

ENERGY CONSULTATIONS ON TREATY 8 LANDS:

THE EFFECTS OF OIL EXTRACTION

ON

PEERLESS TROUT FIRST NATION

A Thesis Submitted to the
College of Graduate and Postdoctoral Studies
In Partial Fulfillment of the Requirements
For the Degree of Master of Arts
In the Department of Archaeology and Anthropology
University of Saskatchewan
Saskatoon

By

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Abstract

For 14 weeks, from May 8th to August 15th of 2015, I lived and conducted research in Peerless Trout First Nation (PTFN). I use ethnographic research methods and a political ecological framework to study how Indigenous culture and traditional use of the land is affected by resource development in northern Alberta. This research contributes to the discipline of anthropology in several ways. First, it demonstrates how ethnography is an important research tool for collecting scientific data. There are several vignettes, stories, and interview excerpts that, through coding methods, inform the themes and conclusions in this thesis. This thesis is a successful demonstration of graduate work in anthropology and can inform, and hopefully inspire other students to pursue this type of education and work. Second, this thesis contributes to the literature on the anthropology of oil. I review many anthropologists, scholars, and authors who speak to development and the economy; specifically in employment concerns for Indigenous groups living near extraction zones which continues to be a key issue in oil discourse. More generally, this thesis contributes to the larger discipline of environmental anthropologists studying oil and gas in that it supports those who also argue that Indigenous worldview, perspectives, and knowledge must be considered in the making, or perhaps, re-making of consultation, and other laws and policies related to extraction and Indigenous groups. Third, this thesis shares key findings that are useful to PTFN and can inform consultation practice and policy in meaningful ways. My key findings indicate that PTFN remains committed to engaging in industry related projects while highly attuned to the negative social and environmental impacts resource extraction creates. Consultation efforts in PTFN are hampered by several factors including problematic consultation policy and practices, Consultation Staff have limited knowledge of the technical and bureaucratic language used in office and administrative work, and there is limited information sharing between Consultation Staff and inadequate transparency from the Consultation Office to the community about projects. A critical review of these processes is necessary for PTFN to move forward in their efforts to effectively participate in the energy sector in Alberta. I offer tangible suggestions to address these critiques.

Acknowledgments

This research has been funded through the Northern Scientific Training Program (2016), The Department of Archaeology and Anthropology Travel Bursary (2017-2019), and Dr. Clinton Westman's SSHRC Partnership Development Grant: Cultural Politics of Energy in Northern Alberta (2016-2021).

To the members of Peerless Trout First Nation, thank you. I am so grateful for your time and consideration. I was honored to participate in your work, your celebrations, and your ceremonies. Thank you to the 2016 Chief and Council and to the staff at Peerless Trout Enterprises Inc. A special thank you to the friends that I made while working in the Consultation Office. Your leadership, opinions, and good humor enriched my experience, and I am so grateful for your friendship. Thank you to those who shared their knowledge with me, who interviewed with me, and who told me their stories. Your contributions are invaluable to this research. I am especially grateful to have spent time living, working, and conducting research on Treaty 8 lands.

Thank you to the University of Saskatchewan and the Department of Archaeology and Anthropology. I am so grateful to the faculty, staff, and graduate students in our department. I bow to your knowledge of anthropology! Being a part of this community has been a wonderful and important part of my experience at this institution.

A very special thank you to my supervisor, Dr. Clinton Westman. Your insights, expertise, and experience served this research in so many ways. I am very thankful for your involvement, advice, and guidance throughout this process. To my committee, Dr. Alexander Ervin, Dr. Janelle Baker, and Dr. Susanna Barnes, thank you! Your comments, emails, phone-calls, and skype meetings were most welcome. My research and writing have benefited so much from your attention. Thank you to Max Pospisil for teaching me about writing technique and for making it fun.

Finally, thank you to my friends and family who have supported me throughout this journey. It is difficult to find the words to express how much I have appreciated your encouragement, kind words, and patience. Thank you to Joan Ward and Shannan Ward for their continued support throughout my undergraduate and graduate degrees. Above all, thank you to Dillon Person whose motivation, friendship, and love fuelled my confidence in completing this project.

I dedicate this thesis to Donna Hoffman who instilled in me a deep respect for learning, a passion for exploring, and who modelled for me the resilience of the human spirit.

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1. INTRODUCTION: OIL AND THE PEERLESS TROUT FIRST NATION IN CONTEXT

1.1 Introduction

The following are small excerpts informed by my revised fieldnotes.

I'm surprised at how many wildflowers there are! When I crossed the border into Alberta, the sign read *Wild Rose Country*, and, today, I finally saw the roses. They are everywhere. Red, pink, and white roses all along the road. I pulled the car over to take some photos and was taken with the beauty of the forest... I'm so excited to spend a summer here.

I explored Trout Mountain today. It's mostly a hill, but high enough that I could look out and see the community in the distance. I was helping map out coordinates for the Consultation Office [Peerless Trout Enterprises Incorporated] and, as we were moving through the trees, we came across an old oil pump. It was completely rusted over with piping laying in the overgrown grass. I asked (name omitted) if this was common and she said that, yes, you can find old project materials everywhere.

Today, we travelled to various cut blocks around the Peerless Trout First Nation (PTFN) area with a representative from the forestry industry. The trip was to highlight the land reclamation efforts his company is making to restore the area after logging. He pointed out areas of regrowth and explained that they seed certain areas using the same variety of flora in an effort to re-create what was once there. I asked (name omitted) if it looked right to her and she said, "You can tell things want to grow back here," and pointed out some *meensa*¹ [berries]. I was surprised to learn later that forestry contracts are tricky to follow through on because the contracts are made for the length of time it would take for the forest to grow into its original state – close to 250 years! How can anyone deliver on land reclamation contracts that take that long?

The first time that I drove through the Cree community of PTFN, I was instantly drawn to the incredible beauty of the region. I gazed out of my car window and marvelled at the tall trees lining the red dirt road. I had never seen such a vast forest. I peered into the tree line and imagined that the deep blue-black shapes were bears or wolves hidden just beyond the heavy

¹ I use a combination of spellings for Cree words. In instances where a participant or community member shared their way of spelling Cree words, I opted to use the spelling they gave me to honor their knowledge. For additional Cree spellings, consult www.creedictionary.com

green branches. I was delighted by the wildflowers dotting the edge of the road and, as I rounded the next bend, I was thrilled to come across the highway sign that read, “Peerless Trout.” I pulled the car over and hopped out. I was instantly overcome with a rush of summer heat and dry wind. I could hear the birds chirping

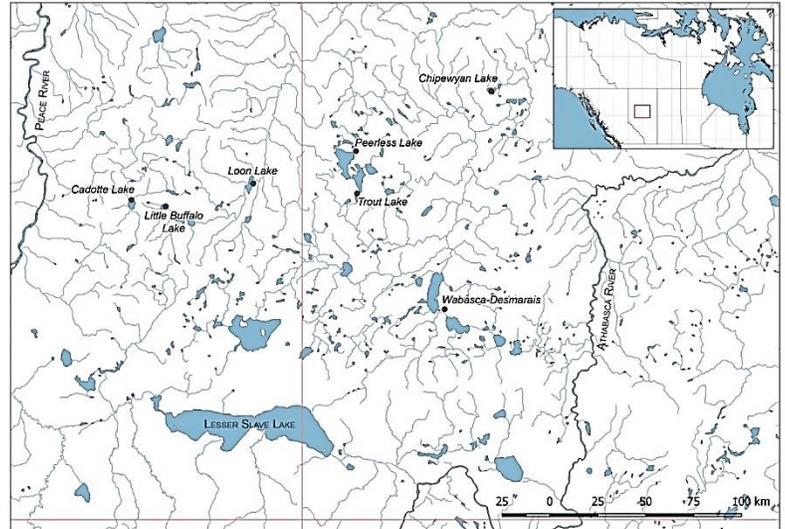


Figure 1.1 Map of Peerless and Trout Lakes and PTFN Reserve Area.

and the drum of insects hovering in the air around me. I crossed the road and turned around to see the sign from a distance. I snapped my first photo; I was here, I had made it. Standing in front of that sign and thinking about being there, in that place, my mind wandered to thoughts about what the summer might hold. I had come to this Nation to learn about the energy sector and to study consultation process and policy. I wanted to better understand the relationship community members in PTFN had with their environment and how Indigenous land users were impacted by resource extraction. It was difficult to imagine oil and gas development taking place in such remarkable nature, but it did not take long to discover evidence of development in the area.

For 14 weeks, from May 8th to August 15th of 2016, I lived and worked in PTFN. I used community-based participatory research to study how Indigenous culture and traditional use of the land is affected by resource development in northern Alberta. It was important to me that I develop my research questions in consultation with Indigenous community members. Thus, beyond an interest in oil effects on community development processes, I did not have specific

research questions in mind. I developed questions based upon the issues that arose in my first few weeks of conversations with community members in PTFN.

Generally, I studied political processes, economic benefits, social impacts, environmental risks, and the bureaucratization of Indigenous Peoples in relation to energy extraction on traditional territories in northern Alberta. I use the term “Indigenous Peoples” as a collective term naming the original peoples of North America. While the term “Aboriginal” is still used often, it is more common to now read “Indigenous” in government documents and policies. As this thesis reviews government documents and policy, I will almost always use ‘Indigenous Peoples’ when referring to Indigenous participants in this study (see Charron’s (2019) perspective on “Proper Terms”). I propose that Indigenous Peoples’ relations with the environment are reflected in daily activity, decision-making processes, and the cultural identity of community members in PTFN. Studying the relationships between PTFN, the environment, and resource extraction projects allows researchers greater insight into effective consultation, particularly in Canadian examples of energy studies. As such, this research asks: How does the oil and gas industry affect Indigenous land users in PTFN?

Through interviews, experiences, and interpretations, I have come to realize that answering this question is complicated. My key findings indicate that PTFN remains committed to engaging in industry related projects, while the Nation is also highly attuned to the negative social and environmental impacts resource extraction creates. Consultation efforts in PTFN are restrained by several factors, including problematic consultation policy and practices, limited capacity for technical and bureaucratic language, limited capacity for administrative and consultation work-specific skill, and limited information sharing and transparency. A critical

review of these processes is necessary for PTFN to move forward in their efforts to effectively participate in and respond to the energy sector in Alberta.

At a partnership meeting that my supervisor, Dr. Clinton Westman, organized in the bush near Athabasca, AB, an Elder from a different northern Alberta First Nation stated, “We cannot ignore money. Money is the driver of our world, but we can try to understand how that money influences our lives and how to earn that money safely” (fieldnotes June 2016). This statement highlights the paradoxical reality of traditional Indigenous land use practices,² which are growing to include Western concepts of resource development. Understanding oil and gas extraction as people in PTFN now experience it is critical to the development of policy and practice that protects people and their environments.

This thesis explores these intersections. Rooted in a political ecological framework and an ethnographic research methodology, I discuss the impacts of resource extraction on PTFN through observations, experiences, conversations, and interviews detailing life on a reserve where energy exploration and development is of interest. When I use the term ‘reserve,’ I am referring to the land set aside for Indigenous Peoples by the Canadian government. I examine the influx of energy activity on traditional lands, resource extraction and consultation, and how these processes are perceived by Indigenous groups. This work is further informed by that of Dr. Westman, who has experience working with Indigenous groups (including PTFN) and expertise in oil sands development in northern Alberta. This work is also informed by the work of his

² For the purposes of this paper, when I refer to traditional Indigenous land use practices, I am referring to Indigenous systems of sustainability and productivity, which include a specialized knowledge that Indigenous Peoples have of the environment (Simmons et al 2012, 6). Additionally, Indigenous Peoples can maintain a vested interest in retaining traditional land use practices while also participating in energy development and projects (Simmons et al 2012, 6).

former students, specifically Jennifer Gerbrandt (see Gerbrandt's (2015) work on Woodland Cree Consultation in "Energy Uncertainty"), who has conducted similar work in northern Indigenous communities.

1.2 Historical Context

In 1913, lands around what is now the community of Wabasca-Desmarais in Northern Alberta was surveyed with the intention of setting aside a reserve for the Bigstone Cree Nation. Prior to the recognition of a new First Nation (PTFN) in 2010, Peerless Lake and Trout Lake people were mainly members of the Bigstone Cree Nation, headquartered at Wabasca-Desmarais. According to the Aboriginal Multi-Media Society of Alberta (AMMSA 2015), the treaty land entitlement, at the time, was calculated at 128 acres per person based upon membership. In the century following Bigstone Cree Nation's addition to Treaty 8 (Treaty 8 Tribal Association n.d.; additional information in Treaty 8 First Nations of Alberta n.d.), no new reserve lands were added to compensate for the increase in new band members or for those who came to eventually live on the land (Westman 2017, 123-126). This resulted in several decades of dedicated work from the First Nation, collecting genealogical evidence and building legal arguments to prove their land entitlement (Bellegarde, Prentice, and Corcoran 2000, 2-3). According to the Indian Specific Claims Commission, discussions regarding this specific claim began as early as 1990, and negotiations concerning the treaty land entitlement, land selection, and compensation were debated throughout the following years (Bellegarde, Prentice, and Corcoran 2000, 1-2). In 1998, Bigstone Cree Nation's claim had the opportunity to advance under Canada's Treaty Land Entitlement Policy and its Specific Claims Policy (Bellegarde, Prentice, and Corcoran 2000, 2-3; Westman 2017, 124). However, shifts in federal policies regarding treaty land entitlement claims required a review of previous submissions made to the

Indian Specific Commission several years prior, causing progress on the latest Bigstone claim to falter (Bellegarde, Prentice, and Corcoran 2000, 3-4). Finally, in 2007, the First Nation's Ancillary Treaty Benefits claims were accepted for negotiation by Canada and the ancillary benefits claim was ultimately settled alongside the treaty land entitlement claim (Bellegarde, Prentice, and Corcoran 2000, 3-4).

In 2010, Bigstone Cree Nation settled the largest specific claim settlement in history (Westman 2017, 125), which resulted in \$249.4 million and 140,000 acres of land in compensation. As part of this claim settlement, PTFN was recognized as a separate First Nation, and received 63,000 acres of land for new reserves by 2017 (Westman 2017, 125). Further, 77,000 acres will be set aside for new reserves around the Bigstone communities of Wabasca, Calling Lake and Chipewyan Lake (AMMSA 2015; BCN 2021). Previously, most of these communities had not obtained reserve lands; nor had they received federally funded community services, as First Nations people on reserve typically do. To rectify this, the Bigstone First Nation claim included money for new infrastructure like schools and health centres and focused on social development (AMMSA 2015). This has resulted in considerable new community and infrastructure development at Trout Lake and Peerless Lake.

Indigenous and Northern Affairs Canada (Government of Canada 2021b) indicated that, as of 2016, Alberta had 45 First Nations in three Treaty areas, 140 reserves and approximately 812,771 hectares of reserve land. PTFN, Band 478, a member of the Kee Tas Kee Now Tribal Council and a Treaty 8 First Nation community (AANDC 2015; PTFN 2021), is one of these. Then-named Aboriginal Affairs and Northern Development Canada indicated in 2015 that PTFN had a population of 907 people living throughout the area, both on and off reserve land.

The lakes of Peerless and Trout, along with many smaller lakes, muskegs, and forest dot the countryside in this region. The community of Peerless Lake, previously known as Kapaskwatinak (PTFN 2021) or Bald Hill, is roughly 70 km northeast of Red Earth, Alberta. Trout Lake, once called Old Post or Kinoseesak Kayaton (PTFN 2021), is near to where a Hudson's Bay Company post was located, on the south end of Graham Lake, and is 90 km from Red Earth, Alberta and 250 km from Peace River, Alberta (PTFN 2021). Peerless Lake is the 18th largest lake in Alberta, while neighboring Trout Lake is somewhat smaller. A small stream, colloquially known as "Trout Lake Narrows," connects these lakes at an important historical habitation site. The land is rich in fish, wildlife, and plants; pink and white roses and other wildflowers are iconic features of the area in the summer months. It is not uncommon to drive through this landscape and spot bears snoozing in the soft grass along the tree line, or to see the shadows of moose moving through the trees. On more than one occasion, I happened upon wolf tracks while walking through the bush, and I was surprised and delighted the first time I witnessed horses galloping across open spaces at PTFN.

Traditionally, country foods were primary food sources for people living in this region, and this is still true today: "Many of these people continue to hunt and fish for a significant portion of their food. Gathering plants is an important source of nourishment, medicine, and cultural continuity, while trapping and snaring fur-bearing animals remains an important source of income (and food) for some individuals and families" (Westman 2013b, 112). Land-based activities, like hunting, are firmly rooted in familial ties and social behaviours. In fact, "many people continue to spend weeks or months each year on the land in networks of cabins and camps" (Westman 2013b, 112). Spending time camping and participating in these activities are important parts of life in this area, even today. In the day-to-day, people speak predominantly in

Cree, although it is common to hear younger people speaking English (see Westman and Schreyer 2014).

Oil, gas, and forestry create new opportunities for large-scale development projects in the area. However, as discussed later in this thesis, there are consequences when working with oil extraction and development because it is often damaging to the land (Westman, Joly, and Gross 2020, 5-17). Interest in development projects is central to the overarching goal of self-sustainability for PTFN (PTFN 2021). Specifically, PTFN is interested in creating jobs for locals. In recent decades, the energy sector, specifically in bitumen, heavy oil deposits, and conventional oil (Dowdeswell et al. 2010, 11-13; Westman 2013b, 112; Westman, Joly, and Gross 2020, 2-3), provides a degree of opportunity for employment in the community; however, these jobs are limited. For example, jobs can include road maintenance, vacuum truck services, and equipment hauling services (for a more detailed list of industry-related jobs, see ‘Services’ in PTFN 2021). Westman’s forthcoming book documents how, in the early 21st century, PTFN faced high unemployment and low levels of education and labor market participation. At the same time, jobs in primary industry and equipment operations were the main source of employment, particularly for men. The oil industry can influence the community in significant ways, such as instilling economic systems that can undermine traditional subsistence hunting practices. In some cases, these influences alter the traditional land use practices of Indigenous Peoples and can cause serious repercussions for future Indigenous communities living in and near extraction zones (Dowdeswell et al. 2010, 14; Droitsch and Simieritsch 2010, 1-3; Mantyka-Pringle et al. 2015, 2-4; Westman 2013b, 112-113; Westman, Joly, and Gross 2020, 5-17).

PTFN is working towards becoming a self-sustained First Nation that draws from the natural resources of the area. It is committed to developing programs and services that support

community members (PTFN 2021). After assuming his position as Chief of PTFN in 2010, James Alook expressed intentions for the community that included a focus on education, programing, and resources that foster health and well-being. At the time of his leadership, Chief Alook and his Council focused on promoting a new platform that aligned the Nation with innovation and perseverance, which included participating in energy projects (PTFN 2016). The current Chief, Gladys Okemow, serving her first term at the time of this writing, is passionate about working with young people, preserving land-based activities, and supporting initiatives that benefit all those living in PTFN (see PTFN 2021). In keeping with the above intentions, the Nation is interested in working more closely with energy projects, specifically, “the Nation’s relationship with the oil, gas, and forestry sector within PTFN’s traditional territory” (see “Consultation” section under header “Business” in PTFN (2021)). Discussions concerning the impacts of this relationship account for a large part of this thesis, specifically around how PTFN is shaping their Nation’s identity by engaging in energy projects and how this engagement defines important processes like consultation.

1.3 Political Ecology: A Theoretical Approach to Data Collection and Analysis

Interview Excerpt.

Marley: “What is your definition of healthy land?”

Participant: “Healthy land is the – to go back to the way we used to live like uh... people used horses, dog team, canoes and...healthy waters take off the boats – the motor boats from the lake and uh the houses they built, like we used to have log houses, we used to put mud to close the cracks on the logs. There’s not chemical, it’s totally pure water and now – and now the government has forced us to live the way they live. ‘Cause you have to – we have to make some kind of money out of our bodies before we die. I say those things because I study stuff and I know where the sickness came from and diseases came from, like people used to get sick a long time ago and they used the natural to heal themselves, to cure themselves, until chemicals came and now let me see, I don’t really just want to talk about oil and gas.” (Martin, interview with author 2016)

This excerpt, which is taken from a particularly memorable interview that I conducted during my time in PTFN, is representative of the type of conversations that I had on an almost daily basis with community members from the Nation. Entering the field, it was initially sometimes easier for me to think of research questions as separate topics or ideas. However, it became evident quite quickly that participants rarely shared their thoughts and opinions in categorical ways: ideas about oil and gas were integrated with thoughts on family, finances, and governance. Considering this, it was necessary to select a theoretical research orientation that would not only complement both the politics of energy and the environment, but also inform the cultural impacts these systems often impose. The study, analysis, and research of energy extraction and how traditional land users interact with land in northern Alberta examines culture, politics, *and* the environment. For these reasons, I employ political ecology as a primary theoretical framework to discuss my research.

Political ecology can be viewed as the blending together of two major strains of anthropological thought: political economy and cultural ecology. Political economy, a much older paradigm, is characterized by Eric Wolf as “a field of inquiry concerned with the wealth of nations, the production and distribution of wealth within and between political entities and the classes composing them” (1997, 7-8). Political economy studies how local cultural groups interact with and are shaped by global economic systems as well as power and economic differences within such groups (Salzman 2001, 57). Cultural ecology, as defined by environmental anthropologist Julian Steward, focuses on the ecology and environment within the ethnographic context by “recognizing the ways in which culture change is induced by adaptation to environment” (1955, 5). Through these separate approaches, dominant in environmental

anthropology in the 1980s, environmental anthropologists made many discoveries about how humans interact ecologically with other animate and inanimate entities.

Political ecologists study political and economic processes while also studying environmental impacts on peoples and their culture. Political ecology can be, among many other uses, an orientation that examines resource extraction in the context of the power of the state acting along with economic and industrial forces. Accordingly, political ecologists analyse developments that significantly transform local and even global environments. They examine how this interaction impacts those peoples, particularly Indigenous ones, living in extraction areas and development zones, and considers their responses in both adaptation and rejection. The latter might include social reactions such as petitions, movements, making public and legal appeals to justice, and violence for and against energy extraction (Dove 2006; Ervin and Holyoake 2006; Heynen, Kaika, and Swyngedouw 2006). Social and environmental impact assessments of polluted water, air, land, and wildlife, and the well-being of groups living in or near extraction zones can become the scientific and academic data to support the development of political ecology theory (Ervin forthcoming, 6).

Political ecology is a multidisciplinary orientation that has emerged in response to globalization and development processes that have widespread environmental and social impacts. The field of energy extraction is often central to political ecology analyses, not only because of its destructive potential, but due to its capacity to influence so many other domains, such as industrial agriculture, that depend on the power that it produces. As political ecology analyses form a set of theories dealing with such complexities and powerful forces, the subjects to which they belong are always in flux: “Political ecology is a work in progress and a sprawling one that spans and integrates a number of academic disciplines. It does not have a single

dominating theory and a declared range of methods” (Ervin forthcoming, 2). Political ecology, as an interdisciplinary approach, borrows from and can be applied to many social sciences. It is a valuable orientation that is “integrative and holistic which is a major and essential contribution when the vast majority of subjects restrict their boundaries of enquiry and tend to use reductive and linear methods that mask the complexities of the cause” (Ervin forthcoming, 2). It must be strongly emphasized that, in contrast to cultural and human ecologies, but in accordance with political economy and quests for social justice, political ecology is a critical orientation that questions the outcomes that processes have on environments and peoples.

Political ecology is a useful approach to examine how and why marginalized groups suffer systemic inequities in social contexts. For example, anthropologist Dr. Alexander Ervin (forthcoming) argues that governmental and administrative responses to environmental degradation, particularly those caused by human activity, can reveal much about the power dynamics within stratified societies. Governments and other powerful entities maneuver around negative impacts by favouring biased nation-state agendas, globalization, and effects of capitalism (Ervin forthcoming, 2). Pairing this with loosely constructed legislation and muddled laws about environmental rights, it has often been the case that under-privileged groups struggle to hold other parties accountable for any damage or negative impacts that occur (Ervin forthcoming, 2).

