-scale infrastructure for things like cultural/community spaces, watershed monitoring outposts, field stations, recreation, communications, recycling and waste disposal is also allowed. Notably, green energy generation is also allowed,

[7] The land use plan requires that any timber harvesting have "…the explicit approval of Tla-o-qui-aht Hawiih, using single-stem harvesting or other 'salmon-based logging' methods."

and the Tla-o-qui-aht have recently become partial owners in a run-of-river hydro project at Canoe Creek.

A number of development principles have also been outlined in the land-use plan that are meant to act as a guide for those preparing development proposals as well as serving as a sort of evaluation framework for considering new proposals. The first of these principles is stewardship, referring to actions oriented towards providing a healthier, more abundant intact watershed ecosystem capable of supplying the full range of ecosystem services in a sustained manner. The second principle mandates that developments should adopt the precautionary principle to avoid degrading the ecosystem (though allowance is made for mitigation in the case of unavoidable impact). The plan also requires multi-generational impact assessment, including ecological, social, cultural and economic considerations. Environmental assessments are also required to incorporate traditional knowledge and teaching. The overall purpose of any development must also serve to reconnect humans to nature and should help to bring about local, high-value, sustainable livelihoods. Sacred and conservation areas are strictly protected from development. All developments must also have visual, olfactory and auditory compatibility.

One of the most important characteristics of Tribal Parks is that they are being developed under the authority of and in communication with Chief and Council, as well as with the hereditary chiefs, and represents an extension of authority and stewardship (even sovereignty) far beyond the much smaller Tla-o-qui-aht Indian Reserves where the elected Chief and Council hold legal authority (as officially recognized by the Canadian government). The land use plan describes the authority of the hereditary Chiefs:

> Tla-o-qui-aht governance is integrated into our culture and society and its laws are based on respect and ensuring the well being of our people and the environment. The Hereditary Chiefs are known collectively as Ha'wiih, and each Ha'wiih has complete title and rights within their Ha'huulthii. Ha'huulthii translates as all within their traditional territory and includes certain responsibilities to rivers, food, medicines, songs, dances and ceremonies. Each of these items is passed down to the Ha'wiih through inherent rights or marriage. The Ha'wiih have a responsibility to the Creator to take care of all within the Ha'huulthii.[8]

Indeed, the definition of Tribal Parks provided on their website highlights the importance of traditional teachings "Tla-o-qui-aht Tribal Parks are watersheds in Tla-o-qui-aht traditional territory, managed to integrate human and ecosystem well-being, as taught by our ancestors and adapted to today's situation." A key respondent described several overarching principles that derive from traditional Tla-o-qui-aht teachings that help guide Tribal Parks. For example, when asked to describe Tribal Parks, one proponent reflected on conversations about Tribal Parks with Tla-o-qui-aht elders and stated:

> "…[when I] talk about what the intention of Tribal Parks is with the Elders, they tell me that from what it sounds like, what I'm talking about from a Nuu-chanulth perspective, is *teechmis-ochkin*. *Teechmis-ochkin* is about what sustains us physically and what sustains us spiritually. When I say spiritually I mean all of the intangible elements of self including our intellect, our emotions, our ideas about spirituality and maybe even our sense of humor. But so it's what sustains us spiritually and also what sustains us physically. So *teechmis-ochkin* is sort of the intercept of that physical-spiritual existence. So in that vein of what Tribal Parks is, it's a modern day application of traditional governance values, processes, and structures. Including values like *hishuk ish tsa'walk* which is everything is one and everything is interconnected." (interview #1)

Hishuk-ish-tsa'walk, or 'everything is one,' is a term frequently used among the Tla-o-qui-aht to describe a sense of sustainability and of an interconnectedness of human and non-human elements. It is mobilized to describe the vision of humans as part of ecosystems, and as human social and economic activities occurring hand in hand with ecological processes. For example, the land-use plan states that:

> Traditionally, no distinction was made between human well-being and ecosystem well-being, so that human and community life and livelihoods were integrated into the local ecosystems. This way of being required careful stewardship of all naturally occurring ecosystem units, rather than separated areas for "wilderness" and human use and occupation. Thus, the fact of having Tribal Parks does not entitle human communities to treat other parts of the Homeland in unsustainable ways, rather, Tribal Parks are the Homeland itself which must be respected and safeguarded in its entirety.

