

# **AN EVALUATION OF THE EFFECTIVENESS OF FIRST NATIONS PARTICIPATION IN THE DEVELOPMENT OF LAND-USE PLANS IN THE YUKON**

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## **Abstract / Résumé**

This paper examines the evaluation of Aboriginal involvement in planning at the regional and sub-regional scale. It reviews participation in planning in the Yukon over several years by examining Aboriginal perspectives on land and environment in six completed plans. A new paradigm for planning may well emerge in which Aboriginal aspirations and perspectives are not subsumed under conventional western planning mores and methodologies.

L'article examine l'évaluation du rôle des Autochtones dans la planification à l'échelle régionale et sous-régionale. Il fait un compte-rendu du rôle dans la planification dans le Yukon pendant plusieurs années, à travers un examen des perspectives autochtones sur la terre et sur l'environnement dans six projets terminés. Il se peut qu'un nouveau paradigme sur la planification apparaisse dans lequel les aspirations et les perspectives des Autochtones ne sont pas perdues dans les mouvements et méthodologies des planifications conventionnelles de l'Ouest.

The incorporation of traditional knowledge into formal land and resource management strategies has only recently emerged as a major issue (Freeman and Ludwig, 1988:5). Over the past fifteen years comprehensive land claim agreements, the emergence of Native self-government, and the acceptance by Federal agencies of the reality that resource management in the north cannot be effectively facilitated without Native involvement have been factors leading to increased First Nations involvement in land-planning processes. The realization that Indigenous knowledge has a wide range of applications to land and resource management (Hobson, 1992:2) and the recognition of an apparent philosophical alignment between Indigenous views of the world and the contemporary environmental movement (Knudson and Suzuki, 1993) further legitimised First Nations as major stake-holders in northern planning processes. But whether First Nations involvement is valid public participation characterised as

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

or merely a way of obtaining acquiescence through involvement is debatable. And while the sentiment to incorporate Native participation in land and resource planning is apparently strong there is little critical evaluation of any success in integrating Native people into planning processes. Gallagher has observed that

There is a basic need to understand how well native people have been involved to date. This research should determine to what extent they have participated and have been successful at conveying their concerns to the planners. More specifically, this research could determine if some native people and some agency programs have been more successful than others (Gallagher, 1988:97).

This paper examines the problem of evaluating First Nations involvement in planning at the regional and sub-regional scale, and reviews Native participation in planning in the Yukon over the past six years through a review of the use of First Nation perspectives on land and environment in six different plans.

In the Yukon, a recognition of the importance of Native participation in planning was reflected in two separate papers, *Yukon Economic Strategy: Yukon 2000* and *Yukon Conservation Strategy: For Our Common Future*, the latter calling for

using traditional knowledge and expertise in developing policies on renewable resource and managing development activities (Yukon Territorial Government, 1990:7).

*The Yukon Environment Act, The Northern Land Use Planning Policy, and the Development Assessment Process* all echoed this theme, with the *Yukon Land Claim Agreement* defining a planning structure designed

to utilize the knowledge and experience of the Yukon Indian people in order to achieve effective land use planning (Government of Canada, 1993:93).

Although the detailed format of planning processes can vary considerably, two generic components largely determine the ability to incorporate perspectives of affected populations. These are the presence or absence of formal opportunities for community input at various stages of plan development, and the types of information incorporated into a plan. While the formal planning structures describe a process for developing a plan, land-use information is the substance that is evaluated in producing a document proposing future courses of action. Base information establishes the starting point and describes the context; information about current land and environmental concerns outlines the issues; the manipulation and projection of land and environmental information describes the futures, and from this a course of action emerges. Thus the nature and quality of information plays a central role in any good plan. The incorporation of Traditional Environmental Knowledge (TEK) in planning processes assumes particular importance for northern Native people because it describes the world through their eyes while utilising their values, conveying what is important to them about the land they inhabit (Akhtar, 1992; Arima, 1976; Bielawski, 1992; Cruikshank, 1984; Davis, 1993; Freeman and Cartyn, 1988; Johnson, 1992). It is also important because there is a considerable paucity of formal local-scale environmental land-use information in the north, yet detailed local knowledge can make a substantial contribution to filling the information gap. Such knowledge can identify patterns of interdependence and provide valuable insights into local ecological relationships. The use of TEK in planning is symbolic of a powershift in northern decision making. In the past information used by government agencies has been criticised for being quantified or scientific or being at such a gross scale that it had little relevance for local concerns or conditions. Changing the message (information) by incorporating TEK into planning processes may change the outcome and have beneficial local consequences.

