

**A Community and its Forests:
Evaluating Public Participation in Resource Management Decisions
Slocan Valley, British Columbia**

by

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ABSTRACT

This research addresses the question of effective public participation in resource management decisions within the context of resource-based communities. Despite advances in mechanisms for enabling public input, over the past 30 years, public participation remains problematic. Rather than promoting genuine communication and strengthening relationships between government, resource industries and communities, public participation often becomes an exercise in frustration that increases the adversarial nature of public policy decision-making. Evaluations of public participation have been undertaken across a broad spectrum of academic disciplines, with much emphasis placed on criteria relating to the *process* and *outcome* dimensions. The majority of approaches intend to provide universally applicable structures for public participation regardless of the socio-economic, cultural, institutional, or political *context* within which the process takes place. The purpose of this research was to determine whether consideration of contextual factors can enhance the effectiveness of public participation evaluation. Drawing on the experience of the Commission on Resources and Environment (CORE) process in the Slocan Valley, British Columbia, an in-depth analysis of the pre-process (antecedents), process, and post-process (outcomes) phases of the CORE consultations was performed. The qualitative research involved analysis of case-related documents relating to resource use history, community actors, record of public participation, as well as the application of a multi-criteria evaluation framework to the CORE process. The research revealed the iterative connections between antecedents, process and outcomes. A number of contextual factors placed significant constraints on the effectiveness of the public participation exercise. Intra-community factors included the polarization of interests and a legacy of distrust. These antecedent problems were exacerbated after the process. Extra-community factors included a legal framework that did not allow for changes to the rights allocated to the forest industry despite widespread local opposition, and policy framework that did not allow for guarantees on local participation in the implementation of decisions. Important themes emerging from the evidence were: Relationships; Nature of Decisions; Scale of Decision-Making; Degree of Power-Sharing; and the Denial of Reasonable Expectations for sustained local participation in the post-process phase.

RÉSUMÉ

La question adressée par cette recherche est l'efficacité de la participation publique dans la prise de décision face à la gestion des ressources naturelles dans le contexte des communautés basées sur ces ressources. La participation publique demeure problématique malgré les progrès dans les mécanismes de participation au cours des derniers 30 ans. La participation publique devient un processus frustrant qui augmente l'adversité au sein des prises de décisions concernant les politiques publiques plutôt que de favoriser la communication et de fortifier les relations entre le gouvernement, les industries de ressources et les communautés. Des évaluations concernant la participation publique ont été initiées dans plusieurs disciplines, avec beaucoup d'emphasis sur les questions de processus et de résultats. La majorité des approches cherchent à donner une structure universelle pour la participation du publique en ne tenant pas compte du contexte socio-économique, culturel, institutionnel, ou politique où se produit les processus de participation. Le but de cette recherche était de déterminer si l'efficacité du processus de participation publique peut être amélioré en considérant les facteurs de contexte. L'expérience du processus CORE ("Commission on Resources and Environment") dans le Slocan Valley en Colombie-Britannique, a servi à faire une analyse détaillée des différentes étapes: le pré-processus (antécédants), le processus, et le post-processus (résultats). La recherche qualitative inclue une analyse de documents reliés au cas ainsi que l'application d'un model évaluatif multi-critères au processus CORE. La recherche a révélé les connections itératives entre les antécédants, le processus et les résultats. Des facteurs reliés au contexte et résultants des évaluations pré- et post-évaluations exerçaient des contraintes significatives sur l'efficacité de l'exercice de participation. Des facteurs intra-communautaires incluaient la polarisation des intérêts et un legs de méfiance. Ces problèmes antécédents on été aggraver après le processus. Des facteurs extra-communautaires incluaient un cadre légal qui ne permettait pas des changement aux droits assigné à l'industrie forestière malgré l'opposition locale, et un cadre politique qui ne permettait pas des garanties sur la participation locale dans la mise en place des décisions. L'évidence fait ressortir des thèmes importants: les relations, la nature des décisions, l'envergure de la prise de décision, le degré de partage du pouvoir, et la négation des attentes raisonnables prévues pour soutenir la participation locale dans la phase post-processus.

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CHAPTER 1

INTRODUCTION

“Too often decision-makers cast a wide net for hearing citizens’ views but then disappear behind closed doors to interpret what they have heard and to work out tough conflicts that inevitably arise across disparate points of view. A charitable interpretation is that decision-makers access to tools for deeply understanding the concerns of the community residents, technical experts, or interest groups and for incorporating objectives and tradeoffs effectively as part of policies or legislation has not kept pace with the rhetoric of public involvement. It is therefore not surprising that there remains a widespread dissatisfaction with the quality and meaningfulness of stakeholder input with the environmental decisions.”

--- Gregory (2000), in
Using Stakeholder Values to Make Smarter Environmental Decisions.

1.1 Introduction

The Commission on Resources and Environment (CORE) process in British Columbia between 1992 and 1995 brought together disparate parties in what seemed to be a sincere attempt, supported by government, industry and citizens, to reach a working agreement on land use planning and resource management. Despite the good intentions and apparently genuine opportunities for innovation in collaborative decision-making, the CORE process seems to have left a legacy of heightened conflict over resource use and increased disillusionment over public participation. Why?

The record of the CORE process provides an ideal opportunity for research into public participation. The CORE process has been well studied and much has been learned from it about public participation. The pressures that were on the government and industry to engage the public were not unique, nor was the ultimate failure of the attempt at collaborative decision-making. The public increasingly demands participation, and finding tools for effective public participation is increasingly seen as an essential ingredient for achieving sustainable human-environment relations.

This thesis addresses the question of effective public participation. It analyses the events associated with the application of the CORE process in a particularly resource rich and culturally diverse mountain forest community, the Slocan Valley. The first goal is to

determine why conflict persists, despite the apparent wide commitment to the process. There is certainly “a widespread dissatisfaction with the quality and meaningfulness of stakeholder input with the environmental decisions” (Gregory, 2000, 1). The second and main goal of the thesis is to explore procedures for public participation evaluation. Evaluation is the mechanism for monitoring the efficacy of public participation. It provides the feedback that will improve public participation, so that the spread of disillusionment and dissatisfaction can be reduced in order that effective public participation in natural resource decision-making can be achieved.

In democratic societies, government authority derives from the consent of the governed, and public participation is seen as both morally and functionally integral to the fundamental democratic values of political equality and legitimacy, along with accountability of government, and social responsibility among citizens (Ashford and Rest, 1999; Renn *et al.*, 1995).

Two imperatives of governance have arisen in western democracies in recent years. The first is a matter of process. The public, in general, appears less and less content to let distant governments and private corporations make decisions that will inevitably impact their day-to-day lives without having some sort of input into those decisions. This trend is evidenced by the rise in number, diversity, and political strength of non-governmental organizations, community groups, and citizen activists, which have creatively voiced their interests on a host of social and environmental issues, including civil rights, whale hunting, nuclear energy, wilderness protection, abortion, euthanasia, free-trade, and genetic engineering. The public is demanding a more participatory role in the development of public policy.

The second imperative relates to the substantive content of decisions made. One of the most dramatic shifts of the post-industrial period has been a heightened concern for environmental quality. Ever since the widespread adoption of the concept of “sustainable development”¹ as a centerpiece for a desirable future state, public policy decisions are

¹ The concept “*Sustainable Development*” was popularized in the report *Our Common Future* prepared by the World Commission on Environment and Development (1987). The Commission aimed to “identify how relationships among people, natural resources, environment and development could be incorporated

expected to be compatible with sustainable development, whether they relate to the use of natural resources, the economy, or other areas of social policy.

These new imperatives are inter-related and both are complex. Public participation is not only a democratic cornerstone, but it is often the basis for the public support that is necessary for sustainable development. At the same time, sustainable development requires coordination of knowledge and interests from diverse fields that include scientific uncertainties and conflicting social values. This situation poses challenges to democratic society. Since neither public participation nor sustainable development offer “blue-prints” that can be easily followed in order to reach their intended goals, a great deal of uncertainty and conflict arises concerning the best ways to proceed.

Before the two imperatives of governance became unavoidable, resource and environmental policy was not often publicly debated. Exposure to public scrutiny served the interests of neither the government nor resource industries (Hessing and Howlett, 1997). The traditional approach has been termed the “decide-announce-defend” scenario of decision-making, in which the public is confronted only after a course of action is determined (Connor, 1996; Beierle, 1998). This approach is no longer effective since public policy-making must contend with the struggle between different societal actors attempting to establish, maintain, or increase their share of natural resources, whether that share is wealth generated by resource extraction and use, or some other derived benefit, be it aesthetic, biological, or spiritual. Increased demand for public participation often reflects the struggle between groups fighting for their own, often mutually incompatible, interests. These conflicts make current resource decision-making much more complex than it was formerly.

into public policies”. It defined the concept as: “Development that meets the needs of the present generation without compromising the ability of future generations to meet their needs” and urged national

1.2 The Problem with Public Participation

In attempting to respond to the two imperatives of governance, governments and corporations have been experimenting with formal mechanisms to allow for a greater degree of public participation in the decision-making process. The past 30 years have seen such an increase in public participation mechanisms (see Chapter 2) that they are now increasingly seen as “standard operating procedure” (Connor, 1996, 3). Early reliance on formal hearings and public meetings at the end of a planning process led to the development of a wider range of interactive techniques, such as consensus-building, mediation and conflict resolution approaches, used earlier in the planning and decision-making sequence. These experiments are often accompanied by statements claiming a government’s or resource industry’s commitment to sustainable development, to resolving inequalities in land and natural resource allocation, to increasing fairness in decision-making, and to reducing conflict among stakeholders.