Political ecology is rooted in advocacy in that it tends to favour the claims and perspectives of marginalized groups who have been impacted (Ervin forthcoming, 3). By producing scholarly work informed by the voices and experiences of the oppressed, political ecology data fill academic and political spaces in a way that more neutral academic fields do not (Ervin forthcoming, 3). In fact, traditionally, academic works avoid “popularizing or taking

public positions advocating one side or another of a position. Instead, they are expected to provide value free, objective, carefully collected data that is relevant to an issue” (Ervin forthcoming, 7). That is not to say, however, that political ecologists’ data are not carefully collected nor displayed. Data are presented and represented in ways that honour the complexities of participants’ experiences, despite the potential ramifications that taking a controversial stance in the academy might have for the researchers involved. Political ecology research is by nature critical, emphasizing the structured relations and violence that generate suffering, grievance, and inequality; at the same time, it can give voice to those who suffer from these. For these reasons, political ecology is a useful subfield of environmental anthropology, as anthropologists applying political ecological theory are cognisant of such groups as those affected by extraction projects (Ervin forthcoming, 41-42). For this study, instances of poor health and well-being, limited access to good food, drinking water, and clean air are of interest, as are issues caused by financial instability and limited access to quality education, healthcare, and other important institutions. Political ecology, in the context of this study, will critique provincial consultation policy and legislation by highlighting their colonial attitudes.

1.4 The Anthropology of Oil: A Review of the Literature in Albertan and International Contexts

Home to some of the world’s largest oil deposits, Canada has become a major player in global oil production. Much current scholarly dialogue argues that oil sands development negatively impacts the social and environmental ecology of areas used for oil extraction and processing. Indigenous knowledge and expertise are minimized by industry and government, and the literature indicates that Indigenous Peoples experience negative impacts, and even trauma,

that directly relates to oils sands development. To better understand PTFN perspectives concerning energy projects, it is useful to review extraction and processing in provincial, national, and international contexts.

Analysis of the oil industry is a growing area of study in the social sciences, in part through the anthropology of oil. This is because petrochemical resources are in high demand throughout the world. The social, political, economic, environmental, and legislative contexts of such extraction are important considerations for this research. Reviewing oil literature highlights the gaps and misunderstandings in the provincial, national, and international information available concerning oil development. Studying large projects like the Trans Mountain Pipeline (see Trans Mountain n.d.) is useful because high profile cases like this one include information about Indigenous people and energy. Smaller, more local cases, like development at PTFN, have much less information available for study. While there is some dedicated work toward filling research gaps in these smaller cases (see Joly and Westman 2017; Westman 2017; Westman, Joly, and Gross 2020), it is still useful to critically examine the literature concerning oil sands in Alberta because such work favors the government and oil industry over the First Nations groups who are impacted by this type of work.

As this thesis is an effort to contribute to the research in Alberta that highlights unequal power dynamics between government, the oil industry, and Indigenous people, I examine relevant literature in the following review, discussing Albertan, Canadian, and international contexts. While there are many questions to explore, the focus of this review is to better understand the discrepancy between promised economic benefits and the actual lack thereof. It will also explore the negative ramifications that these financial stresses perpetuate for PTFN.

1.4.1 Oil in the Albertan and Canadian Contexts: Oil Sands

Canada is the fifth-largest producer of natural gas, with an estimated 1.225 trillion cubic feet of remaining natural gas resources, and the sixth-largest producer of crude oil in the world, with reserves totalling 170 billion barrels (CAPP 2018), as well as the largest supplier to the United States (CAPP 2018). For these reasons, Canada has become vital to the study of global oil production. In recent history, the Canadian government has recognized the fiscal value of developing oil as a commodity, making Canada, and specifically Alberta, one of the largest global contributors of petroleum generally (see Westman 2013b, 216; Westman, Joly, and Gross 2020, 233-234), and specifically in the minable areas of Athabasca, Peace River, and Cold Lake oil sand deposits in Alberta (Gerbrandt 2015, 23-24; Westman 2013b, 215; Westman, Joly, and Gross 2020, 233-234).

The scale of oil development projects varies in Alberta (Gerbrandt 2015, 23), with the production of bitumen and other resources remaining a primary driver in energy development in the Athabasca, Cold Lake, and Peace River regions. In PTFN, oil deposits are deeper and are accessed through *in situ* technologies that do not include mining or tailings ponds. Although the impacts of mining areas are better known, *in situ* projects in areas like PTFN also have high, albeit less studied, impacts. Proper risk assessment studies do not mirror the current rapid development rate. Demands for more social science-based studies that involve Indigenous partnerships are required to address issues of risk: specifically, the sense of powerlessness and other challenges that come with changes to livelihood (Westman, Joly, and Gross 2020, 233).

Bitumen is a complicated commodity to produce because its extraction and refinement are economically exhaustive and disruptive to the environment. Separating the tar from the sand requires water. In fact, to extract oil from surface-mined oil sands requires two to four barrels of

hot water (79-39 degrees C) for only one barrel of oil (Giesy, Anderson, and Wiseman 2010, 951-952). Other issues arise from this extraction process. The used water, or oil sands process water (OSPW) can spill and pollute the soil (see Gerbrandt and Westman's (2020, 1301 -1308) writing on negative impacts associated with oil spills and Indigenous people). Animals and plants experience both direct and indirect impacts. Directly, they are exposed to toxins from water runoff. Most oil sands are located underground, and it is often so -- certainly in the case of Alberta, though not necessarily in PTFN -- that acres of natural forest must be cleared to access and extract the deposits, causing mass loss of forest. Animals are directly impacted by this loss of forest, losing food and habitat sources when trees are cut down. The rapid rate of water and land used for extraction is significant to note here because it suggests that oil development is costly and difficult to sustain, as it is also a non-renewable resource (Giesy, Anderson, and Wiseman 2010, 951-952). With industry experts predicting oil production to reach 3.9 million barrels per day by 2027 (see projections at Alberta Energy 2021; Westman, Joly, and Gross 2020, 1-3), the long-term ramifications imply great environmental cost and future economic instability.

Poorly researched or biased industry-funded data collection, weak government oversight, and, simply, the inability to properly study long-term effects of extraction have been cited as major flaws in the assessment of success regarding oil sands development: "EAs [environmental assessments], consultation, and other participatory processes for Indigenous communities in the oil sands region often reflect a 'box-ticking' approach to the social licence to operate, rather than meaningful participation in development" (Joly and Westman 2017, 2). In fact, many argue that people living in and near extraction zones suffer more negative impacts than positive ones, as "there is strong evidence of environmental contamination as well as social, cultural, and health

changes posing lasting negative impacts for Indigenous communities” (Joly and Westman 2017, 2). These concerns are often dismissed in conversations about oil extraction and development, by those who argue that the economic benefits outweigh lasting negative impacts.

Alberta’s participation in oil development and the Canadian government’s commitment to oil sands extraction and processing remains controversial. In her research and work with Woodland Cree First Nation in northern Alberta, anthropologist Jennifer Gerbrandt (2015) identifies a theme that is echoed in my work as well: many PTFN community members may be unsure of how to critique the energy sector while simultaneously relying on oil development to power much of their daily actions. Still, significant commentary concerning the intrusive nature of the extraction and processing procedures continues to fuel debates between not just PTFN community members, but also scholars, industry workers, and other Indigenous and non-Indigenous community members living in northern Alberta (Gerbrandt 2015). For example, a recurring theme in my research is the notion that the energy sector creates employment opportunities for many people, including Indigenous people living near extraction sites. However, the decline in global oil prices recently stunted oil related projects in Alberta, which, in turn, limited employment accessibility for Indigenous community members in PTFN.

According to Statistics Canada (2021), responses to the COVID-19 pandemic have left oil prices at roughly \$52 per barrel as of April 2021 (well above the price earlier in the pandemic). However, impacts from the pandemic were preceded by a global collapse for the industry in 2015. While, early in 2015, one barrel of oil sold for roughly \$100 (Robbins 2015), by the end of the year, it cost \$44 (Robbins 2015). With Alberta forecast to become a major centre for oil production, this global collapse substantially disrupted the Canadian energy economy (Robbins 2015). As the promise of jobs is a primary driver for Indigenous and local

participation in industry related extraction projects, the decline in oil development across Alberta significantly challenges future local participation in these projects. The unfortunate reality of many Indigenous peoples working in the Alberta energy sector is that they do not benefit from long-term positions in industry because they work labour intensive jobs that are contract-based and contingent on energy-related projects. These jobs are typically low-skill, relatively low-wage jobs with no guarantee of renewal. Additionally, there is little effort at supporting the community in other ways, such as the building up of the arts, education programming in fields unrelated to manual labour jobs, or community events like tournaments. Because, during my time in PTFN, local government was in transition due to their election for Chief and Council, decisions about projects, procedures, and executing consultation plans remained in flux. Community members navigated the potential for change in the Nation's focus and this time of uncertainty also contributed to a lack of employment at the time.

1.4.2 Oil in the Albertan and Canadian Contexts: Pipelines

In Albertan and Canadian contexts, a discussion of pipelines, in addition to oil sands, is useful in understanding the inconsistent economic benefits for groups participating in energy projects in Canada. Alberta is associated with several pipelines, such as the Trans Mountain Pipeline, or Keystone XL pipeline, which is the fourth phase in the Keystone Pipeline System (Keystone XL 2021). The Keystone XL pipeline alone was projected to be 1,947 km long and would transport 830,000 barrels per day (BPD) (Keystone XL 2021). Such estimations for just one pipeline foreshadow an almost inconceivable shift in the global energy sector as other countries explore oil development as well.

Pipeline projects are rooted in the Alberta oil sands, which are economically significant for Canada. Development of these projects went largely unnoticed in the early 2000s, with most

of the beginning stages of development happening underground, including the installation of pipes, filtering systems, and other related systems (Robbins 2015). More visible results of extraction, such as deforestation and oil spills, can make communities more aware of the environmental degradation extraction creates. Concerned parties closely associated with oil development, such as activists, scholars, NGOs, environmentalists, scientists, policymakers, government officials, and Indigenous communities from both Canada and America, often respond in protest (see BBC 2021; National Resources Defence Council 2021).

With the negative collective response to these proposed projects, global decline of oil prices, and recent turn-over in the American government, major oil related projects have come to a stand-still. Indeed, “within hours of taking office, President Joe Biden signed an executive order rescinding the permit for the Keystone XL pipeline” (BBC 2021). This is significant in situating the attitudes regarding energy projects in PTFN. During my fieldwork, oil related development was at a halt. Inquiry as to why consultation now focused on other development projects was met with a dismissive tone, citing the decline in oil prices as one of the causes for a directional shift. With President Obama prolonging approval of the Keystone XL pipeline in 2015 (see Goldenberg and Roberts 2015), provincial and national government systems in Canada were also at a stand-still, suggesting a strong correlation between industry related projects, government, and economy. With pipeline projects halted, the jobs promised by companies and governments that supported them are also unavailable. Despite projections for an increase in oil production in Canada, social, political, and economic factors for provincial and federal systems remain disconnected, especially within the international context.

1.4.3 Oil in the International Context

Canada's role in the global energy sector is complex. Organizations like the Canadian Association of Petroleum Producers (CAPP) present optimistic messages regarding the progressive and environmentally conscious perspectives informing Canada's position in the international oil industry (see CAPP 2021). However, Canadian oil extraction and processing cause social and environmental damage that is consistent with other examples from across the globe. The situation in Canada is not directly comparable to some of the other countries discussed here; nevertheless, I draw parallels between the experiences of Indigenous people in northern Alberta and those impacted by the oil industries in Azerbaijan and Equatorial Guinea, who, I argue, are both subjected to weak consultation practices and industry policies.

Azerbaijan, for example, though it attributed national independence, strengthening territorial integrity, and increasing economic development to its production of oil (Ciarreta and Nasirov 2012), has experienced negative impacts to its disadvantaged populations. Benefiting from an influx in foreign investment in the years following the collapse of the Soviet Union, Azerbaijan has experienced a serious impact to its economy, including increases in the country's poverty rates despite overall economic growth and investment (see Aslani 2015). There are no laws or policies governing the oil and gas sector in Azerbaijan (Ciarreta and Nasirov 2012). This means that legislation does not work to protect minority groups against oil and gas operations (Ciarreta and Nasirov 2012). Residents inhabiting proposed extraction sites are not legally protected by the government or in any consultation policies (Ciarreta and Nasirov 2012, 290), and there are poor clean-up procedures for petroleum refineries and other materials used for extraction, lack of independent regulatory institutions and policy, and little in the way of environmental reclamation practice (Ciarreta and Nasirov 2012).

Oil and gas development in Azerbaijan shares similar outcomes with that of Equatorial Guinea. After the discovery of oil and gas, Equatorial Guinea became one of the world's fastest growing economies and one of Africa's leading oil producing countries (see Frynas 2004). Like Azerbaijan, Equatorial Guinea benefited from significant foreign investment, roughly US\$5 billion, resulting in economic growth by 41.6% over just four years (Frynas 2004). With American investors buying majority shares in Equatorial Guinea development, extraction projects are run, primarily, by US companies: ExxonMobil, Amerada Hess, and Marathon Oil (Frynas 2004). This is significant because resource revenues are filtering out into foreign investors rather than back into the local communities. Foreign influence, paired with a political system that is historically nepotistic, has resulted in a corrupt government only superficially interested in improvements concerning human and environmental rights (Frynas 2004). In addition, the country's wealth "is concentrated in the hands of a tiny elite, so oil revenues do not benefit the majority and do not stimulate the local economy as a whole" (Frynas 2004, 540).

The oil industries in Azerbaijan and Equatorial Guinea are credited with creating more diverse job markets. However, there is evidence that there is actually very little employment opportunity for workers in Equatorial Guinea, as "the oil industry has a very limited impact on employment creation by its very nature. It is highly capital-intensive, which means that large amounts of capital and equipment, but few workers are required" (Frynas 2004, 540). An analysis of these examples indicates that, while government and industry tend to benefit from oil development, most parties involved experience slow economic growth.

1.5 Thesis Overview:

This chapter has provided an introduction, overview, and historical context of PTFN and oil and gas extraction in the region. I have also explored the concept of political ecology and

detailed why it is a meaningful theory in which to situate this research. Finally, I reviewed academic and scholarly literature, drawing on the work of researchers specializing in the anthropology of oil, and situating this review in Albertan, Canadian, and international contexts.

In Chapter Two, I articulate the design and methodology of this study. I focus on an analysis of ethnographic research, using excerpts from my fieldnotes and interviews with participants. I review my data analysis process and explore the effectiveness of my interview strategies while in the field. I review a day in the life during my time in PTFN, highlighting some of the successes and challenges new anthropologists may face when confronted with culture shock, ethics, and other unforeseen circumstances of research and data collection.

In Chapter Three, I critique the current provincial consultation policy for its colonial bias. I argue that weak legal definitions of Aboriginal rights and treaty rights perpetuate Indigenous marginalization, primarily through outdated attitudes concerning consultation practices and the duty to consult. I also argue that Indigenous worldviews, perspectives, and knowledge must be considered in the making, or perhaps, re-making of consultation processes, and that meaningful consultation is an issue of Indigenous rights to self-governance.

In Chapter Four, I explore how consultation policy is implemented in PTFN and surrounding Nations. Through exploring definitions of capacity, transparency, and sustainability as emerging themes from my data, I argue that the development of consultation policy is fundamental to Indigenous agency concerning how resource projects are selected and managed in PTFN. The chapter concludes with suggestions for building a local consultation manual to maximise benefits for Indigenous land users in PTFN as they continue to work in the energy sector.

Chapter Five provides a summary for this thesis, including a final vignette of my fieldnotes and some reflections on my more recent writing experiences. It offers insights into the possible futures of PTFN and extraction in northern Alberta and explores potential areas for additional research. Chapter Five includes final remarks about my experience in this study.

This thesis will hopefully benefit PTFN, as it provides scholarly analysis concerning resource extraction projects that influence social, political, and economic processes rooted in the daily lives of community members. It contributes to knowledge regarding industry operations, consultation, and the social and environmental impacts these projects have on the Nation. From the results of this thesis, I recommend training and strategy to develop the administrative skills necessary to equalize industry-to-Nation interactions, including creating a Nation-specific consultation manual, office management and technological expertise, and measures to increase transparency and outreach with community members in PTFN.

2. RESEARCH METHODOLOGY

2.1 Fieldwork: A Day in the Life

The following is a vignette informed by my revised fieldnotes.

“Marley, I’m taking you to the bush tomorrow.” My eyes widened, my pulse quickened, every thought, vision, idea, and emotion from every memory of ever hearing about *the bush* came flooding into my mind at that moment. I turned to Rhonda. “Really?” I asked. This would be it. I thought to myself, “You will be a true anthropologist, Marley. You will be out on the land, with community members guiding you, showing you, and telling you about the land.”

There were two traditional land use sites that needed to be identified, mapped, and documented; both were graves. Most people, especially those working in consultation, who want to go out onto traditional lands, must first ask for permission from the trap-line holders. In this case, trapper Melvin Foster agreed to take us out onto his land and show us the graves and other noteworthy places. Armed with a camera and bug spray, I happily bounced down the mud road in the back of Rhonda’s PTFN work truck as she and her husband discussed the plans for the day. We were to take the winding road up Trout Mountain and wait for Melvin at an old oil camp site. “There used to be a whole pop-up town here, all oil guys, working,” said Rhonda as she hopped out of the truck for a smoke break. I believed her; as I looked around, I could see pieces of metal and plastic, old pop cans, and dirty wads of used paper towel. Ahead of me was a clearing that had been flattened by trailers and pick-up trucks. “Put on some more bug spray,” said Rhonda, as she sprayed her hands and ran them through her hair. I listened and did the same.

When Melvin pulled up, we followed him further into the bush on a road that looked like it hadn’t been used in quite a long time. After a few minutes, he pulled his truck into a small clearing that was filled with mounds of gravel -- another marker that industry had been here. We all left the protection of our trucks and got to work unloading the quads in a fog of bugs. When I say that “we got to work,” what I mean is, Rhonda, her husband (Gregory), and Melvin unloaded the quads and packed them up, while I stood there trying to remember how to drive the stupid things. I’ve driven quads before in Saskatchewan, which really means that I’ve driven a quad once before in a straight line on a flat gravel road. “Have you driven a quad before?” asked Melvin. “Yes, I just need you to turn it on, put it into gear, and remind me how to drive again,” I replied. “Ok,” he laughed, “why don’t you take my quad? It’s an automatic; it’s more childlike.” Childlike? Without hesitation, I took the kid-friendly quad, thanking my lucky stars that my inexperience was obvious enough that I wouldn’t have to endure the embarrassment of trying to maneuver those big, scary PTFN quads that looked like something reminiscent of a vehicle from Jurassic Park. Soon, we were off, driving our quads into the wilderness. Despite driving *directly* into the first set of bushes that came my way, I still felt the thrill of the wind in my hair, the sun on my face, and the freedom that being outdoors brings. “What is she doing?” I could hear Gregory chuckle to Rhonda as I untangled myself from the bushes. “I’M FINE!” I called out. “Don’t be afraid to turn; you won’t tip!” yelled Rhonda as I reversed out of the shrubbery. “I won’t tip, I won’t tip, I won’t tip.” I whispered this to myself over and over as Melvin led us -- me in the middle, and Gregory and Rhonda sharing the quad behind me -- over rocks and trees, steep ditches, and creeks with hand-made log bridges.

Melvin showed us the trail where people once rode horses and pulled sleds through the bush. He showed us the cut block, an area of trees that have been cleared away, typically by logging companies, on his land, and numerous animal traps. His family traps lynx, martins, otters, and other animals and sells their fur to manufacturing companies. “We trap the animals in Canada, send the fur to China to be made into coats, and then the coats are sent back to Canada to be sold with a ‘made in China’ sticker,” joked Melvin. Most of his family traps with metal traps, hidden inside of wood structures built with old plywood, or branches literally picked up off the ground. “The box is held together like this, and the trap fits inside; the bait goes at the back of the box, see? So, the animal goes through the trap to get to the bait, like this,” said Melvin as he held out a trap and stuck a twig into the back of the box. The trap snapped shut, lightening quick, and broke the twig in two. Many of the traps along Melvin’s line had clearly been broken by other animals, and I watched him intently as he put the traps back together and set them into place.

“Our people used to pick this moss, dry it out, and use it as pads and diapers,” said Melvin as he held out a clump of yellow moss. “And this, this is a mountain ash. If you have a cold or a cough, or a sore throat, boil the sticks in a tea and drink it,” instructed Melvin. “This is a high bush; you can eat the cranberries from it when they get ripe,” he said, pointing to a pretty bush with green buds on the end of the branches. “Don’t eat the seeds or you’ll get itchy bum!” yelled Rhonda. We drove further into the bush and eventually made it to Melvin’s family cabin. There was a newer house with dormer windows, sliding doors, and a second floor. Each doorway and window were nailed down with spikes -- “for the bears,” explained Melvin. He took us inside and, even though the cabin wasn’t finished, it was an impressive structure. We toured around the house; the dishes, clothing, board games and spices covered the counters showing insight into the life of a busy family. On the wall near the front entrance, a cork board of trapper awards, certificates, and rules proudly hung. I snapped a few pictures because, to me, this said, ‘Trappers live here.’ Melvin explained that since he cannot prevent industry from using his land for energy projects, he felt that he would never really own it, and so he didn’t want to finish a house in a space that had the potential to be changed without his permission. Behind the house was an old camper. In it, more trapping supplies were stored, and the ‘bait’ used for trapping was fermenting in buckets on the roof.

Melvin showed us the holes where the remains of the original cabin once stood. Other holes around the property alluded to hand-made potato cellars and other storage spaces. He led us through brambles of wild roses, thick with leaves and thorns. “Holy moly!” I yelled as the thorns cut into my skin. Melvin laughed, and I realised that I had worn the wrong clothing. After what felt like hours of hiking (it was less than ten minutes), we came to four crumbling graves. There were no markers other than a lonely broken cross and a few edges of wood that once covered the graves. I didn’t see any human remains, though Melvin said that he had had to rebury some exposed bones a few years before. Both he and Rhonda agreed that they would like to see some work put into memorializing these grave sites, because the people buried here still had many living descendants who remained in the community. “One of these graves belongs to my great-grandmother,” said Rhonda with a smile on her face. She stood for a moment to write down the coordinates of the place and then we moved on. After a few moments, we came to the next spot. Melvin was positive that this area was a grave site, but the markers and the exact whereabouts of the deceased had been lost. Later, we rode over to another section of his land and walked down to the water’s edge. “Here you can pick wild mint, boil it, and make a nice tea out of it!” he said, as he and Rhonda picked a bouquet of mint.

This vignette helped me to realize a few important things that are quintessential to the fieldwork experience. First, informal conversations are effective research methods, as they provide valuable information on how Indigenous people understand and discuss extraction in PTFN. In fact, some of my best data was collected during those relaxed, impromptu moments when researcher and participant are simply ‘hanging out.’ Second, collecting data doesn’t always follow a route or pattern. Information is provided in layers, through stories, which begin one way, and are interrupted as another memory or idea is shared. Finally, and on a personal note, qualitative ethnographic data collection is very fun. I selected the above vignette because it relates to my thesis topic, but also because it illustrates one of my favourite days in the field. It was fun to go quadding, it was fun to pick mint and berries, it was fun to talk to these people and hear about their lived experiences. In beginning a master’s thesis, I knew that emphasis would be placed upon the conclusions found through this research, but I was also very interested in anthropological methodology; I wanted to learn *how* to be an anthropologist.

Conscious of the challenges that both my cultural background and position as researcher and outsider in PTFN might place on my practical work, I made community engagement the basis for my research method in the field. Now, as a trained Environmental Anthropologist studying resource extraction and Indigenous groups in northern Alberta, I understand and am aware of the various impacts, interactions, and outcomes development can have on people, animals, and the environment. As a middle-class white woman from Saskatchewan, I also understand and am aware that I cannot ever fully grasp the experience of Indigenous community members living and working in PTFN. I pursued a project in this research area because I wanted to better understand the impacts development has on the Albertan landscape, and specifically how Indigenous groups living near extraction zones are impacted and what these impacts mean for Alberta and Canada

over time. I partnered with PTFN specifically because similar work had already been conducted in this area by my own supervisor and because PTFN remains committed to energy development. Their interest in development and their ideas of sustainability, and their practices of consultation, were compelling to me and I thus identified a new area of research to make a contribution in this field. The following sections explore anthropological research methods and my experiences conducting them.