Participation in planning can range from nominal (for example, being consulted or informed through public meetings) to highly formal (such as

sitting on planning commissions or steering committees or serving as part of a technical planning team). Where the importance of First Nations in planning has been formally recognised in the north, their involvement has often been given special status over and above that generally extended to the public elsewhere. This is predicated on the argument that the historic exclusion of First Nations from planning processes has been detrimental to their land base and well-being, and is a recognition of the reality that in most northern areas they are the majority population with a legal claim to land for which planning takes place. Consequently they may be guaranteed seats on steering committees and commissions and given technical roles in the physical preparation of plans through the provisions of land-claim agreements. On paper, at least, this is far more than traditional "public-participation" in planning and is not without controversy, appearing as the appropriation of power to a special interest group at the expense of the rest of society.

The six land use plans and resource management projects reviewed are drawn from a range of regions and regulatory environments in the Yukon Territory. The *Dawson to Callison Local Area Plan* (IMC Consulting, 1990) is a sub-regional plan in the lower Klondike valley commissioned by the Yukon Territorial Government Lands Branch and carried out in 1990 by IMC Consulting Group. The plan was intended to

assess current land uses within the planning area, identify issues and concerns regarding orderly development within the planning area, and...complete a comprehensive land use plan... which recognizes and attempts to rationalize current and future land use patterns (IMC Consulting Group, 1990:1.2).

The *Dempster Highway Corridor Interpretive Strategy* (Yukon Territorial Government, 1989) was developed to provide a framework for interpreting the natural, human and cultural heritage of the Dempster Highway Corridor in the northern Yukon. The strategy was prepared by a number of consulting firms for the Department of Tourism in March 1989. It involved the participation on the Technical Study Team of numerous Native groups drawn from the study area.

*Fort Selkirk Management Plan* (Peepre and Associates, 1990a) is essentially a site management plan prepared by J.S. Peepre and Associates in March of 1990 for the Heritage Branch of the Yukon Department of Tourism, and the Selkirk First Nation. Fort Selkirk was formerly the community site for Selkirk First Nation, and the First Nation has a strong cultural attachment to the location. The plan's purpose was to preserve, protect and develop Fort Selkirk as a living cultural heritage site.

Completed in August of 1991 under the auspices of the Federal Government's Northern Land Planning initiative the *Greater Kluane Regional Land Use Plan* was a joint Federal, Territorial Government venture. It is a major regional plan for an area encompassing some 45,000 sq. kms. of southwest Yukon. The plan describes the ways in which the land is used, identifying current and possible future land use problems (Yukon Territorial Government, 1991:1).

The *Revised Carcross Caribou Herd Draft Recovery Plan* was initiated by members of the Carcross/Tagish First Nation out of concerns about the health of the herd. A working group was formed consisting of local residents and government resource managers with a mandate to provide community-based management recommendations (Quock, Smith, and Farnell, 1993:1). The area covered encompasses much of the south-central Yukon. Members of the Ta'an Kwach'an Council and the Council for Yukon Indians were involved with the Steering Committee for this plan.

Prepared by Peepre and Associates in 1990b, the *Yukon River: Thirty Mile Section, Heritage River Management Plan* identified its goals as being to

Protect the outstanding landscape, natural features, and cultural resources of the Thirty Mile Section of the Yukon River, and provide a high quality recreational and educational experience in a Canadian Heritage River setting (J.S. Peepre and Associates, 1990b:11).