However, greater public participation has not been a panacea for effective decision-making, and the progress is slow toward making public participation work. Acceptance of the value of public participation in decision-making is not universal in government or industry, despite stated commitments to incorporate public input into policies and to make sustainable decisions. Too often, it is “more a symbol of an expanded democracy, *i.e.* for optics, than for its real purpose of contributing to the decision-making process” (Ekos, 1995). Governments and businesses express concern over the potential for an intrusive and ill-informed public to block or transform a well-conceived resource development project. Likewise, environmentalists and other interested parties from among the public express concern that public input is nothing more than a public relations strategy to deflect opposition (Warriner, 1997). Rather than promoting genuine communication and strengthening relationships between government, businesses and communities in order to make sustainable environmental decisions, public participation becomes an exercise in frustration that increases the adversarial nature of public policy decision-making. Evidence is mounting that citizens are becoming

governments to develop policies that would reflect the concept. Most countries, including Canada, signed

dissatisfied with the quality of participation in which they perceive themselves as having no meaningful part (Kelly and Alper, 1995; Owen, 1998; Gregory, 2000). The message is becoming clear: extensive opportunities for participation are not synonymous with meaningful public input.

As a consequence of the difficulty in finding a workable process, implementation of resource decisions is often impossible, or met with resistance, and a crisis of legitimation ensues. When the public's frustrations are channeled into opposition movements, the legitimacy of the current mode of political organization is challenged (Habermas, 1975; Renn *et al.*, 1995).

1.3 The Complexity of Public Participation in Resource Communities

Public participation processes generally seek to involve people who are interested in, or who have interests that will be affected by, the outcomes of the particular decision-making event. Resource-based communities fall into that category because they are vulnerable to the impacts of resource decisions made by governments and resource industries. Decisions to close a mill or a mine are generally made in corporate head offices, head offices which may not even be located within the same country as the mill or mine. Government policies on a range of topics, from timber supply determinations to land use allocations, are similarly made from distant areas with little input or reference to the communities within which the impacts are felt. They have been described as "places on the periphery" in terms of both economic and political decision-making (Booth and Halseth, 1997a).

In many areas of post-industrial democracies, resource communities are in economic transition. Traditional reliance on the production of low value bulk export commodities is being replaced by a struggle for economic diversification that relies on a higher value range of products and a variety of less resource extractive functions, such as tourism (Barnes and Hayter, 1997). At the same time, new ex-urban residents are moving into these communities in search of better qualities of life in the more natural

settings, bringing with them new ideas and values. As early as 1965, researchers noted that urban-to-rural movement introduced newcomers and pressures to rural communities which in turn generated new social and political landscapes (Gower, 1990; Booth and Halseth, 1997a). Changes wrought by this influx of new residents have affected the types of issues being brought forward for debate on community priorities. Different local constituencies may desire very different futures for their local environment. This is not just a struggle for access to, or development of, rural public lands and resources. The struggle is also a contest for control of local decision-making power, which becomes control over the future of the locality. In many cases, this contest is played out in the very public forum of resource and land-use planning debates, a forum where alternative visions for the future of the community clash. Distant governments which have little sense of, or interest in, local conflicts within these communities may mandate the actions of public participation processes.

There is a need to understand how these contextual factors influence public participation. The two new imperatives of governance necessitate that evaluation of public participation in the resource community be performed.

1.4 Evaluating Public Participation

In order to understand and address this problem, evaluations of public participation have been undertaken in the recent years across the broad spectrum of academic disciplines. The types and justifications for various evaluation criteria used have been nearly as varied as the kinds of public participation mechanisms themselves. Some criteria have been developed from the personal experience of the evaluator, some from empirical studies of the successes and failures of past public participation experiments, and most recently, some criteria have been derived from theories of society (see Chapter 2). By far, most of the evaluations of public participation have focused exclusively on its *process* issues; that is, the number of and nature of groups involved, the representativeness of participants, and whether the stated goals for the process were achieved. Other evaluations have examined public participation in terms of its *outcomes*.

Success might be determined in terms of the time and cost of the participation exercise, its effectiveness at resolving conflict, the ease with which implementation of a decision occurs, or the extent to which particular interests are reflected in the decision (see Chapter 2). The majority of approaches intend to provide inflexible structures for public participation regardless of socio-economic, cultural, institutional, or political contexts within which the participation processes take place.

Given the vast diversity of contexts in which the practice of public participation takes place, it is perhaps not surprising that there appears to be little agreement on a set of “success factors” that works in all cases. As a result, there may be no single evaluation framework that can provide all the answers to designing the best public participation process. Understanding the context within which a process takes place may be essential both to designing the process and evaluating its success. However, few evaluations examine the pre- and post-process factors that establish context. Evaluation of public participation must therefore extend beyond the formal process to include some method to identify and examine the role of contextual influences. Although the recent literature contains some discussions on possible contextual influences on the public participation process in the areas of public health (see Frewer, *et al.*, 2001 and Abelson, 2001), there are no evaluation frameworks that explicitly seek to incorporate the *context* into the evaluation of public participation *process* and *outcomes* in the area of resource and environmental management.

1.5 Research Purpose

There is a need for better forms of public participation in resource decision-making and therefore a need for better tools for evaluating public participation processes. The purpose of this research is to determine whether consideration of contextual factors can enhance the effectiveness of public participation evaluation. The research draws on the experience of the Commission on Resources and Environment (CORE) process in the Slocan Valley, British Columbia, to determine what evaluation procedures could provide

the feedback necessary to allow advance in effective public participation and collaborative decision-making.

1.6 Conceptual Framework and Research Design

From the review of the literature (Chapter 2), a conceptual framework to understand and evaluate public participation in resource decisions at the community level was developed for this study. First, like other studies that perform community analyses (Finnegan and Sexton, 1999), it calls for detailed assessment of the community and of the framework for public participation in resource decisions. It also requires an in-depth examination of:

- 1) The situation in the community before the public participation process began (called *antecedents* or pre-process analysis);
- 2) The community's involvement in the formal participation process itself (process analysis); and,
- 3) The situation after the process (called *outcomes* or post-process analysis).

Specific goals and objectives, along with research questions, are formulated for each of these components (see Chapter 3). The research involved qualitative analysis of documents (including process meeting minutes, associated process documentation, newspaper articles, affidavits from litigation cases involving community members, hydrological assessment reports, land use and forest development plans) and over thirty semi-structured interviews with community members, conducted over four summers spent in the community during the post-process stage. Details about methodology are found in Chapter 3.

1.7 Rationale for Selection of the Resource Community

A resource community was required in which:

- 1) the natural ecosystem still figured prominently in the local economy and culture;
- 2) there was a history of tensions surrounding local resource use decisions;

- 3) there was an accessible record of the public involvement in decisions; and,
- 4) there was a good potential for an outside researcher to access necessary information sources.

The Slocan Valley community of the West Kootenay mountainous region of south-central British Columbia (Map 4.1, Chapter 4) was selected as suitable. The Slocan Valley exhibits several characteristics deemed necessary and useful to perform the study. These include:

- 1) a long history of natural resource exploitation and recent steps to assist transition to a more diversified economy;
- 2) the existence of tensions arising from conflicts over the use of local resources;
- 3) the extensive record of public participation in numerous resource planning and management initiatives; and,
- 4) access to key informants for interviews and documents.

The Slocan Valley community is located in a relatively pristine natural environment (that is, the relative absence of large clear-cuts and other impacts of industrial forestry activities when compared with surrounding rural communities), and contains a particularly strong voice calling for community control with an emphasis on sustainability. Since the early 1970s, local residents have made elaborate attempts to promote community-based resource decisions (Chapter 4). This may give the case study community an uncharacteristic predisposition to public participation. But as environmental change accelerates, and along with it, the call for more public involvement at the local level, the Slocan Valley symbolizes both the hopes and struggles of many rural communities across British Columbia, and elsewhere.

1.8 Significance of the Study

This research contributes to the literature on resource management, public participation, and community-based environmental decisions. As global environmental

change accelerates, and the world searches for ways to implement more sustainable decisions regarding use of natural resources, research is needed that will help assess and understand how communities living closest to the changes are involved in these decisions. We need evaluation procedures that will allow for adaptive improvement in public participation.

Jackson (1997) writes in her Ph.D. dissertation: “As governments search for ways to allocate diminishing resources more fairly and communities search for ways to exert more control in decisions that affect them, there is a need for research to guide them”. This present thesis seeks to take up the challenge of providing guidance for government and communities in their search to make better resource decisions. The conceptual framework for evaluating participation in resource communities combines insights from empirical and theoretical research in the related fields of resource management, public participation, alternative dispute resolution, community analysis, and critical theory. The framework is, itself, an evaluative model that can be adapted and applied in other settings. As such, it is hoped that the framework and analysis results will be useful in addressing the two new imperatives of governance, and that the research will help provide the necessary guidance toward fair and competent participation in sustainable development.

1.9 Organization of the Thesis

The thesis is organized into nine chapters. Following this chapter (**Chapter 1**), **Chapter 2** reviews literature that serves as the basis for the development of the conceptual framework (Chapter 3).

Chapter 3 presents the conceptual framework used for this research, as well as the research design, and data collection and analysis procedures.

Chapter 4 provides the description of the Slocan Valley community, and includes the larger (provincial) context for public participation in resource management decisions. This includes a brief history of forest management and public participation in the province of British Columbia, as well as the role of commissions of inquiry within this

history. The agency that convened the Slocan Valley project, the Commission on Resources and Environment (CORE) is also described.

Chapter 5: Pre-Process Analysis examines the community's history of public participation in an attempt to identify the *antecedent* conditions that described the situation prior to the establishment of CORE in 1992. This included resource use, community actors, mechanisms for participation, and problems of participation.

Chapter 6: Process Analysis I examines the Slocan Valley CORE Project, a multi-stakeholder negotiation process which ran from 1992 to 1994. It is examined using the agency's own set of objectives as "*internal*" evaluation criteria.

Chapter 7: Process Analysis II also examines the Slocan Valley CORE Project, by applying an evaluation framework made up of critical theory-based, or "*external*" evaluation criteria.