This same respondent used the example of totem poles to discuss how certain cultural teachings are encapsulated both in certain stories (which are highly metaphorical) and represented in certain crests in totems. This example was provided in response to a question about how, specifically, traditional values and teachings are incorporated into Tribal Parks. The quote highlights the importance of teachings that are presented and represented orally, and how some of that

[8] The Tla-o-qui-aht community is further organized into houses or family clans with a head for each house. These heads are referred to as "Ta'ii aqkin" and have access the Ha'huulthii of their Ha'wiih.

wisdom has become internalized, and serves as a sort of moral compass for decision-making:

> So, essentially the totem is our constitution. It's a constant reminder, in former times, in communities it was a constant reminder of how we were expected to live. So essentially you can think of it in terms of policy. And the policy is captured in patterns. […] Those are teachings that were passed down orally in patterns. And a lot of those teachings are captured in the crests. So it comes in stories and patterns. […] Those stories are as old as the rain forest, being told by our ancestors for hundreds and thousands of years. So it's obviously happened before in some form but unique experience of that today, in the moment, is different, so it will inspire, so it's kind of balancing…ok, these are the teachings from the past. This is the unique situation, so this is what I'm going to decide to do. So it's a guide for decision making. That is not a mechanical tool or a matrix, or whatever. It's imbedded in every aspect of who you are, what you are: The stories and the art forms, the representations of the natural laws." (interview #1)

One of the key things that we learned was that the Tla-o-qui-aht have a blend of both 'old' and 'new' elements in the governance system for Tribal Parks, and several key factors that improve the cultural fit. On the one hand, Tribal Parks has developed a sophisticated land-use plan, has engaged in multi-stakeholder engagement processes, and is actively working with a range of stakeholders to develop both conservation and education economies. Likewise, other individuals we spoke to described the importance of mobilizing principles and precedents from the United Nations Declaration of Rights on Indigenous Principles. On the other hand, the Meares Island court case and declaration of the Meares Island Tribal Park in 1984 provided both a precedent and set of written principles derived from the teachings of important elders of that generation upon which the guiding principles, land-use plan and other policies for Haa'uukimun were based. Our interviewees also spoke of being guided by their elders and Chief and Council in other ways. Firstly, and most concretely, as respondent #2 described, the Tla-o-qui-aht Chief and Council oversee and approve most significant decisions that Tribal Parks makes. In a more indirect sense, Tribal Parks proponents spoke about bringing some modern concepts and Tribal Parks ideas to their ideas in an effort to find corollary Nuu-chah-nulth concepts and words (such as *teechmis-ochkin*) to express and give a culturally resonant interpretation to those words. One of our respondents summarized by stating that "…the first part of what a Tribal Park is, is that it's a modern day application of a [traditional] governance approach. So the space, the political space for asserting that governance approach has been dampened in the past" (interview #1).

The Tribal Park concept generally and the land use plan specifically is also meant to be a sort of guiding framework against which the Tla-o-qui-aht can assess the suitability of particular development proposals. Because of a court-mandated need for 'consultation and accommodation' (to use the phrasing of the courts), many developments in traditional territories must be brought before the Tla-o-qui-aht Chief and Council through the referral process. The land-use plan has been mobilized as a means of denying permission for certain proposed developments received through the referral process. For example, one of the individuals that we spoke to described his position (which is partly responsible for Tribal Parks administration) and the relationship between the Haa'uukimun land-use plan and the referral process, and used an example of a proposed jet-ski operation and how the land-use plan was used as a justification and formal rationale for the rejection of the idea:

> But primarily I'm here to be dealing with the Band's referral process, which is all about defending the Tribal Park. Or making Tribal Parks real, saying no this isn't part of the Tribal Park Land Use Plan, you're not, responding to referrals are part of keeping the Tribal Park real. […] We said that [the proposed jet-ski operation] doesn't, it's not part of our Land Use Plan. Sorry. It was more, you know, put a paddle in the lake. Put a paddle or an oar. This is going in the wrong direction […] so we've told the jet boat operators not in our Land Use Plan and […] the Ministry accepted that." (interview #2)

This approach to development (shaped by a land use plan, zoning and other Tribal Parks' tools and processes) is one that some Tribal Parks proponents hope to extend to areas of the Traditional territory beyond Haa'uukimun and Meares Island.