This section of the Yukon River Valley contains a number of Indian settlement sites which were inhabited until well into the 20th century. It played, and continues to play, an important role in Indigenous culture and economy.

In detail the purpose, scope and scale of the land-use plans or management regimes varies widely, but three things are common to their operation. These are control (the way the process is initiated and directed), participation\consultation (the manner in which people affected by the plan are consulted), and the nature and quality of the information on which the plan is based. The planning processes acknowledge and accommodate varying degrees of formal involvement by First Nations. To varying extents the terms of reference for the plans identify conservation, cultural values, land-use concerns and land-use patterns as central interests. As the most extensive land-users, with an economy and culture inextricably dependent on the maintenance of environmental quality, First Nations have a strong vested interest in these interests and thus the outcome of any planning processes.

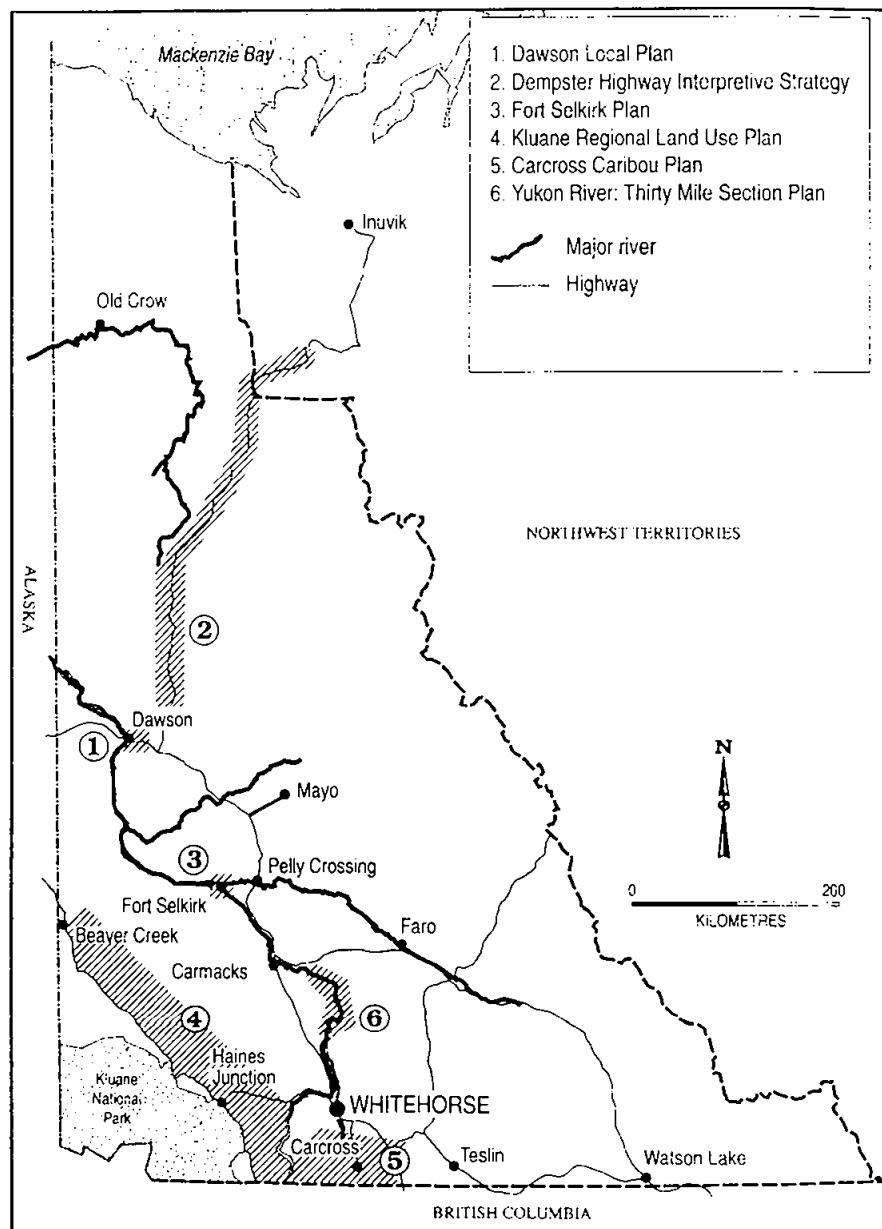


Figure 1: Plans Reviewed in Study

## Evaluating Native Participation

First Nations involvement in planning was evaluated through identification of the nominal formal role First Nations played in planning processes and through content analysis of planning documents to establish the extent to which content reflected First Nations perspectives on land and environment. Initially generic "steps" in participation in planning processes were identified, that is, levels of involvement that could be seen to be common to any structured planning process in an open society. At the lowest level this takes the form of participation in public meetings or public consultation.

*Comment* refers to a stage in the process whereby a particular group is provided with an initial planning document or work in progress and invited to make suggestions (which may not be accepted) for modifications.

*Technical Support* consists of active involvement in a planning process in providing and processing hard organised information (maps, environmental information, attitudinal information). *Steering* refers to the formal role a group may have through representation on a body that directs the broad direction of plan preparation. Finally commissioning refers to a major, if not absolute, formal role in developing terms of reference for a plan, guiding the planning process and ensuring compliance. The nominal roles that First Nations had in each planning process are outlined in Table 1 without comment.