Chapter 8: Post-Process Analysis examines the post-process situation, or *outcomes*, in the Slocan Valley community, between 1994 and 1997. It compares the situation after CORE against the antecedent conditions, examined in Chapter 5.

While chapters 5 to 8 each include a discussion of the implications of the findings relative to the narrow set of questions addressed in each of the chapters, **Chapter 9** provides further discussion of the implications of the findings as a whole.

CHAPTER 2

LITERATURE REVIEW

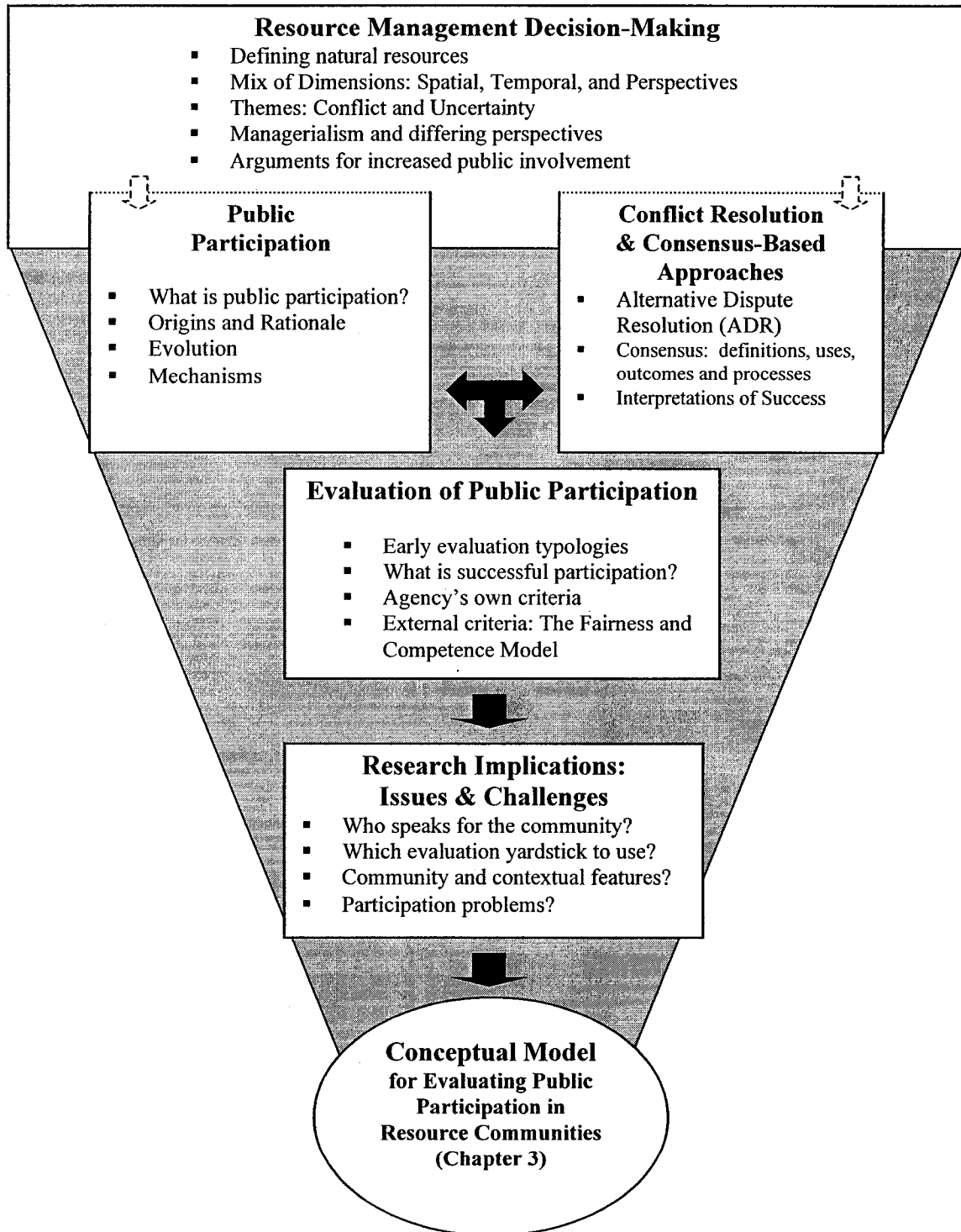
Evaluation of Public Participation in Resource Management

2.1 Introduction

Concern about evaluation of public participation in resource management decisions has generated a large body of literature. The literature addresses various aspects of this topic, and is spread across a wide variety of academic disciplines, including geography, political studies, law, development studies, and sociology. Public participation evaluation is explored within interdisciplinary fields, including resource management, environmental planning, alternative dispute resolution, communication theory, social theory, and democratic theory. Here, emphasis is placed on how the discipline of Geography has contributed to research on public participation in resource management. Because of the breadth of the literature on the topic, the review is organized as a nested framework that helps situate the thesis research within the larger ongoing dialogue about this topic (Figure 2.1).

Beginning with the broad topic of resource management decision-making, the review explores the mix of political, social, economic and environmental dimensions and the themes of uncertainty and conflict. The focus then narrows to two inter-related sub-topics: public participation, and conflict resolution / consensus-based approaches. Their emergence in resource management literature, their evolution since inception, and the various mechanisms and approaches to incorporating public input are explored. Special attention is placed on analysis of community-level involvement in resource decisions. From there, the review narrows further to evaluation of public participation. Theoretical and empirical research from a variety of fields is reviewed for evaluation typologies, success factors, evaluation criteria, analytic frameworks, and outstanding issues. The literature review provides the basis for a conceptual framework for evaluating public participation in resource communities, described in Chapter 3.

Figure 2.1 Literature Review Schematic



2.2 Resource Management Decision-Making

2.2.1 Defining Natural Resource

Decisions made concerning the management of natural resources rest on a fundamental understanding of what defines a natural resource. Perhaps the earliest and most outstanding contribution to this understanding came from resource geographer Erich Zimmermann. He became renowned for his "functional" approach to the study of natural resources, first published in 1933 as *World Resources and Industries: A Functional Appraisal of the Availability of Agricultural and Industrial Resources*. Unlike traditional descriptive inventories, Zimmermann's method offered a synthetic assessment of the human, cultural, and natural factors that determine resource availability. Resources were seen as a function of human wants and abilities. The oft-quoted phrase that encompasses his approach is "*resources are not, they become.*" This meant that no part of the biophysical world has intrinsic physical or chemical properties that make it a resource, but "any part can become a resource when people perceive it as having utility or value" (Mather and Chapman, 1995, 3).

A natural resource can therefore be defined as those parts of nature that humans consider valuable, even if they do not yield physical products or materials of economic value, and presupposes an appraisal of the usefulness of a part of nature for some purpose (Dunster, and Dunster, 1996). While what is meant by "nature" can be debated endlessly (though it is commonly held to mean the non-human world around us, including land, water, air, and living things), the importance of the term 'natural resource' is that it is closely tied to what humans consider useful or valuable. The term "useful" here relates to the production of material benefits, such as food or wood products, while "valuable" refers to human perceptions of a non-material kind that may exist whether or not "useful" products are derived. Much discussion, mainly in environmental philosophy, has surrounded the ways in which people derive value from nature. Holmes Rolston (1988, 272), for example, defines "valuable" as "able to produce valued experiences". He goes on to list fourteen types of value associated with nature, ranging from economic and life-support, to recreational and spiritual. Human values are integrally connected to what

defines a natural resource. This understanding that human (or public) values help define natural resources becomes particularly important in the debate over how much, and what form, of public participation in decisions over the management of these natural resources is deemed appropriate and necessary.

2.2.2 Resource Management: Dimensions, Conflict and Uncertainty

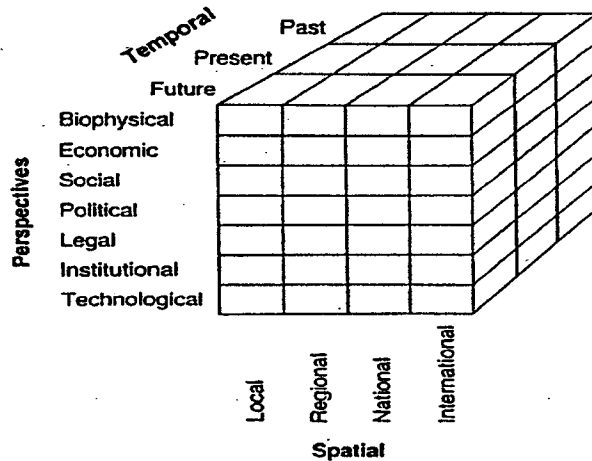
Confirming Zimmermann's functional definition of natural resources, British geographer O'Riordan (1971, 99) defined natural resource management as

a decision-making process where optimal solutions regarding the manner, thinking, and allocation of resource uses are sought within the economic, political, social and institutional frameworks, afforded by a given culture at a particular time.

As a decision-making process, resource management is concerned with finding solutions about natural resources with respect to the varying human frameworks. Like the definition of natural resources, these frameworks vary in time and space, according to changing human values and needs. The frameworks can also vary across cultures, but also within one culture at a particular time (Jackson, 1997). Canadian resource geographer Bruce Mitchell (1989) uses the term "dimensions" to incorporate these frameworks, as well as spatial and temporal aspects that affect resource decision-making process. He proposed that we view natural resources in terms of three dimensions; spatial (local, regional, national, and international); temporal (past, present, and future); and, perspectives (biophysical, economic, social, political, legal, institutional, and technological) (Figure 2.2).

Figure 2.2 Dimensions of Resource Management

Natural resources are to be analyzed and managed within the three-dimensional framework that incorporates spatial and temporal scales, as well as organizational perspectives.



Source:

Mitchell, B. 1989. *Geography and Resource Analysis* (2nd ed.). New York: Longley, Scientific and Technical.