2.2 Research Methods

A few months before beginning my fieldwork, Dr. Westman and I met with Chief James Alook and Council, as well as the then-Chief Operating Officer at Peerless Trout Development Cooperation (who no longer works for PTFN), to discuss how I might be of use to the PTFN community. It was agreed that my skills and expertise would be best suited for work in the First Nation's Consultation Office. As part of my fieldwork, I assisted the then-Chief Operating Officer and his staff in their office. Through this arrangement, I came to better understand how anthropological research methods prove to be more challenging in practice than I had originally thought. I quickly realized that fieldwork was not only exciting, but that it would inevitably evolve and shape the research and my experience in unexpected ways. Naively, I had thought that my biggest challenge would be to navigate backcountry roads in my modest 2005 Chevy Optra Hatchback. Reflecting, now, on the conversations I had with community members in PTFN, I'm humbled by the almost daily concerns, worries, struggles, challenges, successes, and experiences of peoples living in a community that is experiencing a monumental shift in social, political, and economic processes. Despite many months of preparing for fieldwork, there were instances when I found myself confused, embarrassed, and lonely. Situations arose that often

surprised me in wonderful, hilarious, and painful ways. The following chapter is a discussion of the successes and challenges of applied anthropological methodology during my fieldwork.

Before conducting my research with PTFN, I took many measures to ensure that I was prepared to enter the field. As an academic and a scholar, I value education highly. After completing my first year of a master's program in socio-cultural anthropology, and with a Bachelor of Arts and Science with Honors degree in Anthropology already under my belt, I was eager to apply my knowledge in the field. Based on conversations with Dr. Westman and representatives from the Nation, I developed a research proposal that incorporated both my personal interests of study and the interests of the First Nation with whom I planned to work.

Representatives of PTFN, assisted by the negotiations of Dr. Westman, secured safe and comfortable accommodation for me. I lived in a newly built four-room dormitory-style residence designed for researchers, healthcare experts, consultants, and other professionals working in the community. This particularly luxurious trailer, equipped with a television, internet, dining room, living room, and kitchen, gave visitors a convenient and comfortable place to stay in the community. This made commuting between Peerless and Trout much easier to manage. I was keenly aware of the generosity present in the offer of an entire suite to myself, free-of-charge. The suite included a private washroom, a desk, and a closet that would come to house my P.E.P. (personal emergency protection) and a variety of stylish bug gear. This trailer sat along an edge of trees that bordered a new health centre. I recall thinking that health services, so conveniently located near my house, would come in handy in case of bear attacks. Prior to entering the field, I had taken several health and wellness precautions, including a physical examination, renewal of my prescriptions, and joyous hoarding of a diverse collection of allergy medicines to combat the undoubted assault the boreal forest would have on my sinuses. Just after our academic term

finished, Dr. Westman arranged a meeting together with Dr. Pamela Downe of Archaeology and Anthropology. At the meeting, we discussed some of the dangers that a single, young woman might face in fieldwork. Thankful for this precaution, I took these conversations with me to the field.

Despite my efforts to “think of everything,” I realized major oversights in my fieldwork preparation very quickly. For example, the connecting road from Red Earth Creek to Peerless is a dirt road that boasts a few hills, narrow turns, and a river crossing. Scenic and beautiful in the early heat of a sunny summer day, the road is a pleasure to drive. Unpredictably, however, the road sometimes feels dangerous as rainy weather turns the gravel to a thick mud. On more than one occasion, I felt a pull on my car wheel as the river of mud pulled me startlingly close to the edge of the road. Even local drivers, who are familiar with the road conditions and who generally drive trucks made to excel in difficult conditions, drove off the road when the weather was poor. One evening, while driving to Red Earth on a grocery run for the office, I watched as a truck swerved off the road and into the ditch. I pulled over to help the driver, who commented that this kind of thing was normal in bad weather. I recall that he laughed at my flip flops and suggested I get myself a pair of rubber boots and a truck of my own to drive on this road.

My fieldwork is a product of a collaboration between myself, Dr. Westman, and the communities of PTFN. My fieldwork in PTFN utilized ethnographic research methods to engage with the community of PTFN. I utilized three primary methods: participant observation, interviews, and literature analysis. Combining multiple methods strengthened my research to best represent the people living in the community. Multiple methods, informed by the sharing of knowledge and understanding, contributed to the community and to the research in dynamic ways. This chapter details my experiences utilizing participant observation and interviews.

Entering the field, I could articulate my personal research interests, but my proposed research question was less defined: loosely based in wanting to learn more about, generally, how Indigenous Peoples in Northern Alberta were affected by the oil and gas industry, and, specifically, how consultation serves peoples in PTFN. During my time in PTFN, I found that community-engagement informed my understanding of the relationships that people in the community had with resource extraction and land use. Hacker (2013) argues that community-engagement exists on a continuum: some studies are conducted with little community involvement and others with complete community involvement. My anthropological methodology also demonstrates practices of knowledge equity, in that both researcher and participant are viewed as knowledge carriers whose experience and perspectives both inform the project and create it (Hacker 2013). However, my writing process post-fieldwork did not include the Nation, which is an important part of community-engagement ethnography. In part, this is because many of the original participants in this study (including the Chief and Council, the CEO of the Consultation Office, and the Consultation Staff), no longer work in the Consultation Office.

To facilitate connections between academics and the community, I attended a large meeting between Indigenous officials, Elders, scholars, academics, and working professionals in Athabasca, AB. Organized by Dr. Westman, the primary goal of this meeting was to introduce community representatives and researchers to each other so that they could come together to define and carry out projects of mutual interest. As a graduate student, my role in this meeting focused on time management, technical support, and assisting in meal planning, space coordinating and completing odd jobs. Beyond this administrative role, I used Dr. Westman's community meeting to learn more specifically what people in PTFN and other communities

thought about resource extraction: what their concerns were, moving forward with industry-related projects; and, ultimately, how people in PTFN might use my research as an academic resource to support the work they are already doing in the area. Notes from this meeting supplemented data that supported and informed my interviews.

Through this meeting and over the course of my fieldwork, several projects were identified as points of interest by consultation workers in PTFN. First, as described in my opening vignette, the Consultation Office was collaborating with trappers to identify gravesites. While working in the office, I spent several afternoons mapping existing gravesites in the community and helping to input this data into the consultation records. Community members expressed concern over the lack of cemetery space in the community, yet there were strong reservations about developing new burial spaces. When I questioned this, I was told that some individuals believed people might die before their time if the community created graves, as bodies would be needed to fill the graves. This fear was real enough that it had apparently contributed to the postponement of a new graveyard up to and including my time in PTFN.

Forestry projects were also identified as points of interest by consultation workers in PTFN. This reflects the ongoing importance and impact of the forest industry in this region, particularly during slower periods for the oil and gas industry. There were several occasions in which the Consultation Officers and I were responsible for meeting with industry representatives to explore aging cut blocks. 'Cut blocks' is a colloquial term referring to rectangle-shaped sections of harvested trees: places where one can visually identify trees that have been cut down. The consultation staff's interests were in the re-growth of local flora, the preservation of local fauna, and that progress regarding land reclamation adequately followed the proposed timeline. As discussed in the sustainability section of Chapter Four later in this thesis, the primary

concerns identified by consultation included the legitimacy of land reclamation projects, and whether reclamation processes are truly effective in restoring and reclaiming the land after resource extraction ceases.

In contrast to forestry, tourism is a newer venture interest for Peerless Trout Enterprises Incorporated (the formal name of the Consultation Office, referred to through the remainder of this thesis as PTEI). While tourism, especially for fishing, has been important in the area including the new reserve lands, it was not historically an area where the communities benefited economically. I was very interested in the conversations, meetings, and policies emerging out of initiatives that focused on the tourist experience in reserves. For example, the Consultation Office worked to create camping sites for both community and non-community members, sought out local fishermen to consider taking tourists out on the lake, and hired local community members to run the sites for the summer.

When I prepared to enter the field, I had expected participants to focus solely on the oil and gas industry; however, while conducting interviews and working in the Consultation Office, I was delighted to discover these additional alternative interests in consultation. An analysis of these non-oil/gas projects is significant because they illustrate the many ways by which consultation is evolving to focus on projects outside of energy extraction, and perhaps the ways through which PTFN, specifically, is shaping how consultation works for them. On the surface, these seemingly non-oil-related projects appear unrelated to the type of work that Consultation Offices typically do. That said, these projects are compelling because they provide alternative opportunities for economic development – even while consultation workers, both in formal interviews and casually in the field, use the language of oil and resource extraction to discuss and understand these other projects. The inclusion of tourism, as well as discussions of business

development around tourism, in the mandate of the Consultation Office initially seemed especially surprising. Yet it shows how consultation is currently integrally connected to economic development in the administrative and organizational context of PTFN.

Certainly, the emergence of these unique consultation interests through everyday conversations, participant observation, and other activities highlights the importance of CBPR in the field. However, after careful consideration of the parameters set by Hacker (2013) and which are mentioned earlier in the chapter, I believe that my research was ultimately less community-based and more community-engaged ethnography. Dr. James Waldram writes about community-engaged research in Anthropology in his article, “Engaging Engagement: Critical Reflections on a Canadian Tradition” (2010, 225-232). His comments on the distinctly Canadian way of doing anthropology resonate with this project: “We not only stew, but we do. We refuse to let reflexive critique paralyze us in responding to, and working with, communities and groups to effect change, voice concerns, and redress duress” (Waldram 2010, 231). Community-engagement was meaningful for this project because, without this methodological approach, I would not have discovered the transient and evolving nature of consultation and how it is being redefined in PTFN. Furthermore, I would not have been able to address my critiques of consultation implementation in PTFN without the support of a methodology that is unafraid to engage critically with the data collected. I return to this conversation about consultation in Chapter Three when I discuss in greater detail how consultation serves PTFN.

My primary research method is ethnographic participant observation: a significant component of the research data was collected through participating in and observing public cultural events and processes (see Ervin 2005; Geertz 1983; Musante 2015, 251). This gave me access to cultural expertise and guidance from prominent community members, such as Elders,

educators, political leaders, and industry workers. During and after these experiences, I kept fieldnotes (see Ervin 2005; Musante 2015, 256-261). I observed community events, such as a funeral, a wedding, a birthday, fundraising ventures, various meetings, social gatherings, and Culture Days; and recorded these events in a field journal that I frequently kept with me. With permission, I recorded conversations and photographed important landscapes, objects, and experiences.

As studying the local language is an important component of participant observation (see Musante 2015, 251-252), I had taken one year of free Cree language (the Plains Y dialect) lessons at a high school in Saskatoon, SK before entering the field. In the field, this proved to be an asset; it helped me build rapport (see Musante 2015, 266-267) with participants and other community members, and created learning opportunities for me, as a researcher. When living in an isolated community, one can expect to spend several hours driving long distances in the car. During this time, I would play language games with Elders and my colleagues, learning new words and testing my language recollection from the day before. Through these lessons, I learned environment and land-based vocabulary that informed a deeper understanding of the environment from a Cree perspective.

In a study of the Shuswap dialect in Alkali Lake, BC, linguistic and legal anthropologist Andie Palmer (2005) stresses the importance of language, arguing that understanding is rooted at the centre of discourse. While I am not a linguistic anthropologist, I employed her thoughts on relational research approaches to my research methods. While the resulting language games on long drives also helped to establish a degree of rapport, they were an important method for speaking with people about my research. Palmer writes about a similar experience: “The latter type of excursions related directly to my purposes and came to be the main times when I would

tape-record stories. As we drove, I would leave the tape recorder turned on to collect whatever was said” (2005, 11). Like Palmer, I also used these long drives as a conscious and systemic part of my research approach and, while I did not record these conversations, I found that much of the dialogue in these car rides came to inspire the direction of the more-formal interviews I conducted later. In some instances, I found that the car ride conversations were more authentic than the formal interviews because their degree of informality felt more in tune with how people interacted with one another in the community.

I participated in consultation meetings, visited cultural, historical, and spiritual sites, and worked with local community members to both identify these sites and learn more about how people use them. With permission, some material information regarding these sites was available for viewing at the Consultation Office (though they were not comfortable with me copying them), including photographs of drilling equipment, especially images that showed old equipment that had been left behind, and geographical imaging, which gave me some insight into the area by highlighting forests, lakes, and roads. I was also shown examples of what a consultation report might look like and the details it could include, such as coordinates for important landmarks and images of evidence for significant areas. In addition, I was privy to various consultation manuals from neighbouring Nations, which informed my understanding of how consultation processes work in the area. To some degree, I aided in locating camps on trap-lines; was exposed to material culture such as traps, arrow heads, and hunting gear; and explored features specific to the local environment, such as *meensa* (wild berries), other vegetational features native to the *saga* (forest), water supplies, tailings ponds, cut-blocks, gravel pits, and abandoned resource extraction sites.

This research is coupled with extensive academic reading. I reviewed grey literature as well, such as newspaper articles, online articles, websites, government sites, unpublished documents from the First Nation and other media sources. Technology, such as my computer and cellphone, also aided my data collection. I used the internet access in my home and at the office to consult academic journals found through search engines and research databases, such as Anthropology Plus and JSTOR. I used social media platforms, such as Facebook, Instagram, and YouTube, to learn about social events and to keep in contact with participants. An additional data collecting technique involved exploring the communities of Peerless Lake and Trout Lake. I toured the health centre, community centre, school, cemeteries, college, construction sites and local landscapes such as the creek, lakes, and surrounding forests, and travelled to neighbouring and regional communities, such as Red Earth Creek, Peace River, and Slave Lake.

I centered my research on conducting qualitative, semi-structured interviews. First, I asked exploratory questions about participants' general knowledge and background. Often, my interviews were inspired by the interests of my participants, and I allowed their narratives to direct the interviews. This helped me better determine what types of questions to ask (see Weller 2015, 345-346). For example, some participants spoke about industry by relating it to their family: what they knew about industry was largely through a family member working in the energy sector. Had they been encouraged to limit their focus to their own experiences in industry, the potential topics discussed in the interview would have been limited. I found this interview style worked well in establishing a relaxed, safe space for participants to tell their stories and speak openly about their lives, particularly if participants seemed nervous about being interviewed in a structured and formal way. Occasionally, I would begin an interview by asking the participant to tell me about their life and what it was like growing up in PTFN, to which one

participant answered, “I dunno, swimming, family get-togethers, picnicking, camping, mmm, horseback riding” (Margaret, interview with author, July 2016).

In some cases, this interview style effectively provided detailed narratives, which I later analyzed to identify possible themes. In other cases, this interview style gave perhaps too much freedom, and left some participants unclear about the interview topic. Yet even the most successful researchers discuss challenges regarding good interview practices. Challenges arose for me when I began to conduct interviews more frequently. For instance, I struggled to record one of my interviews because I was confused by the recorder I was using. Following this incident, I had to return to this participant to ask some follow up questions. I subsequently switched recording devices so that I did not make a similar mistake.

Certainly, in a Canadian context, white outsiders have a colonial history of extracting information from Indigenous participants. Environmental anthropologist Janelle Baker identifies this process as *knowledge extraction*, “an act of aggressively taking knowledge from people for profit to be filed away into documents that have no effect on the trajectory of industrial development of First Nations territories” (2016, 111). I return to this concept in Chapter Three when I discuss critical issues in consultation, but knowledge extraction awareness is significant for conversations about fieldwork as well. For example, there were a few people in PTFN who believed me to be closer to a reporter than a researcher, which made it difficult to ask them questions without feeling like I was taking information from them, rather than engaging in a process of information sharing. This may or may not have impacted my work in serious ways: I did not believe that I had trouble meeting with the participants I was able to interview; however, PTFN’s Chief and Council members were unavailable to speak to me during my time in the field. As mentioned earlier, this could have been because they were campaigning for re-election

and might have felt unease at my questions concerning the community. In another example, though I had been given a quiet space in the Consultation Office to conduct interviews without being interrupted, I found most participants asked to meet elsewhere and seemed more comfortable with interviews held in their own spaces. In some instances, this made scheduling difficult because people were not always available to host company, or because they had busy households but preferred to be interviewed alone.

I asked prepared questions from a semi-structured list, specific to oil and gas issues. Interview questions were informed by Dr. Westman, my committee, local officials, and knowledgeable community members. Jennifer Gerbrandt's interview questions from her own MA thesis, shared with me by Dr. Westman, were also helpful, as she had conducted similar research in the region only a few years before me. I conducted my interviews in English but, when possible, supplemented them with Cree terms. On a few occasions, a local interpreter aided in facilitating interviews, when working with participants who did not speak English or who preferred to speak Cree. Interviews incorporated local knowledge about the people, area, economy, and political background. Participants' personal explanations and stories during interviews were valuable in providing context from which I could draw inspiration for future questions, and to add further dimension to my analysis. Personal stories regarding such topics as Indigenous ties to the land, what it means to be an Indigenous person living near to and working in resource extraction, and the effects of development became my primary way of understanding and interpreting the emotions embedded in these interviews.

I implemented a variety of coding mechanisms to analyse my data. In my thesis proposal, I had anticipated conducting a narrative analysis (Wutich, Ryan, and Bernard 2015, 537-538); however, the nature of my data made it difficult to effectively isolate and present narratives. As

such, I implemented a different system. First, I used Eclectic Coding to articulate my first impressions (see Saldana 2016). Eclectic Coding was particularly useful for getting ideas down on paper. I had a sense of the topics my data would support, but in the early stages of writing, Eclectic Coding helped me to formulate a basis for how I would organize my data. I would create word maps and lists in my Eclectic Coding exercises. Second, I used In Vivo Coding to determine important quotes from participants. Saldana describes In Vivo Coding as one of the most versatile coding methods: “In Vivo Coding is appropriate for virtually all qualitative studies, but particularly for beginning qualitative researchers learning how to code data, and studies that prioritize and honor the participant’s voice” (2016, 106). I chose to use In Vivo Coding, in addition to Eclectic Coding, because it is shown to be particularly useful in studies that involve Indigenous groups or other marginalized groups (see Saldana 2016, 106) and youth: “adolescent voices are often marginalized, and coding with their actual words enhances and deepens an adult’s understanding of their cultures and worldviews” (Saldana 2016, 106). After organizing data from my Eclectic Codes, I paired important quotes from the interviews. For example, I coded the word, ‘capacity’ and so, every quote that discussed capacity would be placed in a file under this code. Eventually, I had several files with codes supported by participant quotes. Finally, to summarize primary topics of excerpts identified through the latter, I used Descriptive Coding. I synthesized all codes into categories and identified these categories as themes (see Saldana 2016, 102). Thus a theme such as ‘capacity’ became a major focus of my research, in part through my coding practices

2.3 Participants

I focused my data collection on the impact to traditional land users and others from the oil and gas industry in PTFN. I did not choose my participants *per se*, I approached Consultation

staff and PTEI staff for interviews first because I wanted to learn more about how consultation was implemented in PTFN. Beyond that, I interviewed people based on word of mouth and who were recommended to me by people I had already interviewed. My participant pool was not limited to a specific demographic; I interviewed men, women, young adults, Elders, industry workers, non-community, and community members. I completed and analyzed 11 interviews: eight formal recorded interviews in which one participant felt more comfortable telling me of his experience holistically, rather than answering my interview-style questions, and three formal interviews with participants who asked not to be recorded. Of these, nine interviews were with Indigenous community members living in PTFN. Of the Indigenous participants, four were women and five were men. Of the female Indigenous participants, two were considered Elders because they had grandchildren and two were considered young adults because of their age. One of the young women was a mother. Two interviews with men were with non-Indigenous, non-community industry workers – one of whom works in oil and gas and the other, in forestry. In addition to interviews, fieldnotes and many informal conversations also informed my knowledge and perspective.

While I was happy with 11 interviews, I felt slightly disappointed that I had not conducted more. There were several limiting factors. As I mentioned earlier in this chapter, PTFN was amid an election, which made some campaigning political figures feel uneasy about meeting with me. There were also many people who agreed to interview with me, but who either did not show up or who simply postponed interviews indefinitely. I tried to persuade some of this group to interview with me; however, as Jean-Guy Goulet writes in *Ways of Knowing, Experience, Knowledge, and Power Among the Dene Tha*, “you don’t push yourself in, a no-no in Indian culture; you do not push, for example don’t walk in someone’s room in first visit, don’t

ask too many questions” (1998, 50-51). He goes on to illustrate the contention between the researcher’s motivation to inquire and the social norms maintained by Dene peoples: “Dene conduct their lives without controlling the actions of others and without being controlled by others, and they welcome non-Dene who learn to conduct themselves accordingly” (Goulet 1998, 51). I found Cree social norms to be similar: there were many instances in my fieldwork where I asked direct questions about consultation and energy that went unanswered, not because the Indigenous person to whom I was speaking did not know the answer, but because, culturally, it was considered rude to speak with authority on a subject: “When an Elder or knowledge holder claims, “I don’t know,” they are more likely saying that it is inappropriate for them to speak about a certain topic at that time or that they are subtly refusing to share that information” (Baker 2016, 111). This also accounts for my relatively low interview count; there is cultural resistance and reluctance for Indigenous people to claim authoritative knowledge. I felt that participants were much more comfortable speaking informally, which is why I draw from informal conversations as much as formal interviews.

Westman writes of similar limitations and describes an instance in which a participant was willing to speak about some issues but not others as an expression of Cree ethics: “One might say that he agreed to collaborate in my study on a partial or differential basis, with personal and family discourse privileged in privacy over public or church discourse... I have come to appreciate this man’s reticence as highly ethical in Cree terms” (Westman forthcoming, 28-29). Those who interviewed with me were made aware of the significance their information would have for the project, and I believe that my participants, at least in PTFN, gave the information they felt that I needed to be successful in this project. As such, it is my responsibility to respect what they were and were not willing to share.

I am grateful to my participants, who gave their time and knowledge to help with this project. Our exchanges varied from long phone calls on Sunday afternoons to riding quads through the bush, sitting in 100-year-old cabins, sharing meals of country foods, watching rodeo shows, home visits, lazy drives, and grocery runs. In thinking about community involvement and reciprocity, I draw from Dr. Janelle Baker, who writes, “A researcher needs to be sensitive to, and participate in, systems of respect and reciprocity belonging to the people, ancestors, and sentient landscape of the place in which they are doing research” (2016, 110). Following Baker (2016), I attempted to actively move away from extractive research techniques such as tailoring questions to center around the researcher’s interests only, or to put pressure on participants to meet university deadlines. Beyond the small gift of coffee that I gave to each participant, I thought about how to give back to the community. Typically, most researchers offer the community access to their research at the completion of their respective projects. This will be true for this project as well: I intend that my research contribute not only to the anthropological literature, but also that it be made available to the Consultation Office in PTFN. Toward this goal, a product of this research is a short, explanatory document, written in plain language.

In addition to returning a final research product to the community, I believe that reciprocity can be applied well before the project’s publication. Though academic contributions are important, I argue that the anthropologist can give back to the community in other ways. I agree with Musante that opportunities to reciprocate, and to show gratitude for knowledge, are rooted in participant observation and the methodology itself, before ever entering the field: “The ethnographer often has to address the twin questions posed by the community: ‘What’s in this for you?’ and ‘What’s in this for us?’ People want to know what you will gain from this project...Honesty is the only viable approach” (Musante 2015, 268). In this way, I was clear with

the community that this project would allow me to graduate with a master's degree and would likely contribute to future employment and possible publication opportunities.