The preceding description indicates apparent opportunities to participate at various levels in plan preparation. As Arenstein (1969) indicated, participation does not necessarily equate with real power, and description of participatory frameworks merely identifies apparent or nominal opportunities to influence events. A number of approaches were considered to assess the extent to which First Nations had real power in the planning processes. An obvious one was to ask participants about their power and how they affected outcomes. Yet another was to ask which planning processes they are aware of and which could be deemed successful. Both approaches involve questionnaire work in a politically charged atmosphere in which objectivity is usually the first victim.

An alternate approach is to let the plans speak for themselves, analyzing them to establish the extent to which Indigenous perspectives on land and environment are reflected in content. While opportunities to participate certainly increased the chance that First Nations perspectives on land and environment would be accommodated, the only real proof of such accommodation occurs when hard tangible information appears in completed plans, used substantively to describe local geography, land-use practices or problems or as a basis for recommendations. Evaluation of the extent to

**Table 1: The Role of First Nations in Planning Processes**

Plan	First Nation Organization	Role of First Nation	General Role <sup>1</sup>
Dawson Local Plan	Dawson First Nation	Member of Steering Committee	Steering
Dempster Highway Interpretive Strategy	CYI, Old Crow, Ft. McPherson, Arctic Red River, Na Cho Nyakdun Band, Dawson Indian Band, Akavik Band, Inuvik Band, Mackenzie Delta Tribal Council, Inuvialuit Regional Council	Member of Technical Study Team, Comments On Plan	Technical Support Comment
Fort Selkirk Plan	Selkirk First Nation	Member of Steering Committee	Steering Comment
Kluane Regional Land Use Plan	Kluane First Nation, Champagne/Aishihik First Nation, White River First Nation, CYI	Member of Policy Advisory Committee, Member of Planning Commission Community Based Planner	Commissioning Technical Support Comment
Carcross Caribou Plan	Camross/Tagish First Nation, CYI, Kwanlin Dun First Nation, Teslin Tlingit Council, Champagne/Aishihik First Nation	Initiator of Plan, Member of Carcross-Tagish Caribou Working Group, Writer of Plan	Commissioning Technical Support
Yukon River: Thirty Mile Section Plan	Ta'an Kwach'an Council, CYI	Plan Sponsor, Member of Steering Committee	Steering

1 See text for explanation of terms

which information was used was accomplished by comparing potential use of Indigenous land-use information in each plan to actual use.