Despite significant progress, the Tribal Parks clearly faces some ongoing challenges. These challenges include the aforementioned lack of jurisdictional clarity, as well as a severe lack of funding and human resource capacity (e.g., adequate permanent staff). As a sort of alternative to the treaty process, the Tribal Parks initiative is also competing for scare resource and attention, as well as for legitimacy vis-à-vis contestations over resource management in the eyes of the Tla-o-qui-aht First Nation as whole.

Discussion

These case studies illustrate how two different PAs have attempted to integrate some of the values held within the Tla-o-qui-aht First Nation into quite different models of protected area governance. The PRNPR case study, on the

one hand, demonstrates a National Park Reserve that is changing its approach to engagement with First Nations. These shifts appear to be focused on providing opportunities within the mandate and structures of PRNPR, including economic opportunities and mechanisms for improving relationships and featuring aboriginal cultural and traditions within the Park Reserve (e.g., those offered under the First Nations program). For example, opportunities for Aboriginal cultural sharing/expression fall within the mandate of Parks Canada to 'protect and present…examples of Canada's natural and cultural heritage.' Despite these opportunities, a number of distinct challenges remain with benefit sharing, ranging from the desirability and seasonality of tourism-derived benefits to some significant barriers in some cases to capitalizing on tourism and employment opportunities derived from a long history of social and economic marginalization (Gardner 2001; Gladu 2003). Notably, PRNPR has also been active in helping support the Tribal Parks initiative (through the Guardians support referenced in the PRNPR case study), which PRNPR sees as being in its own interest as it helps to create a more effectively managed buffer zone.

PRNPR is taking a broader view of their mandate, in other words, but it is still a mandate and governance system that is defined by distant centers of power. In attempting to draw the Tla-o-qui-aht into that governance system PRNPR is hampered by the fact that they are attempting to draw the Tla-o-qui-aht into partnership in a pre-determined governance model that does not expressly provide for shared authority, and where the parent agency (Parks Canada) does not have a systematic approach to and support for aboriginal community engagement (Gladu 2003; Dearden and Langdon 2009). PRNPR's efforts are also clearly hampered by an adversarial history and a bitter memory of expropriated land.

Moreover, the objectives of a Canadian National Park (Reserve) do not necessarily mesh well with the more holisitic 'man-in-nature' worldview of the Tla-o-qui-aht (Gardner 2001; McAvoy *et al.* 2003; Dearden and Dempsey 2004; Spiro Mabee and Hoberg 2006). The stated mandate of Parks Canada is: 'On behalf of the people of Canada, we protect and present nationally significant examples of Canada's natural and cultural heritage, and foster public understanding, appreciation and enjoyment in ways that ensure the ecological and commemorative integrity of these places for present and future generations'. According to Clark *et al.* (2008: 157) adhering to a strictly science-based definition of ecological integrity "sets up a paradox, advocating ecological integrity in a wilderness-normative sense that excludes people, while at the same time promoting stronger relationships [with] Aboriginal peoples." A focus on ecological integrity that excludes people will necessarily complicate efforts to engage the resident Tla-o-qui-aht (and other First Nations) who not only claim ownership over that land, but also see themselves as part of it. This relationship is further complicated by a complex set of discussions in British Columbia over the very meaning of indigenousness, appropriate indigenous harvesting practices, and contested claims over resource rights across the Province.

The Tribal Parks initiative, on the other hand, has addressed the challenge by taking a 'home grown' approach, by which we mean they have developed an approach to a protected area that is their own, rather than adopting a pre-determined model. Tribal Parks, for example, did not ask for other Canadian nodes of governance to establish (or-co-manage) a PA in their traditional territories. In designing their own approach, Tribal Parks has worked hard to integrate older traditions, teachings and concepts into their governance system (as guiding principles and in other ways) that help to improve the cultural fit of their governance system.

Of course, they have also adopted a number of 'new' approaches, and one of their key strategies is to link traditional concepts and teachings with concepts and tools from the wider conservation discourse. For example, the Tribal Parks (and the Tla-o-qui-aht First Nation more generally) have explicitly linked traditional concepts such as *hishuk-ish-tsa'walk* with ecosystem based management. Harmonizing modern land-use management ideas and practices with traditional teachings allows Tribal Parks to improve the fit of their governance system not only with their own culture and traditions, but also with actors and organizations (and other nodes of governance) influenced by the powerful discourses prominent in conservation circles. Thus, shifts in the international and Canadian discourses that emphasize plurality, community participation and a broadening of the objectives for PAs provide additional linking points for the Tribal Parks initiative.