I do not feel that reciprocity needs to be directly related to the research project, though I was aware, of course, that gifts like food and tobacco, money from royalties received through publication, or information sharing are typical acts of reciprocity in projects like these (see Mustante 2015, 268). I tried to show my active interest in reciprocity by performing acts of service for the community. For example, during my first week in the field, I attended a charity event held in the community. The event was intended to raise funds for the Red Cross and to aid in the battle against the forest fires in northern Alberta. This event did not serve my research into oil and gas, but by participating and showing my support, I gained insight into the shared worries of the community at the time. Another example of non-research-related reciprocity draws from my work outside of anthropology, in the theatre and arts. During my fieldwork, I offered to facilitate a series of workshops at the local elementary school. As drama is not a required area of study in the curriculum, children in the school are not regularly exposed to this art. It was an enjoyable experience to volunteer with these young people. Though this time was dedicated to theatre, it had indirect benefits for my research. An interested parent invited me to attend a Bingo fundraiser one evening, the purpose of which was to send some of the older students on a class trip. At this event, I was able to network with more community members and meet people who would later become my research participants. In this way, participation in local events, while intended to show my interest in reciprocity to this community, also helped to generate interview opportunities.

Since my fieldwork, I have considered how I understand reciprocity in research and how this can continue even after leaving the field. Toward this goal, Dr. Westman and I applied for

internal funding (2018-2019) to support a second trip to PTFN. Unfortunately, however, we were denied. Next, we contacted incoming PTFN consultation staff to continue a relationship with the office, but they were limited in their correspondence with us. We later flew to Calgary to lend our skills and expertise in project plans for PTFN; however, that project was not funded, and the leader of that project (the consultation manager) resigned. In an ideal research scenario, I would have returned to the field to conduct follow-up interviews in 2020; however, Covid-19 and its effects made that impossible. Despite these obstacles, maintaining contact with the Consultation Office and its workers has been an important way to continue to inform the community of this research. I have sent several emails to the current consultation manager, and I keep in contact with several of my participants: I call on them to fact check my findings and notify them of my writing progress. Finally, as described above, this thesis and a plain language summary in the appendix will be forwarded to the community at the completion of this project.

2.4 Research Limitations

Like most fieldwork experiences, this project was not without certain limitations that affected its outcomes. I had initially proposed to spend four months in the field; however, near the end of my third month, I began to feel like my status as guest in the community had shifted. Sharing housing with the new C.E.O. of the Consultation Office initiated this shift. He questioned me extensively about my role at the office and what I was doing in the community. I was transparent about the nature of my research, my role as anthropologist, and the arrangements I had made with the previous manager; however, I was told that my time in the community had come to end. I had considered asking my colleagues if I could stay with them to continue my research, however, many homes in the communities are crowded and so it felt intrusive to ask to stay. I was unable to find other accommodations. This concluded my time in the field, and I left

the community on August 15th, after just over three months. I cannot predict what kind of data I might have collected if I had been able to stay in the community longer, but it felt like leaving limited the potential for new interviews and experiences.

In addition to a shortened time in the field, another factor that limited my research was that I did not have adequate transportation during this time. I had brought my personal vehicle, and it was simply not designed for the roads typical of the area. I became stuck many times during rainy weather. In two instances, this made me tardy to interviews, and, during one particularly lengthy storm, I stayed home from the office for three days while the roads dried. Halfway through my fieldwork, my vehicle needed extensive repairs, as the mud had worked its way into the undercarriage of the car. This expensive fix created some financial barriers, and, despite my funding for the project, made my time in PTFN less affordable.

Accommodation and transportation issues are external challenges typical of culture shock (Ervin 2005), but I also experienced unique personal issues that clouded my time in the field. On June 28, just over a month into my fieldwork, my father died. With 1,389 km and 16 hours between us, it was inevitable that I would not be with him when he passed away. Given the circumstances of his passing, I was unable to say goodbye or say the things I wish I could have. I took a five day leave from the field to be with family in Edmonton. Returning to PTFN, standing in my living room, in the woods, alone, was absolutely the lowest moment of my time in the community. Being in such circumstances influenced how I grieved the loss of my father. I was keenly aware of the importance that completing this fieldwork would have for my research and the trajectory for the rest of my education, but I was also incredibly sad. Two forces pulled me: I felt compelled to complete this research, as it might have been difficult to visit the community in the future, but I was emotionally fragile.

Fieldwork encourages the anthropologist to be reflexive, and to understand that lived experience often tells us as much about the research in question as it does about ourselves. Ethnographies often detail the personal hardships that researchers sometimes endure (see Bourgois and Schonberg 2009; Briggs 1970). With my own traumatic experience came a lesson in vulnerability and developing resilience in the field (see Behar 1996). Friends – I realized then that they *were* friends – who I had met in the community reached out to me, checked in on me, and asked me how I was doing. During the evenings, when nothing else was going on, I spent time exercising outside. While going for a run one night, I remember a truck pulling up beside me. Inside was a friend from the office, a hulking man who filled the entire cab of the truck. I was surprised to see him so late at night. He had stopped by to ask me how the house was doing, if it needed anything, and to tell me he was sorry to hear about my dad. It was a small gesture, but it made me feel connected to the people there. It signified a sense of “us,” when so often the researcher feels like the “other.” Like it would for anyone else who might be grieving, this visit, and other instances of compassion from the community, marked a sort of familial tie that carried a personal and emotional meaning. People shared stories of loved ones they had lost, and other vulnerable details concerning motherhood, marriage, and love. Through confessions of these shared experiences, I think that I came to a healthier emotional state in the immediate days after my father’s passing and that this helped me to return to continue my fieldwork.

2.5 Ethics

As my thesis is an extension of Dr. Westman’s Partnership Development Grant, “Cultural Politics of Energy in Northern Alberta: Aboriginal Communities and the Impacts, Benefits and Consultation Processes of Bitumen, Oil and Natural Gas Extraction,” my research is directly connected to his ethical approval at the University of Saskatchewan since 2010 (Beh 13-10). The

University of Saskatchewan Behavioural Research Ethics Board has approved his project. Dr. Westman is responsible for the ethical approvals that pertain to this larger project. Subsequently, Dr. Westman is responsible for ensuring that the authorized research is carried out according to the conditions outlined in the original protocol submitted for ethics review; my research is incorporated into this process, and I assume the role of collaborator in this project. As part of the program requirements of the graduate program in Anthropology, I completed an ethics training course administered by the university, and I adhere to the University of Saskatchewan's ethical policy and the Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans (CIHR, NSERC, & SSHRC 2010). I have also studied ethics and ethical theory throughout my undergraduate degree, and in more depth at a graduate level through my methods coursework.

My own research requires informed oral consent because literacy and proficiency in the English language is a barrier for many of my participants who still speak, primarily, in Cree (Westman forthcoming, 26). Informed oral consent is mandatory and "subjects should be fully aware of it; anthropological work should not be clandestine. Permission to proceed must be sought" (Ervin 2005, 33). In some cases, it was difficult to obtain informed oral consent, as my participants were concerned for their privacy. Several issues that I have discussed in this chapter were at play here, including the political uncertainty around the re-election for Chief and Council members, in which many people felt pressure to behave in a certain way; participant mistrust in the anonymity of the interview process, and perhaps in myself, as an interviewer and outsider; and instances of being misidentified as a journalist, reporting on their views. However, my work demonstrates scholarly authority to the best of my abilities and has been written so as not to deceive or misrepresent my participants in any way. Participants who informed this work remain anonymous (all names that appear in this thesis are pseudonyms), their contributions are

confidential to keep from putting their reputations in jeopardy, and paper copies of the thesis, as well as photos, will be made available to all who wish to read my work.

I conclude this chapter with a reflection on a famous quotation by Margaret Mead: “The way to do fieldwork is to not come up for air until it is all over.” I can say, without a doubt, that my time in PTFN was engaging. While I have travelled many times in my life, living and working in a place for an extended period offers an immersive experience unlike any that I have had before. I have spent many hours reading and re-reading the words of my participants, my fieldnotes, and academic discourse about the information that I will explore in later chapters but writing a chapter on my fieldwork experience is particularly enjoyable because it allows me to remember what the experience *felt* like. When I think of PTFN, I remember waking to the sound of horses galloping past my bedroom window. I remember the beautiful views of Trout and Peerless lakes. I can see the deep red color of the dirt on my tires, and I can still smell the scent of muskeg after a summer rain. Most importantly, I see the faces of the people who generously let me into their lives. I see the small boy’s face light up as his birthday cake rounded the corner or the smile of the bride as she walked down the aisle. I can see Rhonda’s face light up with laughter when I mispronounced a Cree word she had taught me, and I can still see the pride on Melvin’s face as he showed us the gravesites of his family members. While data analysis and writing are important parts of this project, in many ways, it is the memory of these experiences that make me feel like I have learned something about the people who opened their lives to me. I am so grateful to them.

3. ENERGY CONSULTATIONS IN CANADA AND ALBERTA

The following is a vignette informed by my revised fieldnotes.

I'm not sure what to do. That was the first thought that came to mind as I sat down at the table marked 'Peerless Trout.' It was a large table fitted with stacks of papers and pens, surrounded by other large, round tables with more papers and pens. The room was well-lit, considering there were no windows. The carpet, furniture, and walls were various shades of beige. On the wall hung a few pieces of art, framed patterns of light and dark brown, that seemed to suggest even stuffy conference rooms can have some pizzazz, if only slightly. Along the back wall ran tables that held a polite smattering of scones, bagels, fruit, and coffee. Guests mingled at the food table, picking through the hotel food, and whispering in quick, hushed tones. People's eyes seemed to dart forward towards the small group of men setting up at the front of the room. I followed their gaze and observed three men in dark suits pin lapel mics to their chests. *Testing, testing, 1, 2, 3...*

"I could use some muskeg this morning," said Rhonda as she sat down with her plate of food. She was referring to a type of tea steeped from local plants native to muskeg, common throughout the Boreal Forest. "Mawhhhh, everyone took the pineapple," she complained, "MAWHHHH! You took it all," she exclaimed as she forked a piece of pineapple off my plate. I laughed. "Nippsisees," she threatened. I laughed again. It was a common threat that mothers and kokoms³ used to affectionately warn their kids that they were misbehaving. It can be lovingly translated to "I'll whip you with a bendy stick." I shared some more of my pineapple.

"Good morning everyone," said a voice from the front of the room. We all shifted in our seats and turned our attention to the dark-suited speaker. "Thank you for travelling to be here today; we are excited at the opportunity to engage in conversations about industry and consultation in Alberta." What followed were a series of brief presentations from Government of Alberta and industry representatives, and group activities meant to foster discussion among those sitting at shared round tables. After an hour and half of discussing our opinions on the prompt, "How can consultation be improved," an Indigenous woman from Whitefish First Nation who was seated at our table threw down her pen in frustration. "This is a waste of time; what's the point of talking about this?" Rhonda answered, "To learn something more." "What are these guys going to do about it; what's this moniyaskweis going to say, eh?" She got up and went out for a smoke. Rhonda didn't say anything, but I knew what the woman meant. In Cree, moniyaskweis roughly translates to "young white girl," and I had heard it used to describe me on many occasions. In most contexts, it was a simple description, and because I was the only young white girl on the reserve, it was an easy way for people to identify me. It was rarely used in a derogatory way, and occasions like this were usually the only times I was called moniyaskweis in a pointed fashion. When the woman returned, she raised her hand and called upon the speakers at the front. The room quieted. "We have all been to meetings like this a hundred times; you want to have conversations about land and what to do

³ "Kokom" is a Cree word that translates to "your grandmother" (see Miyo Wahkohtowin Education Authority n.d.).

better, but then you leave here, and what happens? Nothing! When do conversations stop and something actually changes?”

It took me a long time to understand why this woman scoffed at the planned activities of this meeting. Here I was, a new graduate student in the field, studying resource extraction, and absolutely elated at the prospect of sitting in on an industry-led meeting to discuss what industry could be doing better. With a room of mostly Indigenous people, I assumed this could be a real opportunity for Indigenous voices to be heard. So, why was this woman apparently ignoring her chance to affect change? Later, while having dinner before the long drive home, I asked Rhonda, and the others who were there representing PTFN and neighboring Nations, if they were happy with how the meeting turned out. Rhonda said, “It was boring, same as last year.” Her answer highlighted two important realizations.

First, Indigenous Peoples have long been participating in industry-led meetings, seminars, workshops, rallies, court proceedings, etc., and have repeatedly been ignored. The woman’s agitation was not necessarily directed at this meeting *per se*, but, rather, the greater frustration at the fruitless labor of endless “conversations” about industry and consultation without any meaningful, applied, on-the-ground improvements. It seemed that the frustration was not entirely directed at the group exercises or policies themselves, but also at the culture created by corporate groups, who use these policies to perpetuate systems of corporate communication that are ultimately rather cynical. With constant employee turn-over in industry, new representatives are sent to conduct the same preliminary outreach (see Janelle Baker’s writing on “Elder Fatigue” (2017, 111-112)). This process keeps First Nations’ representatives in a constant cycle of exploratory group-discussion, without having the opportunity to employ any real change before the next new employee comes to begin the process over again: “people are tired of being asked the same questions over and over again and being asked to identify impacts of industrial development

on sacred landscapes without any action coming from their responses and concerns since no one responds or listens in a meaningful way” (Baker 2017, 111). I had not considered that Rhonda had been to similar meetings before, and it made me wonder how many times Rhonda had to *draw an industry-themed concept map with a side of pineapple*. In that moment, it was clear that a critique of current provincial consultation and capacity-building practices would be a part of this thesis.

A second important realization came to me on the drive home from the meeting I described in my vignette. It was the first time that I was confronted with my privilege as a researcher. Even though I was sitting at the Peerless Trout table and my research was embedded in the hope of improving consultation for the people of PTFN, I was a moniyaskwehis. I was young, inexperienced, and, most importantly, I was a white girl: an outsider who would never fully understand the frustration of not having my voice heard on these matters. It affirmed the realization that researchers may experience early in their fieldwork: I am an outsider, and I must consider my own place in the greater experience of life for Indigenous Peoples in Alberta.

Meetings such as the one described in this excerpt illustrate the complexities of consultation in northern Alberta. This one impressed upon me the reality that some Indigenous groups resist energy projects, while others are keen to participate in them. It is not so much that Indigenous groups are either for or against participating in energy projects, but rather that the entire process of these projects is highly problematic. Regardless of interest, however, this excerpt highlights the unfortunate reality that exchanges between Indigenous groups and industry officials are inadequate and sometimes tense, because Indigenous values and authority go unacknowledged (see Baker and Westman’s (2018) comments on Indigenous frustrations with consultations in “Extracting Knowledge”). In coming to understand consultation in northern Alberta, I realize that several dynamics are at play, such as varying definitions of what consultation is, and tensions

concerning consultation practice and policy. In addition, I explore the concept of capacity in consultation in Chapter Four, and discuss the potentially negative connotations associated with operating at a “low capacity.”. This chapter explores questions such as the following: What constitutes consultation? Who contributes to this definition? How is it measured and what are the subsequent implications?

3.1 “What’s the Point of Talking About this?” Defining Consultation in Canada.

Entering fieldwork, I was confident that I would incorporate a study of consultation into my research. I was not exactly sure how that would come to fruition, but I knew that understanding how energy projects affected locals in PTFN would naturally include an analysis of the relationship Indigenous Peoples have with resource extraction. As consultation is a series of policies and engagements that govern this relationship, I knew that this understanding would include an analysis of the process of consultation itself. Generally, I understand consultation⁴ as the meeting and discussion between two parties about something important. The meaning quoted below is quite broad, with an emphasis on process rather than outcomes. Consulting someone about an issue often includes the exchange of ideas from both sides to provide a holistic understanding of the issue. Its purpose is to decide actions and futures to accomplish plans, goals, or sometimes to solve problems. In the energy sector in Alberta, consultation with First Nations is usually associated with resource extraction projects in oil and gas because of the potential for energy projects to impact livelihood and harvesting rights protected by Treaty 8 (see Treaty 8’s section on “hunting rights” (Treaty 8 First Nations of Alberta n.d.). Currently, the Government of Alberta (2019) articulates requirements needed for proponents to apply for

⁴ “Consultation” [kon-suhl-*tey*-shuhn] – a meeting for deliberation, discussion, or decision (see Dictionary.com 2021, “Consultation”).

extraction projects through a comprehensive online guide, *Alberta's Proponent Guide to First Nations and Metis Settlements Consultation Procedures* (referred to throughout this thesis as “the Guide”), which will be discussed in detail through this chapter.

Consultation is an important part of understanding energy development in Canada because it is the primary process through which government, industry, and Indigenous groups interact on matters concerning resource extraction (Baker and Westman 2018; Joly and Westman 2017; Westman, Joly, and Gross 2020). Industry officials consult with Indigenous land users to discuss potential project goals, outcomes, and futures (see Westman's work on “Anthropology of the Future” and environmental impact assessment (2013b, 111-120)). In this context, what is at issue is extraction on provincial lands, rather than on reserve, and the nature of the rights on those lands. Here, consultation becomes complicated because it plays a large role in determining the positive and negative impacts these resource extraction projects can have on Indigenous groups. This is significant because it suggests that intention can influence the potential for positive or negative outcomes. For this reason, conversations about the duty to consult have received attention, as notions around duty, or what it means to act dutifully, vary depending on who might benefit from proposed projects. Dwight Newman's (2009), *The Duty to Consult, New Relationships with Aboriginal Peoples* defines consultation and the legal duty to consult by exploring doctrine, theory, and how legal parameters inform content and law for the duty to consult. While Aboriginal rights law and theory are not my expertise, nor the focus of this chapter, it is difficult to avoid incorporating it into the discussion of consultation in Canada. Situating a study of consultation in this context is useful because it is in the critique of current laws and policies that areas for change are identified.

Consultation, and the legal duty to consult (and accommodate), have become the focus of conversations regarding the development of Aboriginal law doctrines in Canada (Baker and Westman 2018, 144-153; Joly and Westman 2017, 18; see also Chapter Two of Newman (2009) and, more recently, Newman's (2014) "Revisiting Duty to Consult"). This is because new conceptions of Aboriginal law are emerging as more and more consultation-related cases challenge Aboriginal rights provisions as they are outlined in section. 35 of the Constitution Act (Government of Canada 2021a), and as they pertain to resource extraction (Baker and Westman 2018, 144-145; Joly and Westman 2017, 19; see preface of Newman 2009). Newman (2009) writes that consultation is in flux and dependent upon circumstance; however, he states that "the fundamental parameters on consultation call, at a minimum, for appropriate timing, appropriate notice, and a meaningful opportunity to respond" (2009, 55). Drawing from his (2009) work, consultation can be thought of as functioning on a spectrum: "just how extensive each of the requirements is in particular circumstances falls to be determined on the spectrum, based on the *prima facie* strength of the Aboriginal claim and the potential impact of the Crown action" (Newman 2009, 55). In other words, some projects require varying degrees of consultation dependent on various indicators for consultation. Newman (2009) states that duty to consult can be triggered by testing the strength of the Aboriginal claim and by the "seriousness of the impact of contemplated government action on the interests underlying that claim" (2009, 50). Later, I will offer two critiques of Newman's spectrum: that it relies on an idea that all parties involved in energy projects act in good faith, and that the spectrum cannot adequately represent Indigenous groups because it does not incorporate Indigenous knowledge in its construction.

Groups exercising the duty to consult and consultation policies must strive to adequately inform Indigenous groups of the degree of potential impacts that energy projects can incur, and

must obtain informed consent (see Section 3.6, “Is Consent Required,” in Parliament of Canada 2021). Newman argues that “meaningful consultation” (2009, 53-55) is one that responds to the goals of a project. It includes a discussion of strategy, identification and contact to Aboriginal groups who may be impacted through appropriate forms of notice (see Newman 2009, 63 and Government of Alberta 2019). This suggests that it is possible that a project may be successful if efforts to do meaningful consultation happen early within that project. This may be true, but a critical component to “meaningful consultation” should be obtaining informed consent from the Nations. Obtaining informed consent, although technically adequate consultation by the Guide’s standards, does not necessarily equate to Indigenous groups wanting to be involved in a project. Baker and Westman write,

Due to provincial and federal government consultation guidelines, if a First Nation refuses to consult with a company, their concerns are not recorded or considered, and the company likely would still receive project approval. If the First Nation does engage in consultation, the company effectively interprets participation to be consent, especially when the First Nation receives contracts or funds from the company to carry out traditional land use assessments. In this context, First Nations are faced with a true dilemma. As in extreme extraction zones around the world, Indigenous people’s desires for environmental protection and the processes that force them off of the land and into the labour for the companies extracting natural resources are not opposing forces, but rather the same interlinked issue. (2018, 6-7)

Ideas about what constitutes meaningful consultation have been seriously debated because of negative outcomes associated with consultation. I think that meaningful consultation is one that includes input from trained social scientists and experts in ethnographic research methods (Baker and Westman 2018, 146-148). As well, Indigenous community members should be involved in the study design and knowledge transfer for research, including environmental impact assessments (EIAs) and social impact assessments (SIAs), which is important for cultural context (Baker and Westman 2018, 146-148). Corporate sectors often cherry-pick sections of studies that best fit their agenda, which dismisses cultural context and misrepresents the Aboriginal

landscape (Baker and Westman 2018, 146-148). For example, the spiritual components of sites are often dismissed, which reduces important sites down to the geographical hot-spots that best fit corporate needs, like gravesites (Baker and Westman 2018, 146-148; see also Natcher's "Cultural Triage" (2001, 113)). So, if the duty to consult is measured on a spectrum, then I propose that meaningful consultation can also be measured in this way. Is Newman's (2009) claim that meaningful consultation is one that reflects and responds to the goals and scope of the project, thorough enough for energy projects happening in Alberta and in PTFN today? Indeed, consultation, and specifically the theme of capacity to engage with consultation meaningfully, became a recurring discussion during my time in PTFN and will be explored more in Chapters Three and Four of this thesis.

There are three important cases that have shaped modern consultation legislature, doctrine, and theory in Canada (Newman 2009, 9): the Haida Nation case (Haida Nation v. British Columbia 2004), the Taku River Tlingit First Nation case (Taku River Tlingit First Nation vs British Columbia 2004), and the Mikisew Cree First Nation case (Mikisew Cree First Nation vs Canada 2018). The first of these cases is the Haida Nation case, wherein governments neglected to consult the community about commercial logging and the impact of the forestry industry (Newman 2009, 12-13). In this instance, the Supreme Court ruled that government had not met consultation requirements. In the Taku River Tlingit First Nation case, the Supreme Court ruled just the opposite, that governments had supposedly met the consultation requirements through an acceptable environmental assessment process, and the Taku River Tlingit First Nation argued that new roads and the re-opening of a mine would negatively impact local wildlife, environments, and raise concerns regarding title claim (Newman 2009). Finally, the Mikisew Cree case argued that traditional lifeways would be interrupted by the construction of a

permanent road; the Supreme Court urged further examination of the project and concluded there had not been adequate consultation (Newman 2009, 13). This last is the most directly significant case of the three discussed here because it clarifies that the duty to consult was also held on treaty lands, specifically Treaty 8. Cases like these prompted the creation of the Guide in Alberta and highlighted the lack of clearly defined Aboriginal law in Canada.

These three cases are significant in the process of defining what consultation is because they illustrate that the duty to consult is imbedded in the complex relationship between Aboriginal rights, treaty rights, title claim, and their relationships to the Canadian government: “the duty to consult thus arises in relation to government actions that have potential impacts on treaty rights” (Newman 2009, 13). There are a couple of issues at play here: (1) the duty to consult as defined by law; (2) the requirement to secure informed consent as part of meaningful consultation; (3) how consultation is actually implemented: minimally defined by Canadian law and largely left to policy guidelines established by Province and/or other authorities. This sets things up as being largely one-sided from the start, driven and defined by Crown, governments, and energy interests. Government impact on treaty rights is further discussed by Westman who writes of these connections within the Treaty 8 context,

Rights to land and livelihood as upheld by Treaty 8 (c. 1899) are an important reference point for contemporary discussion of engagement with land. Indeed, the historical ‘numbered’ treaties are a major touchstone in the identity and political aspiration of First Nations in Canada’s Prairie Provinces generally. Further underpinning its connection to both historical and contemporary politics, the treaty itself is sacralized through ritual – the use of the pipe connotes an offering and communication with spiritual entities – and is recognized by First Nations people as a sacred agreement to enter into kin-like relations and to share the land (Cardinal and Hildebrandt 2000). On the other hand, the Canadian state continues to view the treaties as legalistic land surrenders that entail a limited number of contemporary obligations on the part of federal and, to a lesser extent, provincial governments. (2017, 120)

Westman (2017) illustrates an important tension: that the laws governing Aboriginal rights do not necessarily align with the beliefs or understandings of Indigenous ways of living on the land. This discrepancy is one of the primary tensions confusing the understanding of duty to consult, and what consultation does and for whom.