Major components of each plan were identified (Table 2) and then were reviewed to establish to what extent use of Indigenous information about land and environment would be appropriate and feasible. Such information includes land-use practices, significance of places, wildlife habitats, wildlife population dynamics, changes in land and environment over time, traditional economy, and impact of economic activity on environmental quality. The content of the appropriate sections was then analyzed to identify the extent to which Indigenous knowledge or information was used (Table 3). Essentially three possible outcomes were identified. Native knowledge was not used in sections where its use was appropriate; knowledge was used and its application was highly congruent with the requirements of that section of the plan; knowledge was used, but application was considerably below potential.

Only one plan (*Dawson-Callison*) contained no Native information. In all other plans traditional environmental knowledge was utilised to some extent as background information to describe historical Native use, culture, and importance, and was transcribed in the form of maps or discourses on various aspects of local geography. The Indian toponomy of the Kluane region is an example of this. Other maps utilising Native knowledge to depict culturally significant sites were found in the Dempster Highway Corridor *Interpretive Strategy*, the *Fort Selkirk Management Plan*, and the *Yukon River Thirty Mile Management Plan*. The *Revised Carcross Caribou Herd Draft Recovery Plan* contained considerable significant Native information on wildlife, with local Native hunting knowledge being used to describe the past and present status of the herd, and to suggest methods of herd recovery. Table 3 indicates that with the exception of Carcross, no plan had complete congruence between possible or appropriate use of traditional environmental knowledge and actual use of such. However, where there are notable discrepancies in the Selkirk and Thirty Mile plans, they are in sections where "hard" information would perhaps be difficult to utilize.

Levels of participation, measured in terms of the formal opportunities for participation, are matched in Figure 2 with the extent to which First Nations information is apparent in each of the plans. Plans in which the use of First Nations information was maximised fall on the right hand side of the diagram and the more successful planning processes from the standpoint of both First Nations participation and use of information fall towards the upper right. For three of the plans (*Thirty Mile*, the *Fort Selkirk Management Plan*, and the *Carcross Caribou Herd Draft Recovery Plan*) First Nations maximised the opportunities with which they were presented. The analysis

**Table 2: Potential and Actual Use of First Nations' Knowledge Within Each Major Plan Section**

Dawson Local Plan	Potential Use of First Nation Land Use Information	Actual Use of First Nation Land Use Information
Introduction	Background Information on Region	None
Planning Issues	Identify Native Issues, Describe Impacts on Wildlife Habitat	None
Natural Features	Describe Natural Features and Sensitive Wildlife Areas	None
Man-Made Features	Describe Significance of Land Claim Selections	None
Land Use Demands	First Nations Land Needs	None
Planning Principles	None	
Study Recommendations	None	

Dempster Highway Interpretive Strategy	Potential Use of First Nation Land Use Information	Actual Use of First Nation Land Use Information
Introduction	Background Information, Description of Region and Area Importance	None
Audience Evaluation	None	
Interpretive Inventory	Describe Importance and Use of Special Features. Wildlife. Vegetation. Cultural Heritage and History	Cultural Heritage and History. Oral Histories (Traditions)
Interpretive Strategy	First Nation Use Within Interpretive Strategy	First Nation Use Within Interpretive Strategy
Audience Profile	None	

<b>Fort Selkirk Plan</b>	<b>Potential Use of First Nation Land Use Information</b>	<b>Actual Use of First Nation Land Use Information</b>
Introduction	Outline Regional Context	Outline Region Importance and Context
Heritage Themes	Background Information, Use as Part of Themes	Background Information, Use as Part of Themes
Setting and Site Resources	Describe Heritage Importance, Way of Life, Resource Use	Describe Heritage Importance, Way of Life, Resource Use
Tourism	None	
Visitor Services	None	
Interpretation and Information	None	
Management Areas and Guidelines	Identify Specific Management Areas Within Site	None
Heritage Resources Protection	Describe Present Conditions of Heritage Resources	None
Administration	None	
Impact of Development	None	