According to Mitchell (1989, 5), whether we consider a resource sector (air, water, land, wildlife, minerals), a resource topic (demand, supply, quality), a resource problem (public involvement, environmental assessment), or a resource issue (conflicts over management forested watersheds), this three-dimensional framework emphasizes the substantial mix and difficulty of considerations involved in reaching decisions. To develop a comprehensive grasp of even one perspective, time period, or spatial scale poses a monumental task. Krueger and Mitchell (1977, 6) had earlier observed;

Those in management positions do not have the luxury of studying and contemplating forever before making decisions. Conflicting demands for the use of resources increase, problems occur, issues arise, and action must be taken.

The three-dimensional framework emphasizes the complexity inherent in making decisions about the management of natural resources. Mitchell (1991; 1995; 1997) produced a series of resource management textbooks that stressed the role of environmental change, resource scarcity, changing economic and social realities, along

with the mix of technical and non-technical considerations which influence the resource management decision process in Canada and in other countries. Two major themes that recurred in all of them were “conflict” and “uncertainty”. Mitchell (1991, 1) stated “each is a central element in resource management and development” and that resource management is often centred on the resolution of conflict generated by differing perspectives. The conflict theme refers to managers’ efforts at trying to make decisions within competing social dynamics emphasizing trade-offs that must be reached to satisfy diverse and legitimate social interests. The uncertainty theme recognizes that whether dealing with biophysical or social phenomena, we often do not have adequate knowledge or understanding to make “perfect” resource management predictions and decisions. Proponents of increased public participation in resource decisions stress that existing conflict and uncertainty today may stem from the fact that resource management was once the exclusive domain of experts, and where concerted efforts were made to influence public attitudes in what they regard as the right direction (White, 1966). This has come to be known as managerialism.

2.2.3 Managerialism in Resource Management

Managerialism, according to O’Riordan (1977), is characterized by the expression “expert knows best” where the “common man (*sic*) was well removed from the corpus of powerful and influential individuals and organizations, and kept generally uninformed”. This ideology dominated resource management decision-making prior to the sweeping changes in environmental consciousness that marked the mid-1960s era. In 1966, White called for “a turn away from the ‘customary promotion of single solutions’” and suggested that decision-makers rely less on technical elite, and put more confidence in citizens with a focus on a range of possible alternatives. Ten years later, Hendee *et al.* (1977) suggested that seeking input from the public could help resource managers identify the values that people attach to the goods and services that natural resources provide and added that seeking the public advice can assist in the collection and evaluation of alternatives in the decision-making process (Jackson, 1997).

More recent literature attests to the fact that the ideology that “the expert knows best” still influences, if not dominates, resource management decisions today. Cater and Jones (1989) suggested that the managerial culture may be seen as hostile to more vulnerable groups, because decisions involving the allocation of scarce resources are influenced by the unequal distribution of wealth, status and power. They described managers as “gatekeepers”, those who hold power of deciding who gets what, resulting in bias and constraint, which they characterized as the manner in which scarce resources are rationed, where access is denied to some groups (Jackson, 1997). Cater and Jones (1989) added: “Particularly in the public sector, a great gulf exists between the goals, aspirations and perceptions of the managers and their expert professional advisors on the one hand; and those of ordinary people, their ‘clients’, on the other”. Mitchell (1989) echoed these warnings, when he reviewed the literature on the conflicting public values and the differing perspectives surrounding the management of natural resources, and stated that much of it contains discussion on the need to guard against the

paternalistic view of information production and dissemination which sees the resource professionals or process coordinators as information providers and the public as information receivers (Mitchell, 1989, 111).

By the late 1990s, the warnings continued. According to Cardinal and Day (1998), the technical, analytical approaches to resource decision-making, emphasized by the managerial ideology, are often of limited use because data for baseline undisturbed systems are usually inadequate and the effects at issue are novel, complex, and poorly (or not at all) understood. They state:

Expert inference and professional judgment can be suspect because scientists and resource professionals, due to disciplinary and institutional biases, often define problems in narrow, inappropriate ways, lack traditional or local knowledge, and discriminate against qualitative information and intuitive understanding (Cardinal and Day, 1998, 115; see also Chociolko, 1995; Miller, 1985; 1993).

This charge about the inappropriateness of managerialism-style resource management can be summarized by the statement “professionals develop and apply information, and there is little sense that lay people are also information producers”

(Cardinall and Day, 1998, 119). This argument is also included in the United Nations *Agenda 21* document, which resulted from the “Earth Summit” in Rio de Janeiro, Brazil in 1992. In it, an explicit link is made with this argument and the goal of sustainable development. It states:

In sustainable development, everyone is a user and provider of information considered in the broad sense. That includes data, information, appropriately packaged experience and knowledge. The need for information arises at all levels, from that of senior decision-makers at the national and international levels to the grass-roots and individual levels (UNCED, 1992, 40).

This begs the question as to how the public can, in fact, become information producers and contribute to sustainable development. The literature, stemming back to around the time White (1966) first signaled the need for more public involvement in resource decisions, contains works by those interested in addressing the question of how the public can aid resource managers in the decision process.

2.2.4 Resource Managers and the Public

Early research shed light on how human attitudes towards resources and the environment led to conflicting values and associated uncertainty in resource management decision-making (see for example: Glacken, 1967; Tuan, 1968; Pigram, 1972; Wall, 1976). By 1977, O’Riordan had discussed the role of differing value frameworks in natural resource conflicts, the difficulty and yet the importance of including them in what was hitherto seen as simply a technical process of decision-making. Based on a review of earlier works, O’Riordan explained that values figure in two ways: those of the gainers and losers of each management solution, and the value systems of both technical experts and political decision-makers.

Studies into the perception of the general public regarding resource management decisions proliferated in the following years. These studies cover a gamut of resource matters, ranging from energy conservation (Jackson, 1980), water conservation (Baumann, 1983), water quality (Illberry, Foster and Donoghue, 1982), sport fishing (Kreutzwiser and Lee, 1982), soil erosion (Mather, 1982), recycling (O’Riordan and

Turner, 1979); air pollution (Thovez and Singh, 1984) and agriculture (Kromm and White, 1985). Research in these many areas, from case studies in many parts of the world, has revealed that significant differences may occur among individuals or groups of the public, among resource managers, and between the public and resource managers. These studies suggest that in value-laden resource management decisions, the experts are not necessarily the best judges as to what is publicly desirable. This has given strength to the arguments of those advocating greater public involvement in resource decisions.

According to a recent study by Weeks and Packard (1997), resource management decisions are perceived and handled differently by resource professionals, policy makers, and community groups. Resource professionals tend to focus on the choice of statistical methods, validation techniques, and other technical aspects of the decision process, while policy makers, in contrast, tend to emphasize qualitative factors as the conclusiveness of the policy indications, or the ease with which recommendations can be implemented (see also Clark and Majone, 1985). In contrast, citizens and stakeholder groups are “often more concerned about procedural and relational aspects of decision-making such as who gets to participate in planning and who has final decision authority” (Weeks and Packard, 1997, 35). Their findings revealed that a particular scientific position was considered acceptable by the resource-dependent community if the scientist taking that position seemed to be sympathetic to the interests of the community.

This finding makes “trust” an important element of the relationship between the scientist and the citizen. Their study suggests factors that various lay publics may rely on are external to the scientific process being used. Such factors include “the historical relationship the resource dependent communities has had with the regulatory agency, whether the scientist offering scientific information is known to the community, and the extent to which the scientific explanation matches local experience” (Weeks and Packard, 1997, 242). They conclude:

Understanding the criteria natural resource-dependent communities use to interpret the scientific basis for regulation is a necessary precursor to effective communication between regulators and the regulated community.

Giving credence to the local community's ability as an "information provider", though a thorough understanding of the community's history and local experience, therefore, appears to be an important element to effective communication between resource managers and the public. (This points to the role of the local context for public participation in resource decisions – a topic taken up later in this chapter). Consequently, involving the local public in decisions appears to be a potential means to address the conflict and uncertainty that plagues resource management decisions. These findings are not new. The literature on public participation in resource decisions offers insights about how the public can be information providers.

2.2.5 The Public as Information Providers

Cardinall and Day (1998, 114-115), in their discussion of complex decision-making contexts involving multiple and conflicting interests in natural resource management state "insufficient or unreliable data, disagreement over the importance of variables, and the fact that some variables may not be quantifiable adds further complexity". They add that a new direction to more effective participatory resource decision-making may be to reconceptualize resource decision-making as "civic activities" where the public has a more legitimate role (see also Nelson and Serafin, 1994).

According to them, there is a growing body of researchers that would argue that:

The belief that applied science alone can guide decision-making has been undercut by a growing awareness of social and ecological complexity, by an increasing frequency of negative surprises arising from management activity, and by often grossly inefficient and unfair sociopolitical dynamics associated with environmental decision-making (Cardinall and Day, 1998, 115).

A more effective approach would emphasize the variety of knowledge and expertise produced by citizens (Irwin and Wynne, 1996). This would seek to give the tools and resources for research and analysis to citizen and stakeholder "extended peer communities" (Functowicz and Ravetz, 1993). According to Cardinal and Day (1998, 116), "people and groups with lay knowledge of local social and ecological conditions

are better able to identify key aspects of problems, and to determine which information is relevant to particular situations” (see also Krinsky, 1984; Kloppenburg, 1991; Chociolko, 1995). Local participants may also have a keen understanding of how solutions can best be implemented, and are more likely to lend support and commitment to those solutions when their views and efforts are treated with respect (Crowfoot and Wondolleck, 1990).

The problem, the literature suggests, is not the technical analysis itself, but rather the exclusion of the public’s perspectives in the technical analysis. An acknowledgment of the limitations of technical analysis, such as the commonly-employed cost-benefit analysis, risk assessment, and multiple accounts evaluation, in which the public is still generally excluded (managerialism) can be overcome to some extent if the local affected public uses analytical tools to assess the consequences, costs, or risks of different outcomes from their own point of view (Cardinall and Day, 1998).