Newman's concept of consultation as a "spectrum" (2009, 55-57) can be useful for addressing this discrepancy, especially considering how consultation is implemented; for example, what does consultation mean in instances where economic and cultural claims are at odds, like in the Taku River Tlingit First Nation case mentioned earlier? The Court held that the Nation was appropriately consulted according to the Environmental Assessment Act, claiming consultation "had been sufficient to meet the requirements of the duty to consult as it offered meaningful opportunities for consultation and was leading toward accommodations within appropriate stages of the development" (Newman 2009, 49-50). This case highlights an important distinction: duty to consult was fulfilled because it matched specifics of an Aboriginal consultation process only because it fit within this broader environmental assessment (Newman 2009, 50). The issue raised here is that stakeholders in industry are leery of the separation of Aboriginal law consultation process from other consultation processes (Newman 2009, 50). Conversely, however, trying to fit Aboriginal consultation into documents such as provincial guides is difficult as well (Newman 2009, 50) and so inclusion of individual Aboriginal voices into the current Guide rests at an impasse.

Of course, existing law regarding Aboriginal rights has become important to the formation of emerging consultation policy. Equally important, however, are the critiques Indigenous groups are now making of existing laws and policies about consultation. Certainly, First Nations are still grappling with the newfound sense of authority on their own futures as more and more cases like

those of the Haida, Taku River Tlingit, and Mikisew Cree First Nations are brought to the forefront of Aboriginal rights cases in Canada. For example, by insisting on the right to be consulted, the Haida Nation modeled authority and agency in cases where Aboriginal rights were not recognized (Newman 2009, 12-13). Despite this new awareness, there remain unanswered questions about what potential impacts might really mean and how parties might define what a treaty or Aboriginal right actually is. It is important to note that, while existing Aboriginal and treaty rights are formally recognized and affirmed in the Canadian Constitution, these rights remain ill-defined (Newman 2009, 22). Historically, in Canada, “uncertainties around the form and scope of these pre-existing rights, combined with the complex cross-cultural interaction of concepts, have given rise to ongoing instability in Canada’s constitutional law regarding Aboriginal rights, with concepts sometimes shifting rapidly in the space of a few years” (Newman 2009, 14). This historical trend, which continues into the present, has been problematic for Indigenous groups participating in energy-related consultation processes, such as the negotiation of contracts or job security, because it undermines Indigenous agency and autonomy in this work. In his more recent work on consultation and the duty to consult Indigenous Peoples in Canada, Newman writes that there continue to be challenges stabilizing consultation policies (2014, 119). For example, political elections and party platforms have serious impact on the already malleable nature of consultation policy: “within our democratic system, a government’s consultation policy can even be a matter for debate during elections, as it was in Saskatchewan, resulting in the consultation framework varying over time,” (Newman 2014, 119). The unpredictable nature of Aboriginal-rights related documents like consultation policies make it more difficult to stabilize and implement these documents meaningfully.

Indigenous groups are increasingly demanding legal acknowledgment of their worldviews in consultation processes, which include rights to self-determination and rights recognition, especially concerning issues of resource and land use (Newman 2009, 12-14). The opportunity to participate and to benefit should be the equitable outcome for Indigenous groups working in energy, yet the current Guide largely ignores an Indigenous perspective and worldview. This is an issue when Aboriginal rights are affected (Joly and Westman 2017, 3-4). For example, industry can mitigate sites that have been identified as traditional by arguing that anything outside of an identified sacred site must, in turn, mean that it is unsacred: “While you are establishing a record of impacts and perhaps even protecting certain sacred sites and landscapes, you realize that companies just want locations on a map that they can avoid” (Baker 2017, 111). Indigenous people contributing to the protection of important sites are, unavoidably, also identifying areas that are, by this logic, unimportant. While this is certainly a reductionist understanding of what land is important and what is not, industry continues to use this loophole to progress projects that might otherwise have been rejected by Indigenous groups, through colonial-scientific practices around land, such as locating, defining, demarcating, and isolating land, and then moving on. To some degree, industry, and/or colonial powers involved in consultation, are interested in learning from Indigenous groups, such as holding meetings like the ones described in the vignette above. However, concerning policy and the collection of Indigenous knowledge, emphasis is placed on certain practical types of traditional environmental knowledge (TEK; Baker 2017, 111) that industry can more easily understand and that will enable them to pursue the colonial-scientific practices around land described above. This is an important point of contention when defining the parameters of consultation in Canada because it highlights a fundamental characteristic of Indigenous ways of knowing that is in direct contrast to how

colonial forces understand and formulate policies: “The spiritual foundations of this [Indigenous] knowledge are not used in science and governance because they present opposing ideas to those of the dominant regimes... Our governments facilitate the environmental destruction of traditional territories by enabling corporations to impede Indigenous Peoples from living their knowledge” (Baker 2017, 112). Baker suggests that Indigenous language, politics, and spirituality are embedded in the ecosystems of the land they live on, and extraction is the separation of cultural facets from the environment (2017, 112). These forces are, inherently, contradictory, which is one aspect that makes the parameters of consultation difficult to define.

Indigenous groups impacted by energy projects are subject to the highest financial risk and the least chance of reward, often with little participation in determining how projects – such as those around sustainability (Brightman and Lewis 2017, 6-7) – will be run. For this reason, I argue that consultation practices are not satisfactory for all parties involved. Misunderstandings regarding the duty to consult give way to a larger debate about why Aboriginal and treaty rights remain ill-defined despite the rapid expansion of the oil and gas industry (and other extractive industry) in Canada. If consultation and the duty to consult are recognized in Aboriginal law, why is there such disconnect between consultation as defined by the Canadian government, and how consultation is practiced on the ground? The following is an exploration of these questions and will examine provincial and local consultation contexts.

3.2 “We’re Gunna Put a Well Site Here, Got Any Problems?” Defining and Critiquing Consultation in Alberta.

The Government of Alberta outlines consultation procedures for energy projects. Energy projects are generally considered by the Alberta Energy Regulator (AER). To better understand how consultation works for PTFN (see Section 4.1 for a more detailed description), I must first

articulate how consultation is implemented in Alberta, as the Guide informs smaller local consultation manuals in the PTFN area. Currently, the Government of Alberta addresses administrative processes, submission standards, and other related requirements needed for proponents to apply for extraction projects through the Guide (Government of Alberta 2019).

For proponent-led consultation, the Guide explores general conduct and expectations in the more common projects (Government of Alberta 2019, 13), which includes taking reasonable measures to explore concerns raised by involved parties and answering questions they might pose. It details general information about procedures, including delivery verification (email, registered mail/courier, personal delivery, fax, electronic submission/portal), follow-up procedures including information about delivery failures. In this latter instance, for example, even if a First Nation fails to pick up an information package, the Alberta Consultation Office (ACO) will consider the package as received (Government of Alberta 2019, 15). Finally, the Guide details general information about consultation record logs. In cases where Indigenous groups are proposing a project, the distinction of “proponent-led Indigenous consultation” is made. Before determining which type of consultation will be implemented for a project, the Guide states a proponent must submit a Pre-Consultation Assessment Request to determine if a project requires consultation and, if so, to see what type of consultation the project requires (see Government of Alberta’s Section 2.2.: “Pre-Consultation Assessment Request Review” (2019, 8). I will return to a discussion of pre-consultation assessment in a later section of this chapter. Alberta’s consultation policy identifies three levels of consultation: Streamlined Consultation (see Government of Alberta’s Section 2.4.1 (2019, 9), Standard Consultation (see Government of Alberta’s Section 2.4.2 (2019, 9), and Extensive Consultation (see Government of Alberta’s Section 2.4.3 (2019, 10-11)) which includes a second category titled “Extensive Consultation for

Projects with Environmental Impact Assessments.” Standard Consultation is the level of consultation that I observed for projects around PTFN. Each level of consultation requires the First Nation or Metis Settlement be notified of a project’s intention: “Where consultation is required, the level of consultation will be noted in the Pre-consultation Assessment decision” (Government of Alberta 2019, 9). Each level of consultation details required response time from the community: “Notified First Nations and/or Metis Settlements have up to 15 GoA (Government of Alberta) working days to respond to a project notification” (Government of Alberta 2019, 9). Each level of consultation has review processes should the community choose not to respond. For example, in Streamlined Consultation, “if the 15-day notification period has expired and a First Nation and/or Metis Settlement has not responded, the proponent will provide the First Nation and/or Metis Settlement with the consultation record, and may ask the ACO (Aboriginal Consultation Office) to review the consultation record after the First Nation and/or Metis Settlement has had 5 GoA working days to review the record” (Government of Alberta 2019, 9; see also the Aboriginal Consultation Office extension at Government of Alberta 2021). Amendments are stated which focus primarily on extended response time for both communities and project proponents (Government of Alberta 2019).

Interestingly, in conversations with participants in PTFN, the Guide and its varying consultation levels were not cited by anyone working in consultation, which made me wonder about the effectiveness of the Guide in every-day consultation practice. I asked almost every participant I interviewed how they would define consultation in Alberta. Definitions of consultation from non-Indigenous participants I interviewed were generally dismissive of Indigenous groups being consulted. In one interview, a non-Indigenous industry worker explained consultation as such:

Basically the idea is addressing any concerns that the group would have. Uh, traditional hunting grounds, environment impact, uh family history to the land. Those types of things. Uhm, from a direct standpoint, uhm, like boots on the ground consultation I've been with them where we pick up, we land in a helicopter in the middle of the reserve and pick up an elder and a monitor and stuff them in the back seat of the helicopter and fly circles around, 'we're gunna put a well site right here, got any problems? Nope. Okay.' And we drop them back off and that's it. (Roger, interview with author 2016)

This excerpt highlights the unfortunate reality that consultation, at least for those working in PTFN, remains poorly defined and minimally implemented, even by those meant to represent it, in addition to other issues, such as elder fatigue (Baker 2017, 111-112) and knowledge extraction (Baker and Westman 2018).

I critique Alberta's consultation policies and procedures by highlighting factors that have weakened consultation in Alberta. Current provincial consultation policies undermine Indigenous economic interest in industry-related projects by limiting to what degree Indigenous groups can help formulate contracts or even how many Indigenous workers can be negotiated into the operational components of projects. I argue that there is no shared understanding about what consultation is and how it should be implemented. I suggest that, though detailed in language accessible to those working in industry, the Guide reflects a greater administrative and governmental attitude that works to dismiss Indigenous knowledge and perspectives from the policy that directly governs Indigenous participation in consultation processes. I highlight that there are Indigenous frustrations with consultation that need to be amplified and addressed. In this way, minimally implemented consultation policies enforce a systemic barrier to equitable Indigenous participation in the energy sector, including employment, agency in project selection, and autonomy. I argue that consultation policies concerning resource extraction on provincial lands – in this case, not referring to activities on First Nation/reserve lands but rather on traditional lands currently under the control of the province – can be reviewed and redefined to

better represent the attitudes and approaches of Indigenous workers in consultation. I conclude that “meaningful consultation” necessitates more effective opportunities for Indigenous people to participate and be understood. As First Nations are rights holders, and industry has thus the legal duty to consult them and accommodate their wishes, these opportunities must be integral to the framework for all future consultation work in Alberta.

3.2.1. Factors Weakening Consultation Implementation

The current consultation policies concerning energy development in Alberta are inadequate. In part, this is due to the difficulty in reviewing and developing new laws and policies as the industry evolves to meet the rapid expansion of development in Alberta (Joly and Westman, 2017, 17-18). Litigation that informs consultation policies has been given some attention over the last 20 years, as “the Courts reaffirmed that it remains the fiduciary obligation of government to establish a process of consultation that provides Aboriginal communities a thorough understanding of the potential impact a policy or project may have on local land use” (Natcher 2001, 115). However, clarification about what adequate consultation was supposed to be was not addressed in the legislation and subsequent consultation guides at the time. In 2001, Natcher offered the following critique: “Thus by failing to elaborate on what measures are required when consulting with Aboriginal communities, the Court has left the consultation process open to inconsistency and threatened by individual interpretation” (2001, 115). Now, decades later, Natcher’s (2001) critique still appears to hold true, and aspects of consultation policy lead to inconsistencies in how the policy is used. Failure to specify what is required in consultation with Indigenous communities effectively maintains deliberately obtuse policies that marginalize First Nations participating in consultation processes. Considering this, it is possible to see flaws in Newman’s (2009) theory of consultation as a spectrum in which there are

instances of misinterpretation by ill-intentioned individuals who are not working within the legal parameter of what the Guide refers to as *good faith* (see Dubroff 2006). In the Alberta energy sector context, to act in good faith is to consider exercising options that minimize damage to First Nations' Treaty rights and to Metis Settlement members' harvesting and traditional use activities. This is the duty to accommodate: "proponents are expected to act in good faith in all aspects of the consultation process" (Government of Alberta 2019). This is of concern because it remains unclear, short of a court ruling, as to what acting in good faith really means. Natcher writes, "While the Court has made clear that the onus is upon government to consult in good faith with Aboriginal communities whose rights may be infringed upon by policy or industrial activity, this responsibility has been delegated increasingly to resource developers proposing to work within the traditionally used lands of Aboriginal communities" (2001, 115). This deflects responsibility from government agencies to industry actors (proponents) who are not objective about outcomes. In my own research, I experienced conversations with participants from or working in PTFN who articulated concerns that industry was not always working in good faith throughout the consultation process. When asked about power dynamics between industry and First Nations, one non-Indigenous, non-community member industry worker revealed, "when push comes to shove, if industry wanted to push, they probably could push even harder," (Roger, interview with author, 2016).

Consultation, decision-making, and the expectation to act in good faith include the ideas of *intent* and *consent*. Intent, in this context, informs consent. By this logic, if Indigenous groups were presented with what they believe is correct and honest information, it is possible that they would be more likely to give their consent to a project, or at least to engage more fully in the consultation. Intent, specifically the intent to act honorably, helps to define what meaningful

consultation should be: “the Crown is bound to act honourably in its relations with Aboriginal Peoples” (Newman 2009, 12). However, rights that now include consultation and the duty to consult are not actually specified in Canada’s Constitution (Government of Canada 2021 a). It is up to the legal system, then, to determine the legitimacy of each claim as it relates to prior case law (Newman 2009, 14). Additionally, in the context of litigation, courts must not only consider other outcomes of previous cases, but also explore the “longer-standing and larger body of normative analysis on the meaning of concepts... which gives rise to ongoing challenges in applying (Section 35 of the Constitution Act (Government of Canada 2021a)) in a consistent and principled manner” (Newman 2009, 14). If each case is different, it becomes difficult to predict the ramifications, risk, and potential impacts of projects.

Indigenous groups are frustrated with the consultation process. While there are several instances of successful Indigenous contribution to development (e.g., Consultation Offices, local consultation manuals, impact assessments, litigation, and direct action (Joly and Westman 2017, 17-18)), there are frustrations that Indigenous contributions are not taken as seriously as contributions by industry parties or government officials. One frustration “lies in the fact that while Indigenous communities continue to fight for participation in oil sands development, this participation relies primarily on funding of IRCs [Industry Relations Corporation] and GIRs [Government and Industry Relations] from government and industry” (Joly and Westman 2017, 18). If funding comes from industry and government, then these maintain a degree of power in the decision making about projects. Indigenous communities are frustrated with the inevitability of development on their lands regardless of their willing participation or not, and “frequent and repeated participatory processes themselves have had an impact on some of the most affected

individuals and communities, resulting in a well-documented feeling of burn-out, research fatigue, and resignation” (Joly and Westman 2017, 18).

An interview with an Indigenous community member, working in consultation, articulated such feelings of resignation when she said,

The way I see it, they [Indigenous trappers] have no choice but to accept. Because they just send you ‘we’re gonna be doing this such and such [development] and if you have any concerns let us know, we’ll work around it.’ There’s no stopping the oil companies ‘cause if you don’t want them to drill there, they will just go around and under...there’s always a way around. (Rhonda, interview with author 2016)

This excerpt illustrates an important reality, which is that many Indigenous folks feel pressure to acquiesce to proposed projects because their rejection of a project is ignored anyway. While duty to consult and accommodate are encouraged in the Guide, the reality is that there is little in the policy to ensure that consent, or lack of consent, is honoured. Joly and Westman write, “Without the ability to reject a project, consent – as articulated in Articles 19 and 32 of the UNDRIP, which remains a work in progress for implementation in Canada (Newman 2014) – is not being achieved in Alberta” (2014, 18). Being stuck between a rock and a hard place is a useful metaphor for explaining the fact that some First Nations are cognisant of the fact that declining a proposed project might be ignored, and so seek the best of a bad situation. This “best” might be financial recompense or some other path of least resistance that reduces any harm from projects that are carried out regardless.

Issues of consent, and the lack thereof, are illustrated in my work as well, through the following excerpt from an interview with a non-Indigenous, non-community member representing industry:

M: I've heard that Indigenous people will say "no," and industry goes ahead anyway. Do you know of instances like that?

R: It's always been "no is no." No means No.

M: Okay.

R: Actually, that's not entirely true: "No means, okay well how about this? Okay, well how about that? Mmm no. Okay, well how about this plus \$5? Mmm maybe. Okay, well how about this plus \$10? – Like, to be bluntly honest about it, most Aboriginal issues are fixed with money. They're just straight up bought. Like, we've got a problem? We'll just fix it with money. It's changed in the last couple of years, I think, because Aboriginals have found a voice. Not sure where or how, but they have found a voice that – I don't know what they're holding out for, I don't know if it's they... it's different than me and you, well different for me anyway, I won't speak for you, but if someone walked up to my front door and said I want to dig a well site right in the middle of your house, it's like no. Alright, I want to drill a well site in the middle of your house and I'll give you five hundred thousand bucks. No. Alright, I want to drill a well site in the middle of your house and I'll give you a million dollars – here's the keys! Have a nice day! Like, simple. And the new voice that Aboriginals have found sort of like I think a lot of the oil and gas sector has found it surprising – like, what do you mean a million bucks ain't gonna fix it? No. Okay, well how about two million? No. Like they haven't found that number. And then at some point that number gets to a point where it's not worth it to the oil and gas company, it's like, alright well we've offered you three or four billion dollars to push a pipeline through your traditional hunting grounds and you said no. Well, ten billion we're not going to make any money at this point. So... I don't know where we go from here. Like they've hit a number where they'd go "yeah, I can buy a new pick-up and put siding on the house and I'm good with that, we're good. Go ahead, go do whatever you're going to do. Hire my son to run that bulldozer over there and we're good." Right? But, now they're not finding that number anymore, so, I think that's kind of taken industry off guard. (Roger, interview with author, 2016)

This excerpt highlights the dismissive and, frankly, condescending attitude of proponent-led consultation. It suggests that industry assumes financial benefits are the primary drivers of consultation with Indigenous groups. In contrast, this participant also inadvertently suggests that Indigenous resistance to this type of consultation may be explained by the reality that some First Nations may not measure meaningful consultation by the amount of revenues alone. I can say,

with confidence, that PTFN members, specifically Chief and Council at the time of my fieldwork and some of the Office Staff, are interested in and intend on increasing resource extraction projects in the area. That said, I am not sure whether these same people agree as to what extent their ability to decline a project will be recognized. One participant, a practicing trapper, felt strongly that a letter in the mail notifying him of proposed extraction on his land would be more than adequate consultation. He did, however, add an important sentiment: that because projects could happen on his trapline whether he wanted them to or not, 15 days' notice seemed reasonable. Another participant, who still uses the family's traditional hunting routes, disagreed completely, stating that a letter in the mail, in English, was not adequate consultation for reasons like the following: the family primarily spoke Cree (and the letters were in English); several decision-makers in the family could not read or write (and did not finish high school); and traditional land use behaviours, like hunting, took the family away from their mailbox. They articulated that there were several instances a year where they would simply not be home to check their mail, and that there were instances where checking the mail meant traveling to their P.O. Box, which could be difficult if the weather was poor or if vehicles were not working. These contrasting opinions were common in PTFN.

Additionally, Indigenous perspectives are met with disbelief, or even purposeful skepticism. I experienced this in the field when discussing such issues with a non-Indigenous, non-community member working in industry, who said, "They still do that, uh consultation portion where you pick 'em up in a helicopter and actually take 'em out to site. A lot of times they can't – they themselves cannot even get to where we're going. Which makes it sometimes more difficult for me to believe that they're traditional hunting grounds" (Roger, interview with author 2016). In

another instance, this participant reveals his skepticism about the connection between Indigenous knowing and an energy project in the area:

R: I don't know if you ever heard of spirit trees?

M: No, tell me about them.

R: Okay, spirit trees uhm they basically make the claim – and I'm going to say claim because I'm not a religious person at all – so you know to say it's true or not I don't know – they tie rags, bits of cloth around trees and they claim that that it is the spirit of ancestors in those trees...

R: They went forever, they were 300 meters long.

M: This looks important.

R: And no wider than this trailer but 300 meters long of these rags tied to these trees and it's like... the only thing that's curious is why they only happen where there's road access? I have no idea. I can't make an explanation to that. I've never run into spirit trees when I'm in the swamp this deep, never, not once, but where there's a nice gravel approach off of a highway, and right close to some oil and gas facility? Find spirit trees. And I've run into them more than once. Not just there but south of Grande Prairie too. And the same thing, right next to a well site. Just all sorts. All kinds.” (Roger, interview with author 2016)

This participant's claim is not supported by any ethnographic literature that I was able to locate and so I am unable to support his view here.

Finally, Roger states that industry strives to provide good consultation for First Nations:

“If it's a no then it's a no. Alright, how about over there? No? You got a problem over there?

Okay. Okay, well how about over there?” (Roger, interview with author, 2016). This quotation

summarizes the relentless pressure industry places on First Nations to consent to projects. It

presents a flippant attitude toward the ability of Indigenous groups to say no to consultation

projects. In addition, repeatedly identifying extraction areas to Indigenous groups who have

already declined participation is degrading. Some groups might feel it is easier to give in to

industry pressure than to continue to resist it, and the frustration is palpable. It suggests that

notions like free and informed consent do little in actual consultation practice. I am reminded of

the Cree woman in my opening vignette who had to physically remove herself from the industry meeting because her frustration was so intense.

Of interest in the Guide are “Section 2.2: Pre-Consultation Assessment Request Review” and “Section 2.3: Pre-Consultation Assessment Decision” (Government of Alberta 2019, 8), which explore the procedures necessary to determine if a project requires consultation. These are referred to as “triggering duty to consult” (see Joly and Westman 2017, 18-19; Newman 2009, 24-25, 50). These procedures, detailed in less than a page, offer vague instructions concerning pre-consultation assessment requests: for example, the pre-consultation section focuses on protocol in cases of document alterations post submission and errors in submission. It also includes a short window of response time for First Nations. In Streamlined Consultation, for example, First Nations are given just 15 days to respond to project proposals they receive in the mail. Finally, the procedures state that decisions and cancellations of the submission are subject to the discretion of a review board (Government of Alberta 2019, 8). An Indigenous woman seated at the table of the meeting described in the vignette above critiqued review boards by stating that they were often comprised of non-Indigenous people, usually city folk who rarely lived near extraction zones, and included members who “probably worked for big companies anyway.” I interpreted this to mean that there is danger of bias that favours oil companies, or other industry companies who are placed in positions of influence and decision-making on matters that affect First Nations’ interests. Of concern is the Guide’s statement that “a Pre-consultation Assessment decision will be issued that will indicate whether or not consultation is required. If consultation is required, the Pre-consultation Assessment will also identify the level of consultation and the First Nation(s) and/or Metis Settlements(s) to be consulted” (Government of Alberta 2019). It is problematic that proponent-led consultation not only determines whether a

project requires consultation at all, but also, should the project be successful in its supposed right to be consulted, whether the proponent is then able to determine what type, or level, of consultation is required. This indicates an inherent bias in favor of the proponent, who hypothetically could exercise this clause strategically to maneuver around the duty to consult First Nations: “If a Pre-consultation Assessment decision states consultation is required, then the proponent is expected to carry out the procedural aspects of consultation as per the Government of Alberta’s policy and guidelines on consultation with First Nations and Metis Settlements” (Government of Alberta 2019, 8). Of course, a First Nation could attempt to remedy this by taking legal action or through political lobbying, which can be expensive and time consuming. I argue that a pre-consultation assessment and supporting clauses should be permanently removed from Alberta’s Guide, and that consultation should be mandatory for *all* extractive industry projects. Generally, it is my impression that the Guide does well to acknowledge that duty to consult, and accommodations like the notion of acting in good faith are important to the protection of First Nations who are impacted by resource extraction projects on their lands. That said, I also feel that several factors, such as the dismissal of Indigenous knowledge as science, and the tensions concerning free and informed consent, absolutely weaken the duty to consult and, more generally, the Guide as a whole.