Kluane Regional Land Use Plan	Potential Use of First Nation Land Use Information	Actual Use of First Nation Land Use Information
Introduction	Describe Native Use of Region	Nominal
Natural Environment	Describe Natural Environment and Resources	Nominal
Human History	Outline Native History of Region	Outline Native History of Region
Land and Resource Use	Describe Present Use of Land and Resources	None
Future	None	
Heritage	Describe Heritage Background	Describe Heritage Background, Show Heritage Through Name Map
Settlement and Cottaging	Identify Past and Present Native Settlements	Partial
Transport Communication	Map Native Trails and Travel Routes and their Conditions	Partial
Energy	Describe Impacts of Development on Aishihik Lakes	None
Water Resources	None	
Subsistence	Outline How Much Subsistence is Depended Upon	Nominal
Wildlife Resources	Describe Use and Condition of Wildlife	Describe Condition of Caribou
Fish Ressources	Outline Native Use of Fish, Traditional Fishing Areas and Fish Stock Status	Traditional Native Fishing Areas
Forest Resources	Tradition Values and Uses	None
Agriculture	None	
Grazing	None	
Outdoor Rec and Tourism	None	
Mining	Describe the Environmental Impacts of Mining	None
Approval and Implementation	None	

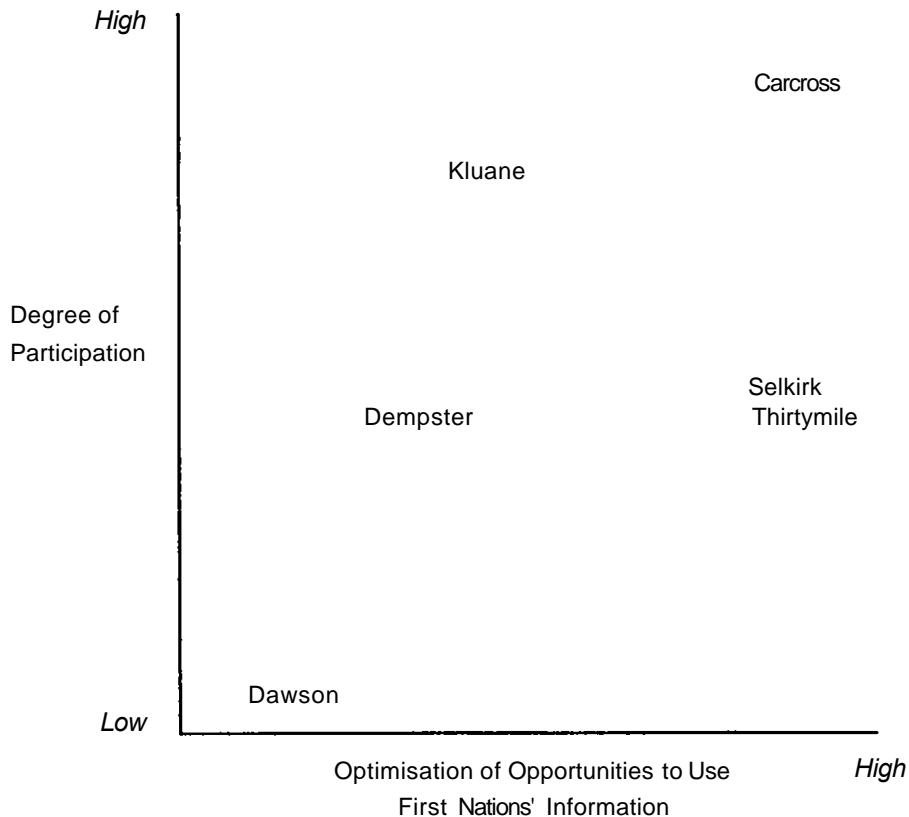
<b>Yukon River: Thirty Mile Section Plan</b>	<b>Potential Use of First Nation Land Use Information</b>	<b>Actual Use of First National Land Use Information</b>
Background Information	Describe Native Use, Heritage, Outline Important Issues	Describe Native Use, Heritage, Outline Important Issues
Goals and Objectives	Outline Important Issues	None
Management Approach	None	
Management Areas	Identify Important Areas for Management	None
Management Actions	None	
Cultural Heritage	Describe Cultural Importance, Map Trails, Routes and Place Names	Map Trails, Routes and Place Names
Visitor Use	None	
Services	None	
Information and Interpretation	Outline Oral Traditions, Cultural Importance	Outline Oral Traditions, Cultural Importance
Administration	None	
Impacts of Development	Describe Possible Impacts on Resources	None
Framework	None	
Carcross Caribou Plan	Potential Use of First Nation Land Use Information	Actual Use of First Nation Land Use Information
Introduction	Describe Problem and History of Problem	Describe Problem and History of Problem
History	Outline Past Use and Status of Herd	Outline Past Use and Status of Herd
Current Herd Status	Outline Reasons for Herd Decline, Present Herd Status	Outline Reasons for Herd Decline, Present Herd Status
Management	Recommendations for Recovery	Recommendations for Recovery