This alternative approach would recognize the “plurality of legitimate perspectives” (Functowitz and Ravetz, 1993, 739). However, not much study has been conducted, thus far, to explore the technical analysis oriented contributions of the local affected public in the resource decision-making process. This points to a gap in the resource management literature towards which this thesis hopes to contribute.

The next section narrows the literature review exclusively to the progress of public involvement or participation in decision-making: its origins, rationale, mechanisms, and emerging problems.

2.3 Public Participation

2.3.1 Definition and Origins

Public participation “has become a significant social science investigation – especially in matters relating to the environment” (Warriner, 1997, 173). The terms used in the broad literature covering this topic include *public input*, *public participation*, *public involvement*, *citizen participation*, *citizen involvement*, *community involvement*, *community participation*, and *public consultation*. The existence of this polymorphic and

inexact set of terms, and the fact that the terms are often used interchangeably, implies that the field has never been well-defined. These terms all convey the idea of a process through which average citizens of a democratic society have a voice in public policy decisions.

In general, the term “public participation” is defined as “the ways in which ordinary people communicate their views on social issues to policy-makers in a purposeful and organized manner” (Warriner, 1997, 173). This definition emphasizes the *raison d’etre* for public participation: that the public can be “information providers” to government decision-makers. In democratic society, this can include anything from jury duty to public demonstrations, but in practical terms the study of public participation has been limited to the more or less formal and structured mechanisms for providing input on decisions. Langton (1978) identifies four distinct levels of democratic participation:

- (1) Obligatory public participation (*e.g.* paying taxes, jury duty, military duty)
- (2) Electoral participation (*e.g.* voting, running for office, supporting a party)
- (3) Government-initiated public participation (*e.g.* public hearings, advisory committees, negotiation tables)
- (4) Citizen action (*e.g.* public-initiated input, collective action, protests, litigation, civil disobedience).

For the most part, the literature on public participation has focused on the third and fourth levels. The third level refers to activities initiated and controlled by government for administrative purposes with the purpose of improve decision-making and service, as well as to develop consensus and support for government decisions (Langton, 1978). Dominant concerns include devising better ways to inform the public on decisions, broaden the range of public representation in decisions, maintaining public interest. The fourth level, citizen action, refers to activities initiated and controlled by the public, with the purpose of influencing decisions of government officials and voters. The terms “top-down” and “bottom-up” have been used to describe, respectively, approaches used in the third and fourth levels of democratic participation. Today, the both

approaches are ubiquitous, and often play into each other, and may be difficult to separate. In an era of increasing “inclusivity”, governments have initiated a host of opportunities to include public input in decisions. Yet at times, by their perceived failure to successfully meet the concerns of the public they wish to include, governments may have inadvertently provoked various kinds of citizen action. Often underlying these “bottom up” responses, foremost is the public’s distrust of politicians in general and cynicism about the ability of the state managers to handle state affairs competently (Mitchell and Scott, 1987; Warriner, 1997). This interplay of relationships and approaches to democratic participation, through the “top-down” and “bottom up” kinds of participation, reflect the ideological origins of democratic participation and the on-going debate about the merits of increased public participation in decisions.

It is at the third and fourth levels, particularly since the 1960s, that democratic activity is said to have rapidly evolved, to the point of being called a “participation movement” (Warriner, 1997). Almond and Verba (1963) had stated: “if there is a revolution going through the world, it is what might be called the participation explosion”. Sadler (1977) traced the early foundations of the public participation movement to volunteers working for community-related issues, and that it expanded greater during the 1960s with the prevalent rise in social activism such as the civil rights, anti-war, and environmental movements (Jackson, 1997; Ashford and Rest, 1999; Shepherd and Bowler, 1997). Wengert (1976) proposed that the two stimuli for this recent public participation movement were:

- (1) Policy-makers’ dependence on professionals resulting from the increased use of technical and scientific bases for decision-making, and,
- (2) Dissatisfaction with representative democracy which resulted from the expansion and centralization of government.

Not surprisingly, Wengert’s first stimulus for increased public participation (policy makers’ over-dependence on technical professionals) was corroborated by a host of studies performed since then, particularly in the field of resource management (reviewed in the previous section). Of interest here, is his second point – the suggestion

that expansion and centralization of government in representative democracy have stimulated the growing participation movement. Draper (1977), commenting specifically on the Canadian resource management context, agreed with Wengert, stating, “in part, the wish to participate is a defensive reaction against the excessive centralization of power”. As groups within society became more sensitive to social, economic, and environmental inequalities during the social changes which marked the 1960s (Rawls, 1971), they have also become “more insistent on fairness in decision-making, decisions made for the greatest good” (Jackson, 1997, 21). As a result, the literature contains a significant portion on the rationale for an increase in public participation within democratic society and its ability to guard against the inequalities that can arise from centralized, and elitist-centred, decision-making.

2.3.2 *Rationale*

In the 1960s, the participation movement was aided by the reintroduction of classical democratic theory of participation by such “participatory democracy” theorists as Pateman (1970; 1979), Walker (1966), and Bachrach (1967) who challenged so-called “elite democracy” theorists such as Schumpeter (1943), Michels (1958 [1915]), and Satori (1962). The elitist, or liberal, view claimed that political elites compete for votes similarly to how entrepreneurs compete for customers. The elitist view claims the public has the right to determine which of the competing elites are allowed to govern (primarily through voting), but the substance of the decisions is made within elite circles (Webler and Renn, 1995). Decisions are therefore made best “behind closed doors” by a limited number of people deemed qualified for the task. Advocates of the elitist approach do not argue against public participation in democracies *per se*, only that too much participation could disrupt the social system (Burke, 1968). They tend to see increased public participation as “a potentially virulent and destabilizing force in democracy, which could undermine the duty of elected representatives to serve independently on behalf of constituents” (Warriner, 1997, 175). Other arguments against too much participation are that it is economically inefficient (Rosenbaum, 1978), technically incompetent (Aron,

1979), and that it incites social conflict and further unrest (Huntington, 1970). Thus, while increased direct public participation in government decision-making has become a growing trend in democratic societies, questions about its legitimacy remain (Warriner, 1997). Much of the challenge to those who call for increased participation is on how to address these criticisms.

The theoretical basis of and justification for public participation is well described (Fiorino, 1989; Folk, 1991; Taylor, 1991; Laird, 1993; Renn *et al.*, 1995; National Research Council, 1996). In democratic societies, governmental authority derives “from the consent of the governed” (Ashford and Rest, 1999, III-1), and public participation is seen as both morally and functionally integral to the fundamental democratic values of political equality, legitimacy, and accountability of government, and social responsibility among citizens (Renn *et al.*, 1995). Bachrach (1967) stated that the ability of democracy to function is measured by the soundness of the decisions reached in the light of the needs of the public and by the scope of public participation in reaching them. For the sake of fairness in democratic functioning, the public must have a *direct* role on state functioning.

According to participatory democratic theory, increased direct public participation performs at least three central functions:

- (1) it helps ensure that governmental institutions are responsible and accountable to its citizens;
- (2) it creates venues for individuals and groups to influence decisions that affect them, while enhancing their competence and capacity to do so; and,
- (3) through all this, it provides stability to the democratic system (Ashford and Rest, 1999).

These functions reinforce the idea that public participation is intended to assist in the decision-making process, not necessary take control of it. While the degree to which the non-professional public is empowered in the decision is an important criteria for evaluation of public participation evaluation (see section 2.5), direct public involvement is intended to function as one component of an embedded decision-making network that

involves the judgments of professionals. It provides opportunities to mobilize, engage, and empower ordinary citizens to act in their own interests and in the broader interest of their communities (Ashford and Rest, 1999; Renn *et al.*, 1995).

Recent defenders of public participation see it as an enhancement of democracy precisely because it allows for a greater degree of democratization, and for the “leveling of the playing field”, so that citizens can have an equal chance to influence decisions (Lynn, 1990; Shrader-Frechette, 1990; Fiorino, 1989; DeSario and Langton, 1987; Rosenbaum, 1978; Checkoway and Van Til, 1978). Participation, seen in this light, maintains democracy, and defies dictatorship by the elite. As Warriner (1997, 178) puts it:

How can the involved and liberated mass public see it as anything but in its self-interests to defy tyranny? How can the state, directed by and responsive to its citizenry, succumb to the domination of elites?

The articulation of classical democratic theory in the context of public participation, helped redefine understanding of the boundaries of civil society during the 1960s and 1970s, and greatly influenced the role of the public in government decision-making structures. Over the past thirty years, officials in several western democracies have moved to allow the state’s apparatus to become more accessible to the general public, with no signs of diminishing. By the end of the 20th century, there existed strong normative expectations within the administrative bureaucracy that some form of public consultation be integrated into the environmental decision-making process (Warriner *et al.*, 1996, 253). But the evolution of public participation has ebbed and flowed, along with both popular and academic interest in it, with the changing values of society.

2.3.3 Evolution

Although governments had allowed some degree of direct public involvement, beyond conventional voting, before the 1960s, it was the passing of the *United States Economic Opportunity Act*, in 1964 that ushered in the modern era of public participation. This act sought “Maximum Feasible Participation” in community development (Moynihan, 1969), promoting the new concept that direct participation

would improve living and economic conditions. In environmental and resource policy making, formal procedures for public involvement were enshrined in law with the passing of the *National Environmental Protection Act* (NEPA) in 1969. Included in the act were provisions for public hearings in the process of environmental impact assessments. This seminal piece of legislation touched off a host of new federal legislation on the environment², each with some component of public involvement. In Canada, the *Federal Environmental Assessment and Review Office*, created in 1974, established environmental impact assessment procedures which became the primary governmental response to the increasing calls for public participation (Parenteau, 1988). Meredith (1991) stated that “impact assessment is no more than a process by which common-sense concerns about community futures are incorporated into decisions which will affect the future”. Following the US example, public hearings became a central component for public involvement in environmental impact assessment.