In the following chapter, I discuss consultation in PTFN and the surrounding area. I argue that data I collected in the field does not necessarily match definitions of consultation in the Guide and I am interested in studying that discrepancy. I define consultation in PTFN by studying themes of capacity, transparency, and sustainability. I articulate that PTFN is only minimally implementing consultation policies and largely responding in a reactive manner, while also linking consultation directly to business and economic development for the community. I

propose recommendations to improve consultation in PTFN based on the local consultation manuals of other Nations in the area.

The following is a vignette informed by my revised fieldnotes.

“Forest? Road? Bear?” asked Rhonda. “Saga, meskanaw, maskwa.” I answered. I rested my arm on the windowsill of the truck and let the wind blow through the cab. It is a beautiful summer night, and we were headed back to the reserve. The sun was setting low over the hilly landscape that bordered the impressive Peace River. Everything was green, and wildflowers dotted the sides of the road. I watched the buildings shrink in the review mirror as we climbed out of the sleepy green valley in which the town was cushioned. The night was warm, and the air was clear. In the distance, the sound of machines from the pulp mill buzzed loudly, penetrating the calm of the Alberta wilderness. “Did you learn today?” asked Rhonda. “I think so. I’m not sure I understand what the meeting was for though,” I responded. The cab was silent for minute, and I reflected on the experience of witnessing industry-led meetings on consultation. On the surface, it was a good thing. It suggested that someone somewhere knew enough to conduct outreach to Indigenous representatives working in consultation. For a moment, that was very exciting to me. I was quick to realize, however; something was amiss, and I know now that it was the authenticity of a legitimate and raw discussion of a serious issue addressed by people who considered one another equal partners in solving the problem. What I had witnessed was a façade, equal parts skepticism, and rejection of the credibility of any one party involved to solve anything of importance to the other. Industry insulted the Indigenous participants by dismissing the credibility of their knowledge and experience as meaningful contributors. Likewise, Indigenous participants openly rejected the information sharing process with a force that decimated the flimsy charade of, ‘exploring conversations about industry.’ This was not their first rodeo, so to speak. Rhonda didn’t explain what I was supposed to learn in that meeting that day. Instead, she looked out her window and after a moment, simply asked, “River?” “Sipiy,” I answered.

4. CHAPTER FOUR: CONSULTATION IN PEERLESS TROUT FIRST NATION AND SURROUNDING AREA

The following excerpt is informed by my revised fieldnotes.

I'm not sure what to do. This familiar thought came into my mind as I entered the conference room, reminding me of how I felt while in an industry-led consultation meeting I had attended earlier in the summer. I was attending this meeting as a guest of PTFN along with my colleagues from the Consultation Office. We were hosted by representatives from the Kee Tas Kee Now Tribal Council (KTC) of which PTFN is a part of. Joining us were consultation representatives from First Nations in the surrounding area. We gathered at a large round table in the center of the room. The afternoon sun filtered through the large windows. Paintings depicting colorful flowers, rivers, and fish decorated the light green walls. In the center of the table stood a vase of fresh flowers. It was nice in here, not a bad place to spend an afternoon discussing consultation in PTFN and the surrounding area.

“Rhonda, Tanisi! Tanisekwa?” I looked up at the sound of a familiar voice. It was Carl, a man I had met from a neighboring Nation. Carl was an easy-going kind of person, friendly, who had been working in consultation for a few years. “Tansi kisikesikak, eh?” replied Rhonda. Carl agreed, “Ihi! Kisitew.” He was right, it was hot outside. It was the middle of summer and a gorgeous day. Debbie sat down to my right, “I never know what to say at these meetings,” she whispered to me. Soon, however, we were deep in conversation about the effectiveness of consultation on Treaty 8 lands. My colleagues inquired about how to improve their Nation’s consultation manuals and how to select projects for the Nation effectively. Unfortunately, these questions did not receive definitive answers. “Listen,” said a man that I had not formally met, but who I had seen at other meetings on consultation. “I’m not sure how we can talk about this without giving away the tricks that work for us. We want to help you, but we have spent a lot of time building up our own business and we have to focus on that.” As I listened, I understood this to mean that there is a pressure for Nations to engage in financially lucrative projects, that Nations must work to secure their place in what Carl later identifies as the “consultation game;” that there is little inter-Nation information sharing or support, and that there is a degree of competitiveness for jobs.

After a few hours of discussion, we broke for a lunch of moose meat stew and berry crisp. I sat down across from Debbie and Rhonda and asked them if they were satisfied with the meeting so far. Debbie looked frustrated and explained that PTEI (Peerless Trout Enterprises Incorporated) expected her to return to the Nation having learned more about how consultation works and to help guide them through energy projects. She expressed frustration at the reluctance of other Nations to share their consultation process. I agreed with her, expressing my irritation by claiming the others were being aloof on purpose. Carl, who had come to sit next to us, leaned over and said quietly, “Listen. PTFN needs to improve their capacity. Tell your bosses to hook you up. That’s what’s going to get you going in the consultation game.” Here, it was evident to me that a lack of education, training, resources, and policies have prevented PTFN from maximizing financial benefit, or even securing projects, and that there was an almost secretive tap of knowledge and know-how that PTFN had yet to access.

This excerpt highlights the important reality that consultation processes are difficult to understand, and, while we might expect First Nations to share knowledge about consultation, that frequently doesn't happen, leaving some Nations (especially those whose members have relatively formal education or training, such as PTFN) even more in the dark than others. It is also important that, while the KTC strives to support all five Nations on points of mutual concern, it does not guarantee that each Nation will be working at the same capacities, or even that each Nation has equal opportunity to resource supports. In fact, exchanges between groups in the excerpt suggest that on the ground consultation in individual Nations are, to some degree, the sole responsibilities of the workers and staff of that Nation. For PTFN, that internal pressure to learn how to do consultation more effectively is why I urge the Nation to seriously consider developing a manual that will guide its approach to consultation.

In this chapter, I highlight participants' definitions of how consultation works, and analyze consultation manuals from surrounding Nations, to help create a working definition of consultation in KTC and particularly at PTFN. I use the term definition purposefully. The word "definition" is appropriate for discussing consultation in PTFN because the Nation is still in a stage where they are discovering what consultation is. As mentioned, the Nation experiences high employee turn-over, which makes it difficult to form and implement policies consistently. Some participants suggest that consultation in PTFN is focused on acquiring the appropriate training to form contracts and negotiate jobs. Others state that consultation should focus less on resource extraction and more on preserving important cultural sites. I expand on this more throughout the chapter. As PTFN did not have its own consultation manual at the time of my research (and recent inquiries into a consultation manual could not confirm if one has been

created since the time of my research), this work may assist the First Nation in developing a manual that will guide its approach to consultation.

Thus far, this thesis has studied how consultation is implemented in Alberta. The previous chapter described the Alberta Consultation Guide (see Government of Alberta's (2019) "Alberta's Proponent Guide to First Nations and Metis Settlements Consultation Procedures") and highlighted some of the factors that have weakened consultation with Indigenous Peoples in the province. PTFN's website (PTFN 2021) states that the Consultation Office oversees the Nation's relationships with oil/gas and forestry industries. It also clarifies that it is the point of contact for impact benefit agreements and monitors environmental impacts development has in the Nation's territory (PTFN 2021). The website also states that in 2019, the Nation started to collect survey data on wildlife, vegetation, and water quality to better inform how energy projects might impact quality of life in PTFN. During my time in the field, the role of the Consultation Office was initially unclear to me. I spent the first few days of fieldwork observing the activities of the office and its workers. There were some discussions about the prolonged deadlines of oil extraction projects the office had agreed to participate in from the year before, but drilling had not yet begun. When I asked how projects typically got started, I was told that the office waits to see "what comes across the desk." I interpreted this to mean that the office waits to be consulted on projects. There were no public hearings or forums to discuss projects or impacts with community members. To my knowledge, no new oil projects were proposed while I was in PTFN, which made for some long days at the office, waiting to participate in consultation protocol or to observe consultation policy implementation. As stated in Chapter Two, a lack of oil projects that summer was supplemented by growing interest in other types of development, such as forestry, tourism, and special projects like repairing gravesites,

highlighting again that consultation in PTFN is currently integrally connected to economic development in the administrative and organizational context of the Nation.

It would have been important for me to study how the PTFN consultation manual contributed to the First Nation's responses to industry requests for consultation. I wanted to see how alike the PTFN consultation manual was to the Guide. Yet, when I arrived in PTFN, I quickly realized that consultation work, like oil extraction projects, was at a halt. Further, I was unable to locate the office's consultation manual that I had assumed would be available to study. It was not long after the meeting described in the vignette above that I began to ask to see the PTFN consultation manual more firmly than I had earlier in the summer. If other Nations were able to produce a consultation manual, why could I not also see PTFN's? I spoke to the consultation staff, I emailed the Chief and Council, and I inquired with the incoming CEO, but no one could produce the PTFN consultation manual, despite everyone assuring me there was one. It wasn't until days before I was set to leave my fieldwork that I sat across from Debbie, panicked, and asked to see the manual she had repeatedly promised to give me. "OK, listen," she said. "I have been sick about this all summer. I'm so sorry... but we don't have a manual. I was worried I would get in trouble for telling you, but... we don't actually have a manual. I try my best to make good decisions for projects, but honestly, the C and C [Chief and Council] just end up deciding what they want to do with the projects that come in. I don't really get a say and I don't get any training anyway." I was surprised to hear that PTFN did not have a consultation manual to reference in their own work. I knew from a previous conversation that the Consultation Officers in PTFN had not read the Guide, so it was my assumption that they would have implemented their own manual in lieu of referencing the provincial one. Further, when

Debbie stated that she had not received training, I fully realized that consultation in PTFN could only be minimally implemented.

This discussion highlighted a few important realizations for me. First, I realized that PTFN maintains an interest in participating in energy projects but, to my knowledge, the very staff responsible for consultation feel that they are lacking in appropriate training, resources, and internal clout to negotiate in tasks such as creating contracts and jobs. There is a need for the Consultation Staff to work with other consultation professionals, preferably other consultation workers from other Nations in the KTC, to learn the necessary skills to be successful. Second, I realized that consultation as defined at a provincial level functions differently than it does at a local level. Third, I realized that this thesis can serve as a resource that might lend some power to PTFN and help PTEI, the latter of which is one half of the Consultation Office and is responsible for the physical labour of projects (moving trucks, augers, safety management, etc.), to create a consultation manual for the office.

Provincial definitions of consultation described in Chapter Three do not entirely match the way participants spoke about consultation while I was in fieldwork. I addressed this discrepancy by studying three emerging themes from my data: capacity, transparency, and sustainability. I argue that consultation workers in PTFN should have more administrative training and policy education to develop the skills necessary for creating consultation policies of their own. I suggest that perhaps PTFN resists the making of their own manual because they recognize the potential to inherit policies from the Guide that they might otherwise reject, and that the definition of consultation needs to be created to fit an emerging attitude towards what consultation is for Indigenous groups such as PTFN. In my interpretation of the data, this emerging attitude includes learning skills and strategies to improve economic benefit from consultation projects. This can

include writing contracts and negotiating a higher percentage of work for community members. It also includes the validation of protecting historical, cultural, and spiritual sites regardless of any economic benefit the Office might receive. I conclude this chapter with recommendations for a consultation manual for PTFN that aims to maximize economic benefits and create agency for the preservation of important sites for PTFN and community.

4.1 “Oil Companies Are Supposed to Consult Our Office So They Can Know About the History”: Consultation in Peerless Trout First Nation.

When I think about consultation in PTFN, I think of the Indigenous community members who live and work in the area. Trappers like Melvin, and Consultation Office workers like Rhonda (recall her from the opening vignette in Chapter Two) spent hours discussing consultation in PTFN with me and how it has come to impact their lives. I asked Melvin and Rhonda how energy projects are affecting their lands. They told me that there is a social hierarchy within the community that impacts who benefits from energy projects. Some people have better access to work, participants stated, because they were friends or family members of the Chief and Council. From Melvin’s and Rhonda’s points of view, people who are in good standing with the Chief and Council have better lives because they are the ones more often selected for jobs created by industry. It is not clear how this may have shifted with a change in the Chief and Council. I listened intently as Melvin prepared his lunch on the home-made picnic table near his unfinished cabin. He laid a thick piece of spam onto a slice of bread and told me about his struggle to find and keep work. Melvin owns his own company, but the work that would normally be available for his company is directed to others. I took this to mean that those community members who more readily align with the Chief and Council’s vision for the community are more likely to benefit from the energy projects that the band enters into. Rhonda says that there is a distinction between PTFN members and everyone else living in the community, which means that some people are included in community events,

announcements, programs, and decision-making while others are not. Rhonda said that, even though she had lived in the community for many years, when she took the consultation job two years ago, she “kept her head down” because she did not feel like she had the right to participate in the same way as others in the office who were members of the band. “I don’t really care about myself,” said Rhonda, “but I wish my kids weren’t left out. They were born and grew up here; they shouldn’t have to feel like outsiders just because of who their parents are” (fieldnotes 2016). Concerns about band membership reflect the community’s complex history and evolving political status.

After listening to Melvin and Rhonda discuss family in this way, I realized that social impacts of a local economy dependent on energy projects weigh heavily on those living in PTFN. It helped me to formulate my thoughts on consultation and how it is being defined in PTFN. This conversation, and others like it, became the basis for how I discuss consultation in this chapter.

PTFN implements consultation quite differently from how it is presented in the Guide. For example, the Guide focuses almost entirely on the parameters a non-Indigenous proponent must follow when proposing a project. When proponent-led projects are sent to the Consultation Office in PTFN, then the Nation reacts as a community to be consulted. However, that is not the only way consultation is at work in PTFN. The Consultation Office is interested in proponent-led Indigenous consultation which includes projects that are proposed and coordinated by the Nation, rather than by industry. Recall from Chapter Two that PTFN is also interested in projects that do not necessarily relate to oil and gas extraction: for example, the revitalization and preservation of important historical, cultural, and spiritual sites – like graveyards. I think that these definitions will help to explain why PTFN has a low capacity to implement consultation policies. I will draw on local consultation manuals from surrounding Nations and use them as

examples that can inform PTFN’s own consultation manual. Ideally, I would like to make suggestions for the development of a consultation manual for PTFN that borrows from these other manuals.

The PTFN website defines consultation as a means for economic development: “Peerless Trout Enterprises Inc. follows a mandate to support the benefit and interests of the Nation in the areas of economic development, employment, and training” (PTFN 2021). In addition to this, the website states, “Consultation Services can provide: documentation reviews⁵, office based audits⁶, field audits, field inspections⁷, Nation liaison services⁸, Nation operational liaison services⁹, Elder knowledge transfer services¹⁰, traditional use consultation, and GIS-geographical system¹¹” (see “Consultation” in PTFN 2021). The website presents a formal, professional definition of consultation that presents the office as a business.

In some ways, this definition of consultation, as presented on PTFN’s website, is more in line with how consultation was spoken about by my industry-worker participants because the

⁵ Documentation Reviews refers to the act of reading and amending consultation related documents such as letters, summaries, or contracts.

⁶ I spoke with a man from PTEI who helped to define these services but who did not feel comfortable expanding on issues of audits or on the concept of traditional consultation services.

⁷ Field Inspections refer to instances where Consultation Staff physically travel to a field site and record and/or confirm geographical information about the area. This can include taking photographs or consulting maps.

⁸ Nation Liaison Services refers to the building of relationships between, for example, non-community members and the Consultation Office Staff. This might include holding meetings, conferences, or taking interested parties to field sites.

⁹ Nation Operational Liaison Services refers to the operational component of the Consultation Office, specifically the operations of PTEI and the services they provide.

¹⁰ Elder Knowledge Transfer Services refers to the specific information that community Elders can share with project coordinators. This can refer to stories, community history, and geographical knowledge.

¹¹ GIS-geographical system refers to the mapping system the Consultation Staff use to map important areas. It can be used to take photos as well.

measurement of meaningful consultation is often tied to the economic success of a project. This definition, however, is different from other conceptions of consultation that were presented to me by participants working in the Consultation Office. The bottom line is that the duty to consult and accommodate results from breaches of a legal right and the need to minimize the breach and/or compensate or accommodate. Like many First Nations, PTFN has decided, maybe even more transparently than most, to leverage this into a form of economic benefit to the point that this has changed the definition of what consultation is and how it fits into their organizational structure. At the same time, we must recognize that PTFN has much less capacity and clout than some of the other First Nations.

Interviews with PTFN members, including those who worked in the Consultation Office and PTEI, showed a rich understanding of what consultation means to PTFN and its future. An interview with a participant provided a dynamic definition of consultation:

Cause that, when I first started working here, I was trying to understand it. So, anyway, I think they were building a road somewhere in Edmonton or somewhere in Saskatchewan, or BC, out of these three provinces. And then, they build a road or a railway or something and they came across an old graveyard. They were digging up bones. And the First Nations protested and filed a claim. So, the oil company had to pay billions, millions, to the First Nation and that was when the government said, we don't want this to happen again because if it happens, if it happens it is our duty to try to protect the First Nations land – or something like that. So, that's where the duty to consult came in. Because the oil companies are supposed to consult our office so they can know about the history so if there's no history in that specific area they can go ahead and disturb it. But, if they know nothing about that area and there happens to be a little graveyard or something there and they dig it up, that's why it's very important to consult our – duty to consult our consultation. Said that too many times today! So that's where, I think it was Blackfoot Nation. It was not a Cree Nation. But they dig up those bones, and those bones were there from hundreds and hundreds of years ago. But the myth was, the legend was, they knew about that place, but they weren't sure but 'til they dug them up and they just shoved them aside. So, they filed a complaint. That company, I don't know if it's still today, but they had to pay through the nose for it. (Rhonda, interview with author 2016)

This excerpt is striking because it focuses an understanding of consultation around the preservation of Indigenous history and land over the prioritization of economic development. The economic element (the big payout) at the end of this excerpt focuses on money as recompense rather than the driver of consultation. In some ways, this understanding of consultation is difficult to align with how consultation is defined by the PTFN website, because it prioritizes Indigenous contributions to consultation that do not necessarily focus on resource revenues or on labor and services. Rhonda suggests that cultural sites, including sacred sites like burial grounds, are important to consultation in PTFN and across Canada. Recall from previous discussion that industry often dismisses forms of spiritual or cultural reasoning as not scientific enough, but that these spiritual or cultural reasonings are often the ways that Indigenous Peoples discuss consultation. For example, when Rhonda discusses consultation in the excerpt above, she states, “But they dig up those bones, and those bones were there from hundreds and hundreds of years ago. But the myth was, the legend was, they knew about that place, but they weren’t sure but ‘til they dug them up and they just shoved them aside” (interview with author 2016). Speaking about consultation in this way, in terms that acknowledge Indigenous history through legends and myths, suggests that on the ground consultation in PTFN is implemented differently than it is at a provincial level, where there is no such consideration of Indigenous knowledge. Further, it suggests that PTFN’s Consultation Office lacks a cohesive understanding, or definition, of what consultation really is: specifically, that there are multiple definitions at work that make it difficult for Staff to implement it. There seem to be no rules for consultation and no manual or policies. This hinders the Office’s effectiveness, as well as capacity, to do meaningful consultation.

In contrast, a non-Indigenous industry worker suggested that consultation is working well for PTFN. His definition of consultation, taken from an interview, is comparatively different to Rhonda's:

We've developed all kinds of partnerships with uh, First Nations throughout Alberta and BC. We've got all kinds of partnership agreements, uhm, we're kind of at the top of the list with the Horse Lake First Nations band outside of Grande Prairie. We are doing all of their consultations for oil and gas, for permitting, for wells and pipelines. That's all kind of ground to a halt right now but the partnership didn't die – the demand did. (Roger, interview with author 2016)

By this account, the lack of oil and gas projects in PTFN during the time of my fieldwork is attributed to a decrease in demand for oil products in the province and across Canada. He infers that PTFN uses consultation services to generate income and business opportunities, but he focuses on partnerships in oil and gas related projects in his answer. This is in direct contrast to what I experienced while working in the Consultation Office. As stated earlier, there were no active oil and gas projects during the months that I was in PTFN. In addition, questions regarding why this was the case were dismissed stating that the decrease in the cost of oil forced the Consultation Office to focus on other business opportunities. Roger then states, "We pay 'em [Elders] a thousand bucks each and we leave. Then we come back and do our business sort of thing" (Roger, interview with author 2016). Rhonda, in the excerpt above, suggests that there needs to be more adequate communication between industry and Nations, beyond the duty to consult. Yet Roger suggests that the transfer of money to an Elder is adequate consultation procedure. While I agree that paying Elders for their time and expertise is an important step in acknowledging Indigenous contributions to consultation processes, this account of consultation does not convince me that industry consults with Indigenous groups in a fair way. It seems that these two accounts of consultation are perhaps two sides of the same coin, so to speak, but do not yet provide a complete portrait of what consultation is in PTFN. These concerns were amplified

when Roger explained the documentation process for consultation in PTFN: “There’s tons and tons of documentation that goes through with the whole consultation, it’s a – it’s not as rough shot as it used to be, the way I described it” (Roger, interview with author 2016). Roger states that consultation has a history of abusing Indigenous partners by purposefully minimizing documentation of projects. He suggests that this is changing, at least on the part of industry, to ensure that they provide documentation of their projects. My concern is that these types of documents can be just as damaging to Indigenous participation in projects as the former lack thereof because, at least in PTFN’s case, during the time of my research, there were no Indigenous-developed documents or policies that protected the Consultation Office.

Roger finished his explanation of industry consultation by stating that Indigenous groups have enough rights: “So, I mean, they bend – the oil and gas sector bends over pretty backwards to accommodate just because in Canada we’ve got enough legislation that protects their [Indigenous peoples] rights and their interest in the land” (Roger, interview with author 2016). This highlights the feeling on the part of many in the energy sector that industry or government have already done enough for Indigenous communities. The energy sector’s dismissive attitudes towards Aboriginal and treaty rights, disrespectful interactions with Elders, and a largely cynical approach to consultation contribute strongly to why consultation is only minimally implemented in PTFN.

Industry or corporate officials are often the first and the loudest voices one hears in conversations about consultation. This is significant because it means that the ideas about what consultation is are curated by only one player, making them one-dimensional, when they are not. In PTFN, Consultation Staff repeatedly stated that there was not enough money, by way of employment opportunity, available for Indigenous community members. There were many

complaints and remarks made about how Indigenous lands were irrevocably damaged and that there was not adequate compensation, e.g., “They pollute our lands and we aren’t even getting paid for it” (fieldnotes 2016). These concerns are echoed by Brightman and Lewis who state, “As international principles of sustainable development are applied, local customary common property resource tenure systems and practices are dismissed and local understandings of sustainability disregarded; local people end up enjoying fewer benefits from their natural resources, while the significant financial returns from their management are captured by state and foreign actors” (2017, 6-7). Here, Brightman and Lewis highlight that local voices, and, in this case, Indigenous voices, are lost among the magnitude of international principles of sustainable development. Yet, Indigenous voices have much to contribute to conversations about consultation as they often represent the practical applications and subsequent outcomes of resource extraction. My participants from industry feel that consultation is working well and there is little room for improvement; yet, when considering PTFN’s capacity to do meaningful consultation, data collected for this project suggests that more can be done to improve it. How, then, can there be such discrepancies in this understanding of capacity and its role in consultation in PTFN? Specifically, if industry representatives working in PTFN claim that consultation is performing well, then why do consultation workers articulate areas for improvement? I address this question in the next section by discussing capacity and how it relates to themes of transparency and sustainability.