**Table 3: Potential and Actual Use of First Nation Information in Plans**

Plan	Plan Sections with Potential Use of First Nation Information	Number of Sections Where Use Approached Potential	Use Considerably Below Potential
Dawson	4	0	
Dempster	3	2	1
Selkirk	5	3	
Kluane	11	4	5
Carcross	3	3	
Yukon River	4	3	

does indicate that there is not necessarily congruence between opportunities for involvement in planning processes and the incorporation of local environmental information. Both the *Fort Selkirk Management Plan* and the *Thirty Mile Plan* had greater use of local information than would have perhaps been expected, while the *Kluane Regional Land Use Plan* had a lot less.

First Nations constitute the majority population of the planning region in the Kluane area; provisions of the Yukon Land Use Planning Agreement provided them with formal roles at every stage of the planning process. Although their intractable relationship with the land is a re-occurrent theme through the first part of the plan, it is stated more as a sentiment rather than as a substantive fact reflected in contemporary geography. It is clear from an analysis of the plan's content that--apart from the considerable First Nations interests in management in the region which one would have imagined would call forth their knowledge--there is a general paucity of information about land and environment. Time and time again the lack of information on wildlife, habitats and even human populations is lamented in the plan (Government of Yukon, 1992). A presentation of the contemporary Native knowledge of life and ecosystems within the region would have gone some considerable way towards providing this information.



The diagram depicts congruence between levels of participation and use of First Nations' information. Participation is shown on the vertical axis; the greater the number of levels in the process where First Nations have formal opportunities to participate, the higher a plan appears on the axis. The horizontal axis depicts the extent to which opportunities to utilise First Nations' information were undertaken. Plans with both high levels of participation and high use of information fall in the upper right hand section of the diagram.

Figure 2: Participation and Uses of First Nations' Information

## Discussion

The preceding analysis demonstrates the relationship between apparent opportunities to participate in planning processes and the level of involvement as reflected in the content of land-use plans. Whether the opportunities to participate should have been greater is debatable. The potential role of any group resident in a planning region will vary with the local demographic mix. In areas in which Native people constitute the minority population (for example *Dawson-Callison* where they constituted only twenty five percent of the regional population) one would expect their effective role to be somewhat less than in a situation where they constitute the overwhelming majority, as in Fort Selkirk. Equally, they may be only one of several players in the development of a plan for a region or an activity for which there is a national interest (such as the Kluane). Thus the nature of the plan impacts on the expected degree of involvement.

Mitchell (1989), in generally discussing involvement in planning, argued that

Traditional managers often are hesitant to go beyond non-participation or tokenism on the belief that the general public is usually ignorant or apathetic, that the time required is disproportionate to the benefits and that the managers have a responsibility to exert professional judgement.