The first major endeavour with widespread repercussions on government policy-making took place in the mid-1970s over the proposed development of a 2000 km oil and gas pipeline through the Mackenzie River valley linking the Beaufort Sea in Canada’s arctic to the refineries in Alberta and the United States (Berger, 1977). The *Mackenzie Valley Pipeline Inquiry* held extensive public hearings to consult with residents in thirty-five northern communities likely to be affected by the development of the pipeline. The eventual result from this inquiry was the recommendation that the pipeline not be built. The process leading up to the government’s decision to abandon the development proposal has since been heralded as a watershed achievement demonstrating the effectiveness of public involvement in environmental planning in Canada (Warriner, 1997).

However, many other government-led initiatives to involve the public seemed less successful. The 1970s brought an intensification of development in many resource sectors, and included such “mega-projects” as Hydro-Quebec James Bay Hydroelectric

² Major US federal laws on the Environment followed within five years of the NEPA: Clean Air (1970), Clean Water (1972), Pesticides Control (1972), Marine Protection (1972), Coastal Zone Management

Project, as well as the expansion of many cities, highways and airports. Not surprisingly, the environmental assessments surrounding these development projects were at the centre of the public participation debate. Despite the early promise of the merits of increased public participation, it was becoming clear by the 1980s, that it “had not fulfilled the expectations of becoming a panacea for solving conflicts in planning and decisions-making” (Jackson, 1997, 22).

Although public participation had seen an unprecedented increase in the 1970s, there appeared to be problems in the way government administered it. Some claimed inviting public input was simply a mask for what appeared to acknowledge and provide for participatory democracy while in fact “educating” the public towards planner’s views (Bailey, 1975). The problem seemed to revolve around the need for management skills in balancing information from the public versus “professional criteria and values” (MacMurray, 1971). To some, public participation was nothing more than public relations by government to seek approval for the decisions they had already made (Damer and Hague, 1971). Howard (1976) termed these government initiatives as the “Great Participation Fallacy”, illustrating the perception that the initiatives had not really allowed the public to participate in decision-making to the extent they were originally intended. The situation is described by Lake (1980) as follows: “public hearings create expectation of public involvement, but result frequently in frustration and futility for the testifiers”. By the end of the decade, Estrin (1979) concluded that “the public is still voiceless”, calling public hearings a “sham” since “the development proponent is always more knowledgeable, with access to technical and financial resources far beyond those of the public” (Jackson, 1997, 23). Christiansen-Ruffman and Stewart (1977) use a sports metaphor to describe the criticism against the government initiatives:

At present, challenging public decisions could be viewed as a form of Kafkaesque baseball. Citizen groups are always the visiting team in their own home town. They play by rules that are largely contrary to their interests, incompatible with their skills and inordinately biased in favor of

(1972), Endangered Species (1973), Safe Drinking Water (1974). It was a period of unprecedented attention to environmental matters in public policy making.

the interests and skills of the opponents. Umpires are selected and paid for by the opponents. There are no restrictions on the number of imported professionals or “ringer” either side may use – except only the opponents have unlimited funds to hire whomever they please – with funds that have been provided by the citizens. Furthermore, citizen groups are usually not told about the game until the game is almost over. The ball park is usually closed to the citizens until the ninth inning. Coming to bat in the ninth, the citizens are forced to resort to desperate tactics to catch up. Then after the citizens have had their one inning, the opponents have the advantage accorded a home team – last bat. The strangest aspect of the whole game is the initial surprise of many citizen groups when they lose – most, if not all the time.

In 1978, Langton had used the term “participation paradox” to describe the situation in which, despite the increase in government initiatives to involve the public, there remained frustration on the part of the public about their ability to affect the decisions (Langton, 1978). It was becoming clear that there were some serious problems with public participation. Power inequalities seemed to have dominated the participatory process with the charge of manipulative tactics being levied against governments. O’Riordan (1977), in reviewing the evolution of participation up to then, stated:

Participation remains largely a means to be exploited by those who see they can benefit from it and to be manipulated by those who are anxious to protect their power base (O’Riordan, 1977).

Draper (1977) concurred: “Government secrecy and citizen participation co-exist with little serious attempt so far to reconcile the different value systems implicit in each”. Sewell and O’Riordan (1976) had predicted that public participation “may even prove to be counterproductive in the sense that sincerely motivated citizens may become deeply frustrated, resentful and cynical about the whole process and the holders of power”.

Recognizing these failures, government in Canada appeared committed to making public participation work for Canadians. In 1978, Prime Minister Pierre Trudeau is quoted as saying the following:

The only choice facing governments at all levels is whether to invite public participation at every stage of the decision-making process, in an atmosphere of cooperation, or whether to encounter participation after the fact in an atmosphere of hostility (Warriner, 1997).

Unfortunately, the Prime Minister's insightful rhetoric was not matched by practice. Throughout the 1980s, the public participation initiatives evolved, but the criticisms did not go away. In some cases, the original ideological origins of the participation movement seemed barely recognizable in some institutional definitions of public participation. For example, Hydro-Quebec's (1984) definition emphasizes public consultation only in determining and providing compensation to affected residents, rather than any role in the planning development projects. Before 1995 in British Columbia, the Ministry of Forests *Public Involvement Initiatives* amounted to a limited period of time in which the public could review and comment on forest development plans which were already finalized by the development proponent (British Columbia Ministry of Forests, 1980; see also Chapter 4 of this thesis, section 4.3 "Provincial Context"). Jackson (1997) calls attention to the marked drop in both academic and popular interest in participation throughout the decade of the 1980s. Creighton (1992) suggests that citizens had become cynical and disinterested, giving credence to the earlier prediction by Sewell and Coppock (1977):

This attitude of caution, coupled with a number of negative experiences, has led some observers to suggest that the movement towards group public participation may already be on the wane and that it may soon die out.

Public participation has not died out. In fact, the late 1980s and 1990s brought an even greater movement embracing increased public participation, both by an insistent public and by government decision-makers. The concerns about power imbalances and issues of fairness persisted. In 1988, the Canadian Environmental Assessment Review Council (CEARC) published a report on the ways to enhance the effectiveness of impact assessment. One of the central concerns "related to the efficiency and fairness with which the assessment process accommodated the needs, concerns, and values of all the interested parties" (Jackson, 1997, 22). In the mid-1980s, the Federal Environmental Assessment and Review Office (FEARO) commissioned Dr. Parenteau of the University of Montreal, to undertake a study to assess citizen participation in public hearings on the

environment. His findings, published in 1988, called for the need to move away from technocratic planning (what he called “debureaucratization”), and involve the public in a non-discriminatory way, by “bringing processes and issues to the local level” (Parenteau, 1988, 64). Claiming the need to “democratize decision-making” and address the problem of relying mainly on technical elite, he suggests that the ordinary public be involved in local processes:

Local and grassroots groups should have the services of their own experts, from whom they can obtain the information and technical support they themselves have identified as necessary to their contribution.

This suggestion was also in the spirit of the most important concept to affect environmental decision-making since the late 1980s – sustainable development. Following the United Nations Commission on Environment and Development - the Brundtland Commission - in 1987, and the widespread adoption by governments of the concept of “sustainable development”, there was increased emphasis on the role of public in facilitating the way toward this goal. Despite its limited applicability due, in part, to its relative ambiguity, sustainable development is associated with an approach to decision-making that “seeks to empower local people, and to encourage their participation in development and environment decisions” (Mitchell, 1997, 33). The rationale for this argument is that people living in an area will have to live with the impacts of development, and therefore are likely to be able to anticipate negative impacts.

Five years later, in 1992, the United Nations Conference on Environment and Development (the “Rio Earth Summit”) produced the *Agenda 21* declaration. In Chapter 40, the role of the local public in making more sustainable environmental decisions is re-emphasized:

In sustainable development, everyone is a user and provider of information considered in the broad sense. That includes data, information, appropriately packaged experience and knowledge. The need for information arises at all levels, from that of senior decision-makers at the national and international levels to the grass-roots and individual levels (UNCED, 1992, 40).

It seems that with the popularity of the concept of sustainable development, the decade of the 1990s saw a resurgence in academic and popular interest in the public participation in environmental decisions, and a redefining of the strengths and limitations of public participation. Opportunities for public participation became more widespread, reaching far beyond environmental impact assessment. Governments have initiated a diversity of mechanisms for public participation in a variety of resource and environmental management contexts (see for example: Ashford and Rest, 1999; Bardati, 1997; Beierle, 1998; Beierle and Crayford, 2001; Booth and Halseth, 1997a, 1997b, 1997c; Crossley, 1989; Frankena and Frankena, 1987; Lover and Pirie, 1990; Jackson, 1997; Powell, 1989; Woods, 1996; Warriner, 1997; Renn *et al.*, 1995). In addition, the *International Association for Public Participation* was created in 1990, whose mission is to promote and improve the practice of public participation in relation to individuals, governments, institutions, and other entities that effect the public interest in nations throughout the world (IAP2, 2002). The many mechanisms that have evolved for public participation in decision-making, as well as the problem of defining what makes them successful or not, is addressed next.

2.3.4 Mechanisms for Public Participation

The mechanisms for public participation have now become considerable and ubiquitous. These can include many direct democracy approaches, such as ballot initiatives, and referenda, town meetings, petitions and protests, computer-based and media-based polling, videoconferencing, press releases, hot lines, community fairs, etc. (see IAP2, 2002 for discussion of these and others). While an exhaustive examination of these is beyond the scope of this research, this review describes some of the more salient features surrounding the more formally structured and frequently used mechanisms. They are divided into five categories³, as follows:

Public hearings/meetings are by far the most traditional forms of public participation. They are most often required by law, and government agencies (such as the

Canadian Environmental Assessment Agency, previously discussed) have used them to announce and defend their proposals and plans. Numerous advantages include that they are relatively easy to convene, open to everyone, and provide an opportunity for the public to learn about agency rules and proposals, and provide a form for concerned citizens to present their views. Potential disadvantages include their tendency to occur late in the decision-making process, the possibility that they are dominated by organized interest groups, the most outspoken critics in the community, and/or individuals most at ease with public speaking. Public hearings and meetings are often adversarial in nature, creating an “us versus them” feeling, which rarely fosters two-way dialogue. See also Rosener (1982), Fiorino (1990), Webler and Renn (1995), and National Research Council (1996).