4.2 “I Try My Best to Make Good Decisions for Projects, But...I Don’t Really Get a Say and I don’t Get Any Training Anyway”: Capacity in PTFN Consultation.

I heard the word “capacity” repeatedly used to describe the Consultation Staff and the Nation’s ability to do meaningful consultation in PTFN. However, I identified early in my data

analysis that my participants did not supply a cohesive and robust explanation of what capacity actually means in the context of their Consultation Office and policies. At first, I was very concerned by this. I knew that I had to discuss capacity, as it was referred to over and over again in the everyday conversations that I had with people in the community, but no one could provide me with a fully realized definition of what capacity means for consultation in PTFN. I spoke with my committee member, Dr. Barnes, on this issue and, after several meetings on the topic, she convinced me that this was not problematic for this research. Instead, she explained that I had identified a gap in the research on consultation in PTFN, and that I should lean into this uncomfortable space of not exactly knowing what the complete answer is. Thus, I draw from several definitions of capacity (and of transparency and sustainability) to inform a working definition of the terms that more accurately represent how they were used in the Office. I will be critically evaluating the term “capacity.”

My goal in studying the history of the term “capacity,” the critiques, and how different participants used the word, is to provide a more specific definition of capacity for PTFN. These definitions are useful in the creation of a local consultation manual as they will create a foundation for the Consultation Staff to draw from. Further, by trying to illustrate how the term is being used in PTFN now, the Consultation Staff can begin to redefine the terms as their interests, positions in power, and policies change.

Capacity, defined by *Dictionary.com* as “the ability to receive or contain” (2021a, para. 1), and capacity development¹² are important themes in development discourse at an

¹² The word “development” here does not relate to natural resource activities and sources of energy. Here, it means that the term “capacity” is developing to encompass the capabilities that groups set to achieve their own development goals.

international level (Jensen 2017, 131). In a study conducted by the European Centre for Development Policy Management, capacity is further defined as “the emergent combination of individual competencies, collective capabilities, assets and relationships that enables a human system to create value” (Baser et al. 2008, 3). This shows how the term has become imbued with other meanings, specifically around resource extraction work and First Nations. In the context of this thesis, capacity refers to PTFN’s competencies and capabilities to implement consultation meaningfully.

Capacity development has been defined as “the process of enhancing, improving and unleashing capacity; it is a form of change which focuses on improvements” (Baser et al. 2008, 3). In their work *Capacity for Development*, Fukuda-Parr, professor of International Studies and Affairs, and Lopes, professor of International Studies and Affairs and professor of Economics, state that capacity is, “simply the ability to perform functions, solve problems, and set and achieve objectives” (2002, 8-9) and can be measured through a three-tier system: the individual, the organization, and the surrounding environment. Initially, notions around ‘capacity’ grew in popularity as groups like the United Nations questioned why technical solutions to development problems were not effective (Jensen 2017, 133; West 2016, 71). Over time, this definition, which centers on change and improvement, has been met with anthropological critique because it places pressure upon developing groups to improve their competencies, instead of calling on systems of power to better support communities (Jensen 2017, 132-133).

Several anthropological studies explore these critiques (see Andrea Ballesteros’s “Capacity as Aggregation” (2017, 31-48) and Kristin LaHatte’s “Capacity Building in Post-Earthquake Haiti” (2017, 17-30)). Capacity, and other development discourse, has been critiqued as vague and subjective (see Andrea Cornwall’s “Buzzwords and Fuzzwords” (2007, 471-484),

and Cornwall and Eade's "Deconstructing Development Discourse" (2010, 1-333)). Cornwall argues that development discourse is curated to promise prosperity to developing groups, but "the very taken-for-granted quality of 'development' – and the same might be said of many of the words that are used in development discourse – leaves much of what is actually *done* in its name unquestioned" (2007, 471). That is, buzzwords like capacity, development, and sustainability are abstract and difficult to implement in practice (Cornwall 2007, 472). Further, words like "capacity" are often placed on marginalized groups in the context of increasing their capacity (like in PTFN) but critical examinations of the capacity of governments, consultants, and industry should also be considered. This is significant because it holds powerful groups accountable for their work, specifically when pressure to increase "capacity" involves pressures to include Indigenous worldview, experience, and knowledge. Overall, while I agree that there may be a better term than "capacity" to describe improving one or a group's abilities, I continue to use the term in this thesis because it is the word that my participants used in their discussions with me. That said, I acknowledge that the literature shared above recognizes that capacity is more of a buzzword than a rigorous and well-implemented practice.

PTFN has stated that they are interested in participating in industry-related projects, but that they feel their capacity to do so effectively is hindered by their lack of training and resources. Consultation workers in PTFN are torn between improving their capacity to do meaningful consultation while simultaneously resisting the impacts of development in the area. In this instance, meaningful consultation is one that increases long-term employment while promoting care of important sites over and above extractive projects. Capacity to do meaningful consultation in PTFN is restrained by several factors, including lack of written policy in the form of a consultation manual, limited access to basic office resources like internet and reliable office

equipment, limited use of technical and bureaucratic language by consultation workers, and limited information sharing and transparency with community members. A critical review of these processes is necessary for PTFN to both increase their capacity to effectively participate in the energy sector in Alberta and to do so with more agency than they currently employ.

“Capacity,” in this research context, refers to Indigenous participants’ ability to engage in and respond to energy projects in meaningful ways. Generally, the word “capacity” in the energy sector – similar to the *Dictionary.com* definition – refers to the amount that something, or a group, can produce or retain. Resource extraction can focus on the production value of a project, how many resources can be harvested, or consider the extent to which a project generates energy. For example, to try to determine the capacity of a logging project, one might think about how many trees will be harvested, how much revenue will be generated from this harvest, and what might the potential be to return to this project for future harvests. Interestingly, industry’s engagement with Indigenous groups was described to me in a similar way. Melvin explained, “When industry engages with Indigenous groups, they consider how many community members they will promise to employ, how much this employment will impact the financial success of the project, and what long-term promises have been made to the Nation or group” (fieldnotes 2016). This is also the way that PTFN has understood consultation, at least officially. However, this is a point of contention when thinking about power dynamics in consultation, because it can be assumed that those working with high capacity sustain greater financial benefit from projects than do those who are working with low capacity. I argue that improving capacity in PTFN – as well as calling upon the state to do more to protect rights-holders through consultation processes – can shift power dynamics to create more equitable relationships with industry through working in consultation. This, in turn, creates opportunities for proponent-led Indigenous consultation where First Nations

can form and propose their own projects, including designing the parameters of the projects that work best for them. By increasing Indigenous capacity to participate more effectively in consultation, Indigenous Peoples can insist that consultation is done *with* them, rather than *to* them.

Certain Nations in the area vary in capacity. On the topic of capacity, Joly writes, “there is a big difference in capacity among Indigenous communities in terms of their ability to respond strategically to consultation and development opportunities, with some of the First Nations communities in the Athabasca region having the best capacity” (2017, 17). I will rephrase Joly’s term, “best” capacity to “high” capacity to better match the language used by members in PTFN. So, in the context of PTFN, what does it mean to have high capacity, and does PTFN have it? Provincial and federal governments, and industry workers like my participants Barry and Roger, determine Indigenous participation in resource extraction projects to be successful or unsuccessful based on their perceived capacity to do well for themselves. By this, I mean their ability to maximize benefits financially: for example, by participating in resource extraction projects or by exercising the ability to alter the scope of a project. In response to the question of PTFN’s capacity posed above, I argue that PTFN is functioning at a low capacity. There are several examples to support this claim. First, the responsibility to master industry-related language and technology is placed on the Consultation Staff, but there is little effort in providing the resources to do so. For example, when I asked one Staff member what kind of training was involved in mapping field sites, she answered, “Uhhhhh, I ‘Googled’ ‘how to use GPS’ and my brother did stuff like this and he taught me how” (fieldnotes 2016). At the time of my research, office workers in the Consultation Office articulated areas for improvement in their capacity but were unsure of how to access the tools to make those improvements. Discussions of consultation and capacity included concerns about training and education, specifically about computer

programming, such as how to use Microsoft Word, how to construct an official email or document, and administrative organization. Workers said there was a need for more effective education in consultation policies and how they impact PTFN's own approach to consultation. Concerns about how to hold effective meetings, job sharing (who was responsible for certain tasks), and office hierarchy (who was actually "in charge") were also mentioned. For example, as the Consultation Office is a branch of the larger business of Peerless Trout Enterprises Incorporated (PTEI), the two "sides" of the business often shared opposing views on consultation issues, such as what projects to take on and who would be employed for those projects. Workers stated that they were reassigned roles, fired, or quit, frequently, which also contributed to low capacity, as new workers essentially had to start the learning process over after each new hire.

Other concerns included issues of monitoring -- specifically, who was responsible for monitoring a site in the long-term -- as well as agreeing upon the degree of monitoring a site required, and if that would be sustainable for the Consultation Staff. High employee turnover meant long-term projects might have been neglected. Employment security and censorship were also mentioned. I was told, directly and indirectly, that speaking out or complaining could result in job termination. In addition, some Staff were wary of asking for help too many times, for fear of looking like they were unprepared or unqualified. Finally, inclusive decision-making and transparency were also discussed: specifically, that decisions about projects were made by the Chief and Council, PTEI's CEO, and outside consultants, without either input from the local Consultation Staff or seeking community opinion. Office workers and other people described PTFN's consultation as functioning at a low capacity and that they would like to see their capacity improved.

Before I started fieldwork, my initial contact (formerly of PTEI) suggested that, in return for my clearance to work in the office, I teach the office workers administrative skills, so that they were better equipped to engage in consultation with industry. While reciprocity is an important component to fieldwork (Baker 2016, 109-124), one should not be fooled. I felt that this “ask” was not an appropriate or adequate effort at training staff. Asking a researcher who, in this case performed the tasks equivalent to a summer intern, to teach consultation staff skills to run their office is unsatisfactory management and guidance. In the long term, these micro-solutions to problems significantly contribute to the concerns raised in the previous paragraph. When I arrived at the Consultation Office, it was not long before I witnessed inconveniences that prevented the Office from doing their work. One morning, for example, I arrived to find that the internet had failed. Debbie had already called the internet company, who said it would be about three days before maintenance could address the issue. Debbie said this kind of thing happened all the time: “I get mad because people think I just don’t return their emails, but I don’t even have any internet, so it’s just frustrating” (fieldnotes 2016). In another instance, Rhonda was asked to write a report on a site she had documented some weeks before I arrived. She was reminded in the early days of my fieldwork, then again about a week later, and several more times after that. After another reminder, Rhonda waited for Debbie to leave, then turned to me and whispered, “I don’t know what report she is asking for. I don’t know how to write a report; do I just write down the coordinates of where I was?” (fieldnotes 2016). It wasn’t that Debbie, Rhonda, or others were incapable of doing the work, it was that the required skills to do the work were not taught to them in the first place. Much of the work done in the office was completed on a “best guess” strategy, often with workers frustrated with themselves and their superiors, who demanded a higher quality of work without offering instruction, guidance, or policy as direction.

There is a discrepancy between a more universal definition of capacity as defined near the beginning of this chapter (recall Baser et al. 2008, 3) and what forms of capacity are embodied in local groups, such as in the Consultation Office in PTFN. If experiences in what constitutes high and low capacity differ, then which of these differences are valued and receive further development? Developing new capacities may come with vulnerabilities, such as the admittance of doubt or lack of skill, such as Rhonda's concerns about writing a report, but being vulnerable in an environment that penalizes low capacity can be scary (see Susan Ellison's "Dangerous Capacities" (2017, 73-75)). The theme of transparency, or the lack thereof, emerges as a component to the discussion of capacity and consultation in PTFN.

4.3 "There's a lot more to the Consultation that Happens Behind Closed Doors": Transparency in PTFN Consultation

Demand for transparency, which *Merriam-Webster* (2021) defines as "1) free from pretense or deceit, and 2) characterized by visibility or accessibility of information especially concerning business practices" (para. 1), in politics and policy has been gaining momentum over the last several decades (Meijer 2013, 429; Meijer, Hard, and Worthy 2018). This is because there has been a rise in transparency initiatives and developments in freedom of information legislation across the globe (to read more about transparency and its evolution in government on a global scale, see Alasdair Roberts' (2010), "The Logic of Discipline: Global Capitalism and the Architecture of Government"). PTFN claims transparency to be of value to their Nation: "Peerless Trout First Nation is strong, transparent and accountable" (PTFN 2021). However, one of the critiques made of the Consultation Office by my participants is that there was little transparency regarding which projects were selected and what impacts those projects might have on the community. In one instance, I asked if community members were well-informed about projects that were happening in the community, and a participant replied, "Uhm, depends, I

guess where it's [information] is coming from. If something comes up with the band, hardly anybody knows. Just in your circle and if you happen to be related to certain people" (Candace, interview with author 2016). Some felt that information about energy planning and the consultation process was only shared with a privileged few, but that the greater community of PTFN should have equal access to that information. Transparency, however, is not just about making all information available to everyone, but rather it focuses on making information relevant and accessible (see also Joly and Westman's "Knowledge Mobilization" which discusses information relevancy and accessibility more thoroughly (2017, 29-30)): "Information should be presented in plain and readily comprehensible language and formats appropriate for different stakeholders. It should retain the detail and disaggregation necessary for analysis, evaluation, and participation. Information should be made available in ways appropriate to different audiences" (Transparency and Accountability Initiative 2021). Transparency must also be timely and accurate: "Information should be made available in sufficient time to permit analysis, evaluation and engagement by relevant stakeholders. This means that information needs to be provided while planning as well as during and after the implementation of policies and programmes. Information should be managed so that it is up-to-date, accurate, and complete" (Transparency and Accountability Initiative 2021). The study and application of transparency in politics and policy (see Meijer et al.'s (2018) "Assessing Government Transparency") is important because it is often associated with accountability¹³: specifically, who is accountable to whom and what are they accountable for? In relation to the duty to consult and accommodate, measurable actions to practice transparency might include long-term coordination and

¹³ Accountability [*uh-koun-tuh-bil-i-tee*] the state of being accountable, liable, or answerable. www.dictionary.com 2021.

collaboration on policy development and project design, specifically Indigenous leadership in policy development. As well, I think there can be more pressure on federal systems to be accountable. It is important for PTFN Consultation, and the PTEI company associated with PTFN to be accountable to their community, but this is a micro expression of accountability, generally. A macro expression of accountability, and one that would arguably be more useful for affecting large scale change in consultation policy development in Alberta and Canada would be to put pressure on these governments to demonstrate more strategies that incorporate Indigenous perspectives and planning. As well, to demand accountability through actions like increased training programs and other supports for Indigenous partners.

There are several theoretical relations between transparency and accountability (see Meijer's (2014) chapter "Transparency" in *The Oxford Handbook of Public Accountability*). Here, I use this definition of accountability as, "ensuring that officials in public, private and voluntary sector organizations are answerable for their actions and that there is redress when duties and commitments are not met" (Transparency & Accountability Initiative 2021). I draw on two relations from Meijer's work. One, that transparency facilitates horizontal accountability, "formal relationships within the state itself, whereby one state actor has the formal authority to demand explanations or impose penalties on another" (Meijer 2014; Transparency & Accountability Initiative 2021). This form of accountability allows for state actors to perform internal checks on one another (Transparency & Accountability Initiative 2021). Second, that transparency facilitates vertical accountability, "in which citizens and their associations play direct roles in holding the power to account" (Transparency & Accountability Initiative 2021, Meijer 2014). Formal institutional examples of vertical accountability can be through elections,

but informal examples include protesting, lobbying, and social media (Transparency & Accountability Initiative 2021).

There is a lack of horizontal transparency about consultation processes between Nations. The opening vignette describes a KTC meeting in Peace River. There, I observed an exchange wherein representatives from the five KTC Nations discussed each group's level of expertise and involvement in resource extraction projects in their Nations. It was interesting to observe that each group claimed they were doing remarkably well for their Nation, but no one felt comfortable expanding on their consultation processes or how they implemented their policies. In one instance, a representative from Lubicon Lake Band stated, "We know exactly what we are doing, but we obviously can't give you a step-by-step" (fieldnotes 2016). Such an evasive answer was common with each group stating their Nations success while simultaneously hinting that the key to this success was keeping their processes a secret. Another speaker from Whitefish First Nation stated, "I'd tell you what's what, but I'd like to keep my job thanks" (fieldnotes 2016). This remark hinted that an error in judgment or a misstep in business could result in job loss for consultation workers representing their Nation. Such a level of scrutiny has made it difficult for this meeting's participants to speak freely and openly about how consultation could be improved. This inability to speak candidly about how to do meaningful consultation was particularly frustrating for the PTFN representatives who had come to the meeting hoping to learn more about how other groups navigated consultation processes and to improve how consultation worked at PTFN.

There is a lack of transparency between proponents and the Nations they are consulting. First, there is a lack of transparency between consultation workers, local governments, and industry representatives. So, in this case, vertical transparency does apply here because

proponents are rewarded more power in consultation through policies that favor industry officials, studies that are conducted by corporations, and pre-consultation review boards that are often assembled by provincial governments and include industry workers over members from the First Nation being consulted. Here, a non-Indigenous industry worker participant states:

It [the extent of the consultation] depends on how much involvement that consultation manager wants in the plan, and then I've had meetings with the Chief and Council which is good too, but at the same time they may, you wanna get the feedback from the community as well, because you know the council may say on thing, but the experience I've had is sometimes maybe the community still feels that they may not be representing them. (Barry, interview with author 2016).

There are often several parties involved in consultation within the Nation. This excerpt highlights the fact that there is sometimes a disconnect or miscommunication between the different groups within a Nation. In PTFN, this is certainly the case. Consultation Staff would describe instances where they had given recommendations on a project and the CEO from PTEI, or the Chief and Council would either ignore or change them. This miscommunication often causes frustration, but also, a sense of inadequacy. One of the Consultation Staff members explained to me that she felt nervous and sometimes scared to make choices about projects because what she presented often was undermined or overruled by these other office groups.

Furthermore, there is a lack of transparency about consultation processes from industry and corporations. When asked about transparency in consultation, one industry worker participant stated that,

There's a lot more to the consultation that happens behind doors... I mean there's certain amounts that an oil and gas client won't be transparent... And it's not so much just for Indigenous reasons, but for other oil companies. And I imagine other oil companies play their cards to their – close to their chest, even in consultation, because there's no confidentiality agreement between First Nations and the oil company [this, in general, not correct]. So, if I came up to you, you're First Nations and I'm the oil company, and I said, 'I want to do one-hundred oil sites in your back yard but I don't own land, I'm going to sneak in there and I'm

going to punch a hundred wells and then when the land sale comes up in three months, I'm going to out-bid whoever owns the oil the mineral rights for that area, you good with that?' See, now you have no, I have no reasonable expectation of confidentiality from you that you're not going to run over to whoever owns the mineral rights and go, 'oh that [name omitted] guy, he's gonna drill a hundred wells out the back door! When the land sale comes up you re-buy your mineral rights.' And you just know that I've got some big play and you're gonna put a screw into my plans. So, as far as being totally transparent I would say that there's probably no true transparency. Just because that's the nature of the industry. The oil and gas industry is just basically a giant gamble for the really rich guys who like to gamble. (Roger, interview with author 2016).

This excerpt is particularly concerning for several reasons. First, it diminishes consultation processes to not much more than a flippant “game” between powerful elite where economic benefit to those elite is privileged over all other potential outcomes an energy project could produce. Second, the perspective described in this excerpt does little to consider Indigenous groups or environmental impact.

While I acknowledge that this one participant is not qualified to speak on the behalf of industry in its entirety, his words highlight the perceived lack of transparency between multiple actors or players in the business of consultation at a multitude of levels. If most of consultation “happens behind closed doors,” then there is little reason for these institutions to hold themselves accountable to the public. Groups that exercise the principles of vertical transparency, call for First Nations to hold powerful actors accountable, but often these players are also interested in sharing the stage. For example, Indigenous groups may critique industry but also maintain a vested interest in working with industry, and this can be a delicate place to occupy.

4.4 “You Can Tell Things Want to Grow Back Here”: Sustainability in PTFN Consultation

Sustainability is defined in *Dictionary.com* as either (1) “the ability to be sustained, supported, upheld, or confirmed” or (2) the quality of not being harmful to the environment or depleting natural resources, and thereby supporting long-term ecological balance (2021b, para.

1). The term has been used widely in various scholarly and professional contexts and has a history spanning over three centuries (Brightman and Lewis 2017, 3-5). The term ‘sustainability’ is believed to have originated in Germany, during the enlightenment period, and was first used in a treaty on forestry advocating for systemic reforestation (Brightman and Lewis 2017, 3; see Ulrik Grober’s (2012) work “Sustainability: A Cultural History”). Sustainability is a controversial term and has been critiqued as a politically charged tool used to further pressure victims of progress and development to be more resilient from the negative effects of industry,

Increasingly international bodies, governments, bankers, development organizations, the military and other large corporations support approaches to sustainability in terms of resilience. This move is based on the belief that an ability to ‘bounce back’ after a shock, and return to whatever was the pre-crisis condition, is the best way of enduring into the future. (Brightman and Lewis 2017, 1-3)

This concept of ‘resilience’ has been critiqued because it suggests that victims should learn to cope with their trauma and diverts attention away from the systems that cause that trauma in the first place (see Marc Neocleous’ (2013) “Resisting Resilience”). More recently, sustainability can be defined as, “the process of facilitating conditions for change by building and supporting diversity – ontological, biological, economic, and political diversity” (Brightman and Lewis 2017, 2). Critical ethnographic study of sustainability is important for this thesis because it can be useful to better understand the convergence between economic development, social equity, and environmental protection (see Katherine M. Homeward’s (2017) “Sustainable Development Goals,¹⁴” for an example of critical ethnographic study of sustainability).

In PTFN, the term sustainability was used to refer to employment for community members and to the extent of environmental impact development projects had on the land in the

¹⁴ Sustainable Development Goals (SDG); see United Nations Department of Economic and Social Affairs (n.d.).

area. This included the legitimacy of land reclamation¹⁵ projects, and whether reclamation processes are truly effective in restoring and reclaiming the land after a project is finished. Indeed, there is often tension between oil sand extraction and the promise of land reclamation in northern Alberta (Joly 2020, 139). Land leases continue to expand and can threaten Indigenous groups and the environment in various ways (see Tara Joly’s work on wood bison in her chapter “Urban Buffalo” 2020, 139-159), such as fragmented roads, forestry operations, and open-pit mines (Joly 2020, 139). Additionally, while impact assessments typically include land reclamation strategies, they often ignore Indigenous science, including definitions of land use (Joly 2020, 139). In one instance, Rhonda, Debbie, and I met with a representative from forestry (who later agreed to an interview with me) to determine whether the company had effectively enacted their strategic plan.¹⁶ Rhonda turned to Debbie and me and stated that everything looked “in order” and that she could note several species of vegetation growing, but also that this area made her sad. She said that cut blocks seemed to be getting bigger and that was not something she would like to see (see the British Columbia Ministry of Forests’ (2005) “Evolution of Cut Block Sizes”). She reflected on the sentiment that she would not see the forest restored to what it was in her lifetime and that made this type of work a bit depressing to her. In fact, the forestry representative articulated something similar when he spoke of the feelings that are evoked when walking through a mature forest:

¹⁵ Reclamation [rek-luh-mey-shuhn] the reclaiming of desert, marshy, or submerged areas or other wasteland for cultivation or other use, the process or industry of deriving usable materials from waste, by-products, etc., to bring back to a preferable manner of living (Dictionary.com 2021).

¹⁶ In this case, the strategic plan agreed on a 20year management plan that is revised every ten years. Part of the agreement for this project was that a representative from the company would make a yearly trip to PTFN and visit the site with a consultation worker. The purpose was to answer questions the consultation worker might have about the project; specifically, the timeline and if the flora was healthy and growing at the projected rate (fieldnotes 2016).