In northern Canada this attitude has often been compounded by a failure to recognize the validity of Indigenous perspectives on land and environment as important components of plan development. Over the past ten years Native participation has been formalised through the provisions of land-claim and land-use planning agreements. However, Kuhn *et al.* (1994) document continuing scepticism among bureaucrats regarding the value and veracity of traditional knowledge in planning in the Yukon. The tendency continues for bureaucrats to assume that the very presence of First Nations representatives on planning boards and committees is a good surrogate for hard, systematically organised local environmental knowledge. The small (yet within the context of the Yukon highly representative) sample of plans examined indicates that generally the greater the involvement at various steps in the planning process the more likely that First Nations information will be incorporated into planning documents. Where participation is not reflected in plan content the cause may lie with government agencies that discount the value of First Nations environmental knowledge; equally it may lie with First Nations who fail to maximize the opportunities with which they are presented.

Arenstein infers that blame for the failure of the "public" to maximize involvement in planning processes rests with the plan's initiators who manipulate public involvement. While the intent may not be malicious, poor internal communication, funding problems and cultural barriers (Brody, 1981) can all be identified as contributing to a failure of Native participation, even when the opportunity clearly exists. Throughout the Kluane planning process the Indian population complained that they were not provided with adequate funding to work in planning as equal partners with government. Equally, however there were communication problems among the three groups inhabiting the planning region and legitimate worries by the participating First Nations about sharing land-use information with Government at a time when land-claim negotiations were underway.

The analysis indicates that First Nations involvement in planning is considerably greater than the role of the "public" generally, and that there is a tendency towards congruency between participation and information. In this respect formal mechanisms (for example the YLUP agreement and various provisions of land-claim agreements) and enlightenment of bureaucrats (recognition of the importance of getting First Nation "on-side" in planning processes) have succeeded in elevating First Nation involvement in planning. Some would argue that the consequent empowerment of First Nations has gone too far, and that their involvement in the described plans is far more than is warranted in standard planning practice. First Nations are identified as a special interest group in all instances, giving them guaranteed input and more power than the public at large, something that seemingly perverts democratically based planning by institutionalising power for one group in society at the expense of others.

How realistic is it to expect that present levels of participation can be improved upon? It is surmised that ultimately the effectiveness of First Nations participation is limited because of the cultural limitations of conventional planning processes and their inability to accommodate First Nations cosmologies. Conventional planning can be seen as a cultural artifact of Euro-American society, linear in structure and Cartesian in analysis, disengaging the world as a basis for classification and analysis and struggling to accommodate a wide range of concerns and interests. In contrast, the Native view of the world is integrated, interdependent, with "land" as a holistic notion and with cosmologies considerably at odds with the Cartesian perspective. In the processes described in this work First Nations are plugged into standard planning processes. The decision making processes are structured far differently than the community based consensus that broadly typifies Indigenous decision making, and if their information is used it has to be abstracted (often removed from context) to fit into discrete

classifications. In the north planning is intrusive; in almost all the cases examined planning was an initiative introduced from the outside in order to accommodate outside interests (tourism, mining, highway travel, cottaging, recreational land-use) in First Nations traditional territory. The "rules of the game" (conventional planning processes) are also introduced from outside; participation by First Nations could be viewed as compromising traditional decision making power because it infers that they are just one of a range of interests to be accommodated on lands they formerly controlled.

Conventional explanations of historic failures to successfully involve First Nations in planning have pointed to bias against Native groups or reluctance to accept descriptions of their world (Kuhn et al., 1994). While the types of participation described in this paper go some way towards addressing these problems, we speculate that ultimately conventional planning is a cultural artifact that is unable to accommodate First Nation perspectives adequately. Consequently while considerable progress has been made in involving First Nations in planning processes, a reconciliation between conventional planning and First Nation interests is impossible, the latter always being modified to meet the constraints of the former.

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