Citizen Surveys are aimed at soliciting citizens’ views, opinion, knowledge, and perceptions about a particular issue. They can take the form of mail, telephone, or in-person questionnaires and interviews. They may be targeted or rely on random sampling procedures. This method has the advantage of obtaining views and opinions across a broad range of members of the public. Citizens do not need strong communication skills or specialized knowledge in order to participate. Random sampling can ensure statistical representativeness. However, surveys do not promote dialogue or learning. They may oversimplify complex issues and isolate them from their social or community contexts. They may also be biased in their construction and interpretation. Officials can also ignore the results. They can be used and/or perceived as a public relations tool. See also Fiorino (1990), and English *et al.* (1993).

Citizen Advisory Committees, Task Forces are composed of a group of representative stakeholders assembled to provide public input to the planning process and/or to make recommendations on specific policy issues. Participants in these types of mechanisms have the advantage of meeting over time, allowing for more in-depth examination of issues. This facilitates the accumulation of a common base of information, allows for detailed analysis of the data, and the development of relationships

³³ This typology is based on descriptions found in many articles on the topic of public participation which

leading to mutual understandings and common ground. They often operate via consensus. Concerns relate to their limited inclusiveness, representativeness, degree of autonomy and independence from the sponsoring agency, high level of commitment (time and labour) required of members, a need for technical expertise, and agency use of the group's recommendations. As well, the general public may not embrace the committee or task forces' recommendations even though it purportedly speaks on behalf of the general public. See also Lynn (1987), English *et al.* (1993), Lynn and Busenberg (1995), Renn *et al.* (1995), (1995), Lynn and Karetz (1996), Vari (1996), and National Research Council (1996).

Citizen Juries and Review Panels are a small group of ordinary citizens empanelled to learn about, debate, and provide input. They have been used to weigh and develop policy options, usually around a single, clearly defined issue. The jurors/panelists hear testimonies from technical experts and citizens and have an opportunity to question and challenge them. Thus, there is some degree of deliberation and dialogue that takes place in this type of participatory mechanism. The jurors/panelists discuss and evaluate the evidence and vote on a final decision or set of recommendations. The selection process helps enhance representativeness and impartiality, although a majority rule approach to voting may overwhelm minority interests in the issue. The involvement of the ordinary public as jurists or panelists helps balance the weight generally afforded scientific and technical experts, thus facilitating greater infusion of community values in to the decision-making process. In doing so, this type of mechanism provides opportunity to dispel any misinformation, and build credibility if all sides of the issue are present. The formality of this mechanism raises expectation that the initiating agency will seriously consider implementing the decisions/recommendations that emerge from the process. See also Fiorino (1990), Kathlene and Martin (1991), Crosby (1995), Armour (1995), Renn *et al.* (1995), and National Research Council (1996).

Alternative Dispute Resolution/Mediation/Negotiation processes have become increasing popular for reaching consensus or resolving conflict over environment and

resource natural related issues. They are generally facilitated processes, involving parties with a wide range of views and interests in the issue at hand. Participants meet over time and attempt to resolve differences through dialogue, deliberation, and compromise. Sponsoring agencies frequently use negotiated rulemaking in the regulatory process. These mechanisms operate over time, give participants access to information, and provide opportunity for learning and shared decision-making. However, the success and fairness of these processes has been the topic of much academic debate. Specifically, issues of representativeness, the bias in favour of existing societal power distribution and the uncertain agency and government commitment to the negotiated outcome are major criticisms of these types of mechanisms. See also Fiorino (1995), Hadden (1995), Baughman (1995), Norhdurft (1995), Susskind and Ozawa (1985), Susskind and McMahon (1985), Renn *et al.* (1995), and National Research Council (1996).

This last category of mechanisms for public participation appears to allow for the highest degree of public participation and has the most promising potential for the future. As Jackson (1997, 30) wrote, “the 1990’s have brought to the field of public involvement a new nomenclature”. It is now spoken of as ‘conflict resolution’ (Ness, 1992; Maser, 1996), “consensus building” (B.C. Round table, 1991; Darling, 1991; Dorcey *et al.*, 1994), and “shared decision-making”, employing mediation and negotiation techniques with the involvement of stakeholders (Gunton & Vertinsky, 1991; Abs, 1991; Mitchell, 1995). For this reason, a short “side-step” in the literature review (see Figure 2.1) to acknowledge the contributions of this field is warranted. Then, the review narrows further to the topic of public participation evaluation.

2.4 Conflict Resolution and Consensus-Based Approaches

2.4.1 Alternative Dispute Resolution (ADR)

Several separate streams of literature have developed over the past 30 years that explore the concept of “conflict resolution” in environmental matters. From Deutsch’s (1973) discussion of alternatives to litigation multi-party conflicts, a body of literature has developed in Alternative Dispute Resolution (ADR), primarily within the discipline

of law. ADR broadly refers to any method, or combination of methods, used for resolving problems without going to court (Lawclopedia, 2002). Bingham (1986) defined ADR as “a variety of approaches that allow the parties to meet face to face to reach a mutually acceptable resolution of the issues in a dispute or potentially controversial situation... [and] that involve some form of consensus building, joint problem-solving, or negotiation”. Two key strategies are negotiation and mediation. Negotiation occurs whenever two or more parties attempt to settle their dispute without outside help (Duffy *et al.*, 1996). The negotiation, according to Scott (1988, 7) “meets the legitimate interests of each side to the extent possible, resolves conflicting interests fairly, is durable, and takes community interests into account”. Mediation is a form of facilitated negotiation in which a third party is used to assist disputants in reaching an agreement. The mediator aids communications, guides, initiates and directs, but does not arbitrate. The decision to accept or reject a decision is left to the parties in conflict (Porter and Taplin, 1987; Duffy *et al.*, 1996).

Principles of alternative dispute resolution have been incorporated into a stream of literature in Environmental Mediation. Dorcey and Riek (1987) examined thirty two cases where negotiation-based approaches were used for settling environmental disputes in Canada. They proposed that the same principles might be used applied to wide-scale land use and resource management planning. Public involvement using ADR approaches are “particularly well suited to land use planning and environmental and natural resource management due to dissatisfaction by the public with the lack of inclusiveness of traditional decision making techniques” (Kelley and Alper, 1995, 9). In other words, ADR’s use in public participation can not only resolve conflicts, but also be used as a pro-active planning tool (Jackson, 1997).

This merging of ADR and public participation is now a rapidly growing field of inquiry (Duffy *et al.*, 1996). Beierle and Crayford (2001) documented and analyzed 239 published case studies where ADR was used as an approach to public participation. They found that ADR approaches typically do much better than other forms of public participation in achieving five “social goals”: i) incorporating public values into

decisions; ii) increasing the substantive quality of decisions; iii) resolving conflict; iv) building trust; and v) educating the public. The aim of ADR is usually to reach consensus, as Bingham's (1986) definition pointed out, where the result is described as win/win, unlike conventional litigation that inevitably results in win/lose solutions. Thus, achieving a consensus outcome is often used as the main indicator of the success (in achieving the five "social goals", for example) where it is assumed that "everyone wins". But consensus can also be seen as a *process* leading toward the outcome, not just the outcome itself. The next section brings into light this debate within consensus-based approaches and its significance for public participation in resource management.

2.4.2 Consensus: Outcomes and Processes

"Consensus" generally refers to a situation in which all parties agree to a decision (Duffy *et al.*, 1996). In contrast to a decision resulting from a vote or made unilaterally by a decision-making authority, a consensus process is qualitatively different in that each participant has an effective veto. This veto "levels the playing field" and provides each stakeholder with equal authority in reaching the decision (Cormick, 1992). Cormick (1989) contends that the power of consensus as a tool lies in its ability to protect the minority or single party from the "tyranny of the majority". The "sense of protection and influence accorded individual participants under a consensual process goes hand in hand with a sense of responsibility to search for mutually acceptable solution" (Duffy *et al.*, 1996, 5). Consensus, it is believed, offers safety from the threat of being overruled which, in turn, tends to foster greater openness in considering options (Cormick, 1989).

Earlier, it was mentioned that success in such alternative dispute resolution (ADR) processes has traditionally been measured by whether or not a consensus outcome was achieved (Bingham, 1986; Buckle and Thomas-Buckle, 1986; Dukes, 1993; Susskind and Cruikshank, 1987). Perhaps because of this, interest in consensus-based approaches to resolving resource management disputes has increased in the last decade, in Canada and particularly in British Columbia (BCRTEE, 1991; CORE, 1995; Dorsey, 1991; Hansen, 1991; Jackson, 1997). The Canadian Round Tables on the Environment

and the Economy (1993) focused on the importance of the decision outcome, in their definition of a consensus process as “one in which all those who have a stake in the outcome aim to reach agreement on actions and outcomes that resolve or advance issues related to environmental, social, and economic sustainability”. Likewise the British Columbia Round Table on the Environment and the Economy (BCRTEE, 1991) stated that consensus “means that all parties with a stake in the matter (the stakeholders) agree to a decision”. The British Columbia Commission of Resources and Environment (CORE), also focused on outcomes, when it convened several multi-party, consensus-based, land use planning roundtables in the mid-1990s⁴. CORE (1995) defined consensus, which it called “shared decision-making”, where the participants are “empowered jointly to seek an outcome that accommodates rather than compromises the interests of all concerned”.