Because of the small size of the Tla-o-qui-aht First Nation, there are very tight horizontal linkages between Tribal Parks and other portfolios within the Nation with both the hereditary system and the elected system of governance within the Nation. Given the lack of tenure security and (so far) a clearly defined legal authority, Tribal Parks must look outwards and develop linkages with the various stakeholders in the area. Linking to the conservation and development discourse and developing partnerships with other stakeholders provides a source of power for the Tribal Parks initiative, but this also makes them vulnerable. Challenges attendant to drawing on this source of power include a) a reliance on a shifting discourse, and b) multiple objectives/values which are both time-consuming, difficult to reconcile and risk co-optation. Tribal Parks seems likely to face a challenging tension between maintaining the sociocultural fit of their unique governance system while establishing linkages with other powerful actors with overlapping—and sometimes divergent—interests in the area. Indeed, one of

the greatest challenges for many First Nations governance systems is to rebuild institutions for resource and common property management that reflect traditional values rather than succumb to the pressures of aligning their institutions with national and international regimes based upon knowledge systems of the dominant culture (King 2004). The Canadian and British Columbian courts have helped to create some political space for the re-assertion of aboriginal rights and title, but it is important to note that the courts are not partners with Tribal Parks, and the court decisions that help define that space are episodic, sometimes narrowly defined, and hard to predict.

It is interesting that both areas draw on the term 'park' despite having different objectives. The Tribal Parks case study is like other PAs in IUCN categories IV–VI that feature a range of 'extractive' and 'economic' activities, but we would argue that the integration of sociocultural, economic and conservation activities and goals is even tighter under the Tribal Parks rubric. Indeed, these objectives are considered facets of the same objective (*teechmis-ochkin*) and should be seen as fundamentally inextricable rather than parallel/complementary activities that happen to occur in the same geographic space (see also McAvoy *et al.* 2003).

It is also clear from the case study above that 'Tribal Parks' is perhaps best thought of as a rubric term which includes a number of different concepts, structures and processes, some of which are quite different from those that would fall under 'Park' as it applies to National Parks (at least in Canada) and even other PAs that would fall under the broader range of the IUCN categories I–VI. In the first and most obvious sense, Tribal Parks are physical spaces covering a significant portion of Tla-o-qui-aht traditional territory. Secondly, they are a set of institutions, actors and organizations that provide a governance structure for these areas. In these first two senses, Tribal Parks are like a National Park and other types of 'traditional' PAs. However, the term Tribal Parks is also used to refer to an ongoing stakeholder engagement process and/or an integrated planning process that takes a holistic approach to sustainability and health (encapsulated by concepts such as *teechmis-ochkin* and *hishuk-ish-tsa'walk*) and the development of a conservation economy that tightly integrates economic and conservation activities.[9] Finally, Tribal Parks also represents a sort of projection of sovereignty over the Ha'huulthii of the Tla-o-qui-aht Ha'wiih. By drawing boundaries and developing land-use plans that are invoked during the referral process, the Tla-o-qui-aht are attempting to exert what they believe to be their sovereign right to control this territory. This is occurring in a dynamic and uncertain parallel with the treaty process.

We are also very much interested in what the outcomes of these governance efforts will be. For Tribal Parks, the future and outcomes for this initiatives are still uncertain but there are encouraging signs that innovative forms of governance that build on traditional values have the potential to ensure sustainability of the resources they are designed to protect as well as provide long-term tangible and intangible benefits to the people of the Nation. More concretely, Tribal Parks has already, through the land-use plan and the referral process, been able to shape some development within Haa'uukimun and the initiative has been successful in creating vital new partnerships with outside NGOs, government agencies and academic groups. PRNPR's support for Tribal Parks and other emerging initiatives to more meaningfully engage First Nations communities have precipitated a nascent rapprochement. While efforts to engage the Tla-o-qui-aht First Nation (TFN) in the management of PRNPR have improved greatly over time, but they do not yet represent a shift towards power sharing. The planned cooperative management boards may provide a step in that direction and future research efforts should be directed to monitor and evaluate these initiatives.

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[9] The Tribal Parks usage of the term Park is interesting to consider in the light of some critiques of the use of value-laden terms such as protected areas or parks in describing areas falling under IUCN categories V and VI, suggesting that these terms should refer to areas where the conservation of biodiversity (or similar ecological goals) should be paramount and other terms should be developed to describe areas with a broader range of desired outcomes (Locke and Dearden 2005).

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