I mean as a forester you think well it's a young forest growing back, and I was a silviculturist that looked after planting and reforestation for 15 years. I look at it [a cut block] and I think, oh, there's a nice healthy young forest...But it's not a mature forest which a community member has, obviously has other feelings and ties to it. 'Cause I've heard that even, so Elders are say, quadding back to their trapline and before they quadded through a mature forest and now it's logged...So, yeah, I mean there has been you know, the feeling of walking through a mature forest versus a cut block. (Barry, interview with author 2016)

In the above instance, Rhonda felt confident that the strategic plan to effectively reclaim the area was adequate, but stated that there are many instances in Alberta, and in areas near PTFN, that are not.

The mismanagement of energy and forestry projects can undermine the assurances proponents make to First Nations regarding environmental impact and land reclamation promises. For example, Jennifer Gerbrandt and Clint Westman (2020) study the effects of an oil spill on the Woodland Cree First Nation (WCFN; WCFN 2015) in their work, *When a Pipe Breaks: Monitoring an Emergency Spill in the Oil Sands and Documenting its Erasure of Indigenous Interests in Land*. Gerbrandt and Westman examined a contaminated water spill from 2013 on the nation's traditional territory where traditional land users hunt and fish, and found instances of mismanagement, including failure to identify the correct rights-holders, failure to communicate with the affected Nation, and dismissive and disrespectful attitudes towards community members (Gerbrandt and Westman 2020, 1301). Here, they use the term "erasure" to discuss the systemic dismissal of Indigenous opinion: "Moreover, such events lay bare the erasure of particular Indigenous communities, and their unique local histories, lived experiences, and interactions with landscapes. Erasure here defines a process by which, through governance and development processes, particular Indigenous people are excluded without due consideration of their livelihoods and interests. Critical to such erasure in many cases, as here, is either the exaggeration or the effacement of differences in interests and positionality between Indigenous

groups differentially impacted by a given extractive development or governance process” (Gerbrandt and Westman 2020, 1301). Gerbrandt and Westman also speak to the emotional reaction that changing landscapes can elicit: “We can see aspects here of the complex encounters between Indigenous communities and extractive industry in the region. These have led to feelings of uncertainty and grief as residents contemplate whether they will be able to continue cherished relationships with, and activities in, their territory” (2020, 1307). I am reminded of one of my interviews with an Elder from the PTFN community. We were seated at the kitchen table of his century-old cabin in the bush. He gestured around the room and explained, in Cree (Rhonda translated), that he worried that historical buildings like these would be bulldozed to harvest the trees or to dig “big pits” (referring to oil pits). His tone was very sad, and we paused the interview just to sit in silence for a few moments. Moments like these affirm that emotional reactions to the changing landscapes can cause trauma for Indigenous residents living near or on extraction zones.

Barry’s reflection on mature forests illustrates how the physical changes in landscape (e.g., from cutting down the forest) can alter the ways that Elders experience moving across their land. While walking through the cut block, Rhonda said, “You can tell things want to grow back here” (fieldnotes 2016), referring to the berries growing in the field. I was struck by the way she referred to the berries as “they.” She personified the berries and, in doing so, brought to mind the idea that berries, like people, can be displaced from their home and want to return to it (see Janelle Baker’s work on the sentience of landscapes and specifically, on berries in “Do Berries Listen? Berries as Indicators, Ancestors, and Agents in Canada’s Oil Sands Region” (2020, 273-294)). Such an understanding highlights that even seemingly successful projects like this cut

block still fail to incorporate the nuances that more-than-human experiences of living in a place can contribute.

Largely, this failure is, in part, because even projects who strive to accommodate Indigenous perspectives are often relying on non-Indigenous project designs. Ultimately, there is a tone of “one size fits all,” but the reality is that there is no universal template for projects. Better communication with Indigenous partners, and more time to establish well-informed projects, can improve sustainability work in PTFN: “The packaging of sustainable natural resource management into various forms of expert-led management regimes is not producing the environmentally and socially sustainable outcomes claimed. However, an institutionalized emphasis on technical tools and economic outcomes, and a reluctance among ‘expert’ teams to spend sufficient time getting to know local people, to understand local realities in local peoples’ own terms, means that institutional actors ignore the human consequences of otherwise well-intentioned conservation programmes” (Brightman and Lewis 2017, 7). An important point from this quotation is that technical tools and economic outcomes are emphasised over the local realities of people. I think this tension is present in PTFN as PTEI seems to privilege the accumulation of revenue over and above spiritual understandings of the land. The Consultation Staff seemed in favour of just the opposite: they maintained that, while making money was pleasant, it was the preservation of stories, histories, and sacred spots that were mentioned in discussions about sustainability. Sustainability, as promoted by governments and industry today, still falls short in recognizing Indigenous perspectives, because governments and industry continue to promote notions of resilience in the face of development impact (Brightman and Lewis 2017, 10-11).

4.5 Define Consultation in the Context of Neighboring Nations

There are five Nations that comprise the Kee Tas Kee Now Tribal Council (KTC; KTC 2021). They are Whitefish Lake First Nation #459 (WFLFN; WFLFN n.d.a), Lubicon Lake Band #453 (LLB; LLB n.d.), WCFN #474 (WCFN 2015), Loon River First Nation #476 (LRFN; KTC n.d.), and PTFN #478 (PTFN 2021). The KTC serves as a council to help address issues of mutual concern, including consultation and energy projects: “Through respectful partnerships, empowering our Nations by being a forward thinking exemplary team. Seizing opportunities by facilitating innovative and productive strategies to reach both individual and collectively defined objectives” (KTC 2021). I recall that the PTFN Consultation Staff felt inspired by the KTC’s commitment to forward thinking and were excited because coming together to discuss consultation in the area confirmed that other Nations also felt, at least to some extent, that they shared similar interests in learning more about resource extraction projects. Attending a meeting about consultation with the KTC validated PTFN’s feelings of interest (and inadequacy) in extraction and how other Nations were navigating it. In meetings with other Consultation Offices within KTC, I was able to discuss, to some extent, how other Nations implement consultation. Studying how other Nations implement consultation may help PTFN clarify which projects are important or compelling to them, which should be avoided if possible, and which might otherwise improve their consultation strategies. A local consultation manual lends the power of policy to First Nations that can be useful for refusing or modifying proponent-led projects (see Lloyd, van Nimwegen, and Boyd’s (2005) “Community Power”). I was grateful to be given access to three local consultation manuals while in the field: one each from WFLFN, LRFN, and WCFN.

Each Nation provides introductory statements about the Nation’s people and land (see WFLFN’s “Mission Statement” (n.d.b, 1), the WCFN’s “Introduction” (2011, 1), and LRFN’s

“Background” (2006, 1)). Each manual’s opening remarks detail, to some degree, consultation in the context of that specific Nation: for example, “WFLFN has given the mandate to the Consultation Office to develop an internal consultation process. With the direction of Chief and Council we have developed and implemented a process as to how we view consultation with industry” (n.d.b, 1). WFLFN and LRFN both include a section on consultation staff and responsibilities. For example, LRFN states that the Consultation Office is responsible for “build[ing] and maintain[ing] effective and ongoing relationships with government and industry” (2006, 1). All three manuals include a consultation process section that details how the Nation will assess proposed resource development and land management activities for impacts. For example, LRFN’s section includes a comprehensive 7 step review and assessment process: “It is intended to be used for any type of proposed resource development or land management activity including oil and gas, seismic, forestry, oil sands, metallic and industrial mineral exploration and development, government policy development, integrated land management planning, etc” (2006, 2-3). Finally, the WCFN and LRFN manuals include a section that details anticipated costs for consultation work “to ensure that the Consultation Unit has both the human and operational resources to respond to industry consultation activities the following charges will be applicable” (LRFN 2006, 4). The anticipated costs include the following categories: assessment and processing fees, site assessment fees, translation fees, transportation fees, fees for off-highway vehicles, boat rentals, haul off road vehicles, and fees for an environmental monitor. Additionally, “WFCN does not receive funding for the time and expense involved in meeting and responding to all of the developments proposed by industry. As WCFN has limited resources, proponents are required to pay all costs associated with consultation” (WCFN 2011, 4). Although each manual varies in some degree as to the content of their respective manuals, all three speak to how their Nation interprets

the role of the Consultation Office, the responsibilities of the office, and the consultation process, and WCFN and LRFN also include sections on cost for consultation services. My recommendations for PTFN include incorporating and expanding on these sections, and including sections on, respectively, what it is like to live in the Nation and the history and future of consultation in the Nation.

4.5.1 Recommendations for a Peerless Trout First Nation Consultation Manual

PTFN may use these working definitions of capacity, transparency, and sustainability to build a consultation manual that responds to oppressive and dismissive management regimes and institutional actors (as Brightman and Lewis put it, 2017, 7). It appears that the goal of consultation in PTFN is to pursue economic development and preserve important sites. Thus, incorporating policies that improve capacity, create a degree of transparency, and incorporates sustainable policies for project design and plans, PTFN will be able to better implement consultation in the Nation. The following are recommendations for PTFN if they are interested in building their own consultation manual.

A PTFN consultation manual should include an introduction that includes information about the area, including local flora, fauna, and history, as LRFN did in their manual. This section could include testimonies of what it is like to live in the area. This should be followed by a mission statement that illustrates the goals and dedications of the Consultation Office. Consultation history should be provided to share information about previous projects the office has participated in. Ideas around future consultation should also be provided to share information about the kinds of projects – such as oil and forestry -- the Consultation Office would like to participate in. The manual should introduce Consultation Unit Staff and share the roles and responsibilities that they have, as well as provide recent contact information. The manual should

be updated as the following positions change: Chief & Council, Consultation Coordinator, Consultation Officer, field monitors, traditional land users like Elders and trappers (note that while other First Nations like LRFN do this in their manual, this may present privacy concerns for PTFN), and industry. The manual should include internal review and assessment processes that give the detailed steps the Consultation Office will follow as they review and assess a project. This section should include the types of development the Nation is interested in and how involved in the project planning they would prefer to be. My recommendation is that the Consultation Office demands to be involved in planning prior to surveying and in the application writing processes. A section should be included on “When to Consult the Nation,” and this section should include directions for proponents to follow as they develop their project proposals. PTFN should clearly identify the geographical area in which the Nation practices treaty rights and traditional land use activities. Additionally, they should demand to be consulted on any resource development, regardless of the potential impact a project may have. Any impact-benefit agreements should be negotiated and should guarantee that a percentage of available employment is allocated to PTFN community members: that funding from the project be provided to non-industry related development, such as the building of community spaces, education programs, or community planning, and that all costs for a project be paid before development begins. Finally, the consultation manual should include estimations of cost recovery for consultation activities.

The following is a vignette informed by my revised fieldnotes.

After the meeting with the other Nations, Rhonda and I went for a walk into the bush. After about half an hour of stepping over muskeg and ducking under sagging branches, she asked, “Did you learn today?” Rhonda asked me this question frequently throughout my time in PTFN. I said that I did, and it was true. I had learned that despite consultation being discussed in length and between many people working in various Consultation Offices, it was not an easy concept to define. Following the consultation meeting with the other Nations, I was not necessarily closer to

understanding how consultation in PTFN was implemented. Rhonda and I spent the rest of the day mapping out a traditional hunting site and I reflected on the thought that, though Rhonda knew perfectly well where we were, I had no idea other than to say that we were deep in the forest.

5. CONCLUSION: RECOMMENDATIONS AND CONCLUDING REMARKS

5.1 Conclusion and Key Findings

The following excerpt is informed by my revised fieldnotes.

The sun is resting low in the sky, the air is fresh, you can tell summer is around the corner. The Athabasca River is steady and makes for a beautiful view. We are gathered in a large circle on the riverbank. It is the last afternoon of a three-day long conference about energy in Northern Alberta. I have met a lot of new people and heard a lot of perspectives about resource extraction, treaty, concerns, and Indigenous futures. My supervisor, Dr. Westman, addresses the group, thanking them for their time and contributions. His goal is to establish strong connections here, to create a group of experts, from various backgrounds, to come together to help one another in their endeavours. Elder Mike Beaver is next to speak, and he asks each of us to remark on what we have learned so far and how we think we can contribute. I'm nervous for my turn. How can I contribute? Instinctively, I think of my research and how it will inform existing literature on the Anthropology of Oil. I don't yet know how to connect my studies to the applied aspects of research. I have barely begun my fieldwork and have yet to conduct a single interview. I think of the summer ahead of me, of the conversations about energy that I hope to have. What will be the result of these conversations? Will my work be as impactful as I intend it to be? I have no idea.

My name is called, I am next to speak. I introduce myself and I include who I am and how I came to be a part of organizing this meeting. As I work through my credentials, my relationship to Dr. Westman, and what I'm hoping to do this summer, a loud echoing sound penetrates my words. It is coming from across the lake. I notice it immediately. It is a long, haunting call. The tone is clear and purposeful. It is getting louder and louder, drowning out my introduction. I stop talking, the people around me smile and share a laugh, we all sit and listen to the call. When it finishes, Elder Mike turns to me and smiles. He says that the sound comes from a loon, and that what just happened was a blessing. I am comforted by this thought. This work is important.

This thesis documents important political, economic, and social processes and offers scholarly documentation on significant issues concerning PTFN today. Not only does this kind of research offer more information on resource development and Indigenous Peoples in prairie provinces, it creates stronger academic platforms for better understanding. Work like this can be used as a tool to build relationships between scholars at the University of Saskatchewan, PTFN, and the Nation's surrounding area, which is important for students who wish to continue to write about these interactions in the future. My research contributes to political ecological theory by analysing developments that significantly transform local environments in PTFN. Examining

how Indigenous groups react to living near and interacting with extraction zones in the area is a critical aspect to political ecology because it questions the outcomes that development processes have on PTFN's environment and community members. In addition to theoretical analysis, this work provides insights on ethnography and other important anthropological methodologies. I hope my experiences inspire others to explore anthropology as a viable and important way to learn about our world. My intention is that my thesis will be a source of shared information that will be available to residents of this region and to others hoping to conduct more research on the topics of energy extraction and consultation policy in Alberta.

PTFN is dedicated to strengthening and supporting the people who live there. Robust programming, community activity, and interest in economic prosperity are primary directions for the Nation (see "Mission Statement" and "Our Vision" in PTFN 2021). This is a community interested in building up young people, developing infrastructure, and creating activities that foster community among residents. Economic endeavours are important too, and include energy projects through the Consultation Office in PTFN. Typically, these refer to oil and gas extraction projects, but the Nation is also interested in forestry, gravesite revitalization, and tourism. The Consultation Office is an arm of their larger business development corporation, PTEI, which can cause issues in management and communication. In some instances, greater emphasis is placed on increasing economic development from those working for PTEI, while those in the Consultation Office at the time of this research were more interested in the preservation of cultural, historical, and spiritual sites. Sometimes, it can be difficult to merge these two aspects of consultation.

While the Nation maintains a vested interest in energy, there are several areas of concern regarding the consultation work in PTFN today. They are as follows: problematic and

underdeveloped consultation policy and practices; limited capacity for technical and bureaucratic communication, based on relatively low education and training levels in this area; limited capacity for administrative and consultation work-specific skill; and limited information sharing and transparency. There are also questions over what it means to be sustainable and work in energy planning in PTFN. I have found that the Guide does not adequately include Indigenous voices or perspectives. I believe, strongly, that this has weakened consultation work in the province. The local consultation workers in PTFN -- who, to my knowledge, have yet to create consultation policy in the form of a manual for workers to use in their planning and processes -- are also only minimally implementing consultation procedures. While I maintain that a lack of local consultation policies weakens consultation in PTFN, this may be an exciting opportunity for PTFN members to assert their voices and perspectives into a document that directly impacts their Nation. A more proactive approach to consultation and development could include the Nation as developers in projects that strengthen Indigenous agency and autonomy in this type of work. Thus, this thesis concludes with several recommendations for the Nation and their consultation work, followed by identifying areas for further research.

5.2 Recommendations for PTFN

It has been my great privilege to study the consultation process in PTFN. I have observed how consultation policy is implemented in the Nation, and I have made several critiques. It is my intention to critique the consultation process and policy, not the people. With that, I have several recommendations that I intend to improve consultation policy implementation in PTFN in the future. First, I suggest that the Nation develops a local consultation manual for PTFN that is representative of the type of consultation work the Nation is pursuing. For example, a PTFN consultation manual should include the development interests, such as forestry projects, tourism,

and gravesite revitalization, that were prioritized during my time in the field. The manual should include policies for when to be consulted and notified, as well as strategic plans for monitoring and reclamation, to improve industry-to-Nation interactions. I believe, strongly, that the Nation should demand consultation on all proponent-led projects, regardless of if pre-consultation requirements, as outlined in the Guide, deem it necessary.

I encourage the Nation to continue to work towards defining what consultation means to them. In Chapter Four, I illustrated that there are many contributing definitions to what consultation is and many contributing voices. I think this is positive; however, as the Nation remains committed to accepting industry-related projects, it is critical to stabilize that definition in the contexts of both the Consultation Office and the greater culture of PTFN community. This includes, specifically, identifying what outcomes PTFN would like to see for the Consultation Office, the community, and the environment; being critical of the consultation process and reassessing the process frequently; and appreciating the ability to define and redefine how consultation works for PTFN.

There are many ways to play with that definition. Three examples follow: (1) Create a mandatory consultation workshop that educates industry workers, government officials, or other proponents about the values and history of the area and asking that they complete it before development projects begin. (2) Articulate that Consultation Staff require additional training in related fields such as administrative language and skills (Microsoft Word, Writing Workshops, and Leadership training) and ensure this type of training is ongoing for all staff. (3) Finally, improve communication with community members in PTFN. Community members want to be informed of industry activity and should have opportunities to question the Consultation Office and PTEI about the projects that impact the community.

5.3 Areas for Further Research.

There are still many areas of inquiry that are useful in the trifold study of consultation, energy, and Indigenous peoples. It is important to continue anthropological and scholarly research in Alberta so that issues concerning Indigenous groups and extraction can be better understood. Dr. Westman, along with others, have made extensive studies of the impacts, benefits, and participatory processes in the oil sands industry in Alberta. This includes research with government, industry, and Nations in the area around PTFN. Further study of how consultation is at work, more generally, in the KTC Nations would be compelling research for consultation in this region.

Considering my own research, areas for further study in PTFN, specifically, follow. Although this thesis documents consultation processes and policies in Alberta and PTFN at length, more research in the area will be of benefit. I was able to work with key players in PTFN consultation, and this was important for framing how consultation is defined and implemented in the Nation; however, including more diverse voices in this definition would be useful. Interviewing young people, men, and women who work in and out of the Consultation Office would contribute to a more robust discussion on the transition from interest in oil and gas extraction to other types of projects in the Nation. Interviewing local government leaders such as the Chief and Council Members would also be useful. Consultation in PTFN is impacted in various ways by who is in leadership, and I regret not having access to those voices in my own research. As well, I only minimally reference environmental impact and social impact assessments in this thesis, because they were hardly discussed in my interactions with PTFN members, but it would be interesting to learn more about how these assessments improve or impede consultation in PTFN.

It would be interesting to observe how consultation might be implemented if the Nation develops and enacts transparent consultation policies for work in their area, as well as if and how specific PTFN consultation policies impact the success of projects. It would also be interesting to study a comparison of PTFN consultation policy documents with other Nations in the area.

Research into consultation and projects in PTFN, other Nations in the KTC, and still further across Alberta and Canada is necessary for formulating comprehensive and holistic understandings of how traditional land users interact with and are impacted by energy extraction.

The following is informed by my revised post-fieldnotes.

I am walking through an art gallery in Saskatoon. I have completed my fieldwork in PTFN and have spent the past while turning my data into chapters for my thesis. Writing is an overwhelming experience. So, I come to this gallery to relax my mind and allow me to think about my work as an experience rather than as data. I think this is important. It's helpful to take a step back and look at your work more widely. I laugh as I remember the meeting in Athabasca and recall the question Elder Mike asked of us: how can we contribute? Now, after fieldwork, months of transcription, coding, and writing, the answer to this question is as perplexing as ever. I think about the Consultation Office I worked in and about the people I met. They have told me they are concerned for PTFN, for the future of their community and for the impact extraction and development will have on the environment. They have also told me that they are excited to engage in energy projects but insist on more equitable partnerships with government and industry. Consultation and the duty to consult must incorporate Indigenous worldviews and experiences. Manuals and other policy documents need to reflect the values of the Indigenous groups using them. Legislation must protect the rights of Indigenous groups by legitimizing Indigenous autonomy and agency in matters of extraction and development. Energy development is in flux; multiple voices play significant roles in the shaping and re-shaping of this industry. Indigenous and non-Indigenous participants must engage in equitable conversations so that these projects maximize benefits for the communities affected by them. This thesis plays a small role in working towards this goal.

I am walking through the exhibits, looking at the paintings and sculptures, thinking about all of this when a piece along the back wall catches my eye. I am transported to that place along the Athabasca riverbank. I see the glittering blue of the river, I feel the sun on my face, I smell the freshness in the air, and I hear the call of the loon. What can I contribute? The script on the wall reads:

From a nearby lake comes a call of a loon. The single, lonesome wail rises and falls, coming through the night, travelling far and clear, carried by the water. The call is followed by another and is the opening that gives way to a chorus of call and response. "I am here." "Where are you?" "I am here."

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This document is an appendix from my larger thesis work in environmental anthropology. It supports several important points in my thesis and is intended as a plain language document for those who are not able to commit to reading the thesis in its entirety.

For context, I will provide a summary of my thesis work. For 14 weeks, from May 8th to August 15th of 2015, I lived and conducted research in Peerless Trout First Nation (PTFN). I spent time working with Peerless Trout Enterprises Inc., in the Consultation Office. It was during this time that I learned more about how consultation is implemented in PTFN and heard about the different ways it could be improved. These came from every-day conversations with people coming in and out of the office, and from my formal interviews with PTFN community members. The following points are based on these conversations and my other research methods. For this work, I use ethnographic research methods and a political ecological framework to study how Indigenous culture and traditional use of the land is affected by resource development in northern Alberta. My key findings indicate that PTFN remains committed to engaging in industry related projects while highly attuned to the negative social and environmental impacts resource extraction creates. Consultation efforts in PTFN are hampered by several factors including problematic consultation policies and practices on the part of Alberta, industry, and to some extent, PTFN itself. Consultation staff may have limited knowledge of the technical and bureaucratic language used in office and administrative work. There is limited information sharing between Consultation Staff and inadequate transparency from the Consultation Office to the community about projects. A critical review of these processes is necessary for PTFN to move forward in their efforts to effectively participate in the energy sector in Alberta. I offer tangible suggestions to address these critiques.

I acknowledge that I am an outsider and was privileged to be a guest in the community. While I believe these suggestions to be useful, they are not set in stone. They can be adapted to fit the needs of the Consultation Office and/or not be implemented if that better suits how consultation works in PTFN today.

Recommendations for a PTFN Consultation Manual

- Develop a local consultation manual for PTFN that is representative of the type of consultation work of interest. It should include policies for when to be consulted, notified, and strategic plans for monitoring and reclamation to improve industry-to-Nation interactions.
- Continue to work towards defining what consultation means in PTFN and what outcomes PTFN would like to see for the Consultation Office, the community, and

the environment. Be critical of the provincial consultation process and appreciate the ability to define and redefine how consultation works for PTFN.

- Create a mandatory consultation workshop that educates industry workers, government officials, and proponents about the values and history of areas and require that they complete it before development projects begin.
- Obtain additional training in related fields such as administrative language and skills (Microsoft Word, Writing Workshops, and Leadership training) for Consultation Workers.
- Improve communication between Consultation Workers and PTFN community members. Community members want to be informed of industrial activity. Consultation Offices can practice accountability by holding industry agents accountable for project decisions made that impact the community.
- An ongoing connection to community-based research, such as working further with students led by Prof. Clint Westman at the University of Saskatchewan, may assist in implementing some of these recommendations. Prof. Westman and/or I are also able to visit the community to discuss the recommendations further as required.