Some have criticized this outcome-based interpretation of consensus, seeing it more as a *process* that centres on fostering respect between individuals as they deliberate the issues. Jackson (1997) discusses the uses of consensus approaches to decision-making by both First Nations and Quakers. When native people use the term “consensus decision-making”, they are referring more to the process of arriving at a decision communally, rather than the end agreement (Ross, 1992). Likewise the Quakers, who believe that everyone has a piece of the truth, or “God is in everyone”, have seen consensus decision-making as relationship-centred, rather than outcome-centred (Jackson, 1997; Estes, 1984).

Some have argued that when used as a public participation mechanism for resource management decision-making, consensus should be interpreted as a *process* (Dukes, 1993; Bush and Folger, 1994; Webler, 1995; Jackson, 1997). The reasoning is that consensus, when used for resource management purposes rather than simply resolving a particular dispute, involves more than the final decision. As Jackson (1997) states,

⁴ CORE is the government agency that initiated the public participatory process that forms the case study of this research. It is described in Chapter 4.

...public involvement ... is a process of reaching agreement; in resource management, more specifically, of developing a plan through the input and acceptance of diverse and even competing groups of people. A common error made in reference to consensus is to focus on the agreement, rather than on the process of reaching it (Avery et al., 1981; Estes, 1984).

According to O’Riordan and O’Riordan (1993), public participation is a “process now seen as important as the decision itself”, whereas in the past, public participation was seen almost exclusively as a means “to procure better resource management decisions” (Hendee, et al., 1977). This evolution of public participation and consensus approaches to resource decision-making has fueled academic interest in developing an understanding about how procedural aspects, rather than only decisions, can contribute to the success of public participation.

Dukes (1993) and Bush and Folger (1994), for example, stress the *process-oriented* approach to evaluating success of consensus-based, public participation mechanisms. For them, success concentrates on “empowerment of the public” throughout the entire deliberations. Empowerment occurs when participants define issues and decide settlement terms for themselves (Dukes, 1993; Bush and Folger, 1994). The concept of “empowerment of the public” harkens back to Sherry Arnstein's seminal “ladder of citizen participation”, published in 1969, which rates the success of the participation process by the amount of power the public exerts on it (described in next section). Essentially, although couched in new terminology, the process-oriented focus in public participation, and what defines its success, has been a topic of interest - called public participation evaluation - for many years. The next section reviews the literature, from Arstein (1969) to Webler (1995), on models for evaluating public participation. Outstanding research implications are discussed afterwards.

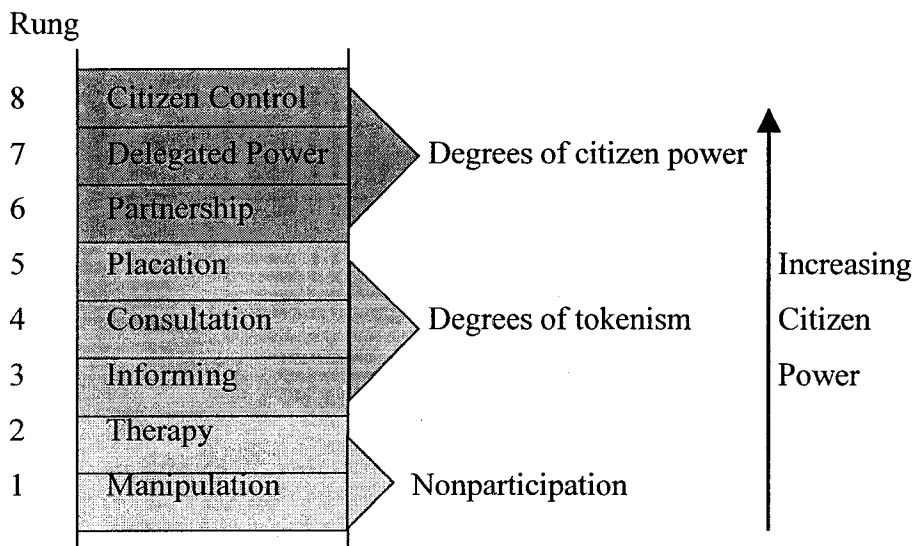
2.5 Evaluation of Public Participation

In 1966, White lamented that “adequate models are lacking to describe the intricacies of decision-making and, thereby, to indicate critical points in the process”. The managerial, technocratic approach dominated resource management decision-making

(discussed earlier), and very little formal evaluation of programs or processes had been done. By the end of the first wave of interest in public participation in the late 1970's, Wildavsky (1979) was able to declare that there was a multitude of evaluations of governmental programs that were seldom used to improve them. He also charged that "if planning were judged by results, ... then planning has failed everywhere it had been tried". Obviously, it took some time before the merits of evaluation were acknowledged. Jackson (1997) proposed that this might have been due to the delicate and political nature of evaluation, the perceived expense, and the confusion and lack of confidence surrounding decisions of what type of methodology would best be utilized. By the time the second wave of interest in public participation happened, in the 1990s, much progress had been made in the area of evaluation of public participation processes, as government are now facing increasing pressure to be "accountable to their publics". This section emphasizes three progressive stages of evaluation literature: i) early evaluation typologies which broke the ice for introspection into public participation processes; ii) the search for what accounts for success in public participation, and iii) the move toward a theoretical interpretations and normative models of public participation.

2.5.1 Early Evaluation Typologies

Arnstein's (1969) *Ladder of Citizen Participation* is one of the most often cited works on the topic of evaluation (Figure 2.3). This analytic tool attempts to gauge the degree of genuine citizen participation in the decision.

Figure 2.3 Arnstein's Ladder of Citizen Participation (1969)

Adapted from:
 Arnstein, Sherry. 1969. A ladder of citizen participation. *Journal of the American Institute of Planners* July, 216-24.

Rungs 1, *manipulation*, and 2, *therapy*, on the ladder do not represent forms of participation; they are ways decision-makers use to avoid genuine participation. Arnstein calls this “non-participation” since the real aim of these operations is to “educate” and “civilize”, or “cure” the public. In practice, these consist of naming citizens to advisory committees or organizing cultural or social activities (Parenteau, 1988). Warriner (1997, 188) states “at best the goal is civility; at worst it is nothing more than a public relations game”.

Rungs 3, 4, and 5 together represent the broad pattern of *tokenism*, or commitment to communication without any redistribution of power. Rung 3, *Informing*, is simply a one-way flow of information from agency to citizens, without any channel for feedback. rung 4, *Consultation*, allows for the two-way flow of information, but without any guarantee that the public’s voice will be heeded. And rung 5, *Placation*, occurs when mediation is arranged between stakeholder representatives and decision-makers.

Placation occurs when the power holders retain the right to judge the legitimacy or feasibility of the public's position.

The upper three rungs represent degrees of citizen empowerment. Rung 6, *Partnership*, permits real negotiation and bargaining over the effects of the decision. The public must usually discover a way to win power from decision-makers. Financial resources, here, can play an important role, as they may permit a group to expand its membership, fund activities, support leaders, pay technicians, lawyers, etc. Inequalities between various public representatives might be marked. *Delegated power*, rung 7, occurs when citizens achieve majority representation on the decision-making body. Citizens effectively take executive control of the decision process, while formal administrative authority remains with the statutory decision-maker. Finally, rung 8, *Citizen control*, would give citizens full access to administrative authority, including control over agency resource, personnel and management. This top rung, some believe, is largely a hypothetical ideal, while others believe is the ultimate achievable aim of the public participation movement.

According to Warriner (1997, 187) "Arnstein's approach is a direct challenge to a model of participatory democracy, while equating public involvement to an administrative device designed to deny the rights of citizenry". Arnstein (1969) herself charged that citizen involvement processes had been contrived by some to substitute for genuine participation. Their real objective is not to enable people to participate in planning or conducting programs, but to enable power holders to "educate" or "cure" the participants. In the early 1970's, this charge may have been substantiated, given that most public participation processes rarely reached past the fourth rung (*consultation*). A few years later, Kasperson and Breibart (1974) declared:

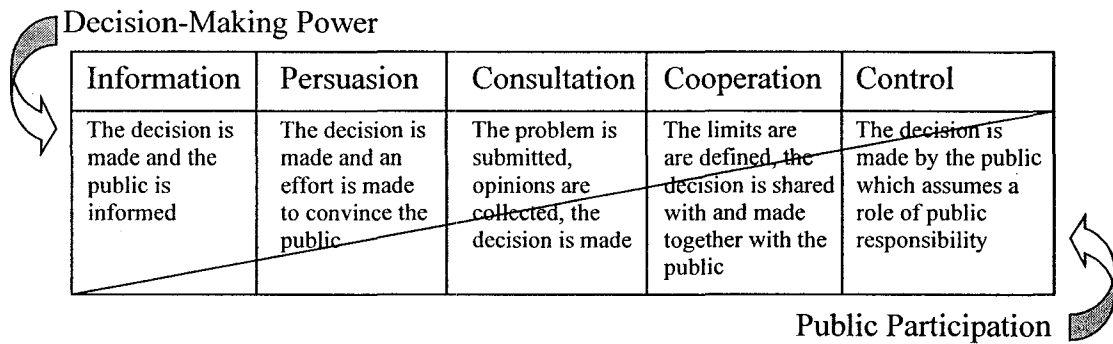
Participation does not occur when individuals are attached to institutions or processes where the agendas are already set, the issues defined, and the outcomes limited. Participation is "unreal" when the motivation is legitimation and support rather than creation.

In 1977, Ingram and Ullery called this "procedural" participation which "entails giving interested public participants an opportunity to air their views and perhaps creating

for them the illusion of substantive impact”. This is distinguished from “substantive” participation which, they explained is measured by the extent the public actually affect policy (See also Jackson, 1997; Mitchell, 1995). Public participation evaluation appeared to be fixated on the issue of citizen empowerment throughout the 1970’s.

Another analytic grid was proposed by Eidsvik (1978), which again focused on the issue of power in public participation (Figure 2.4). The grid is organized around two axes, balancing the agency’s decision-making power against the public participation in the decisions and seems to factor in a temporal component more clearly than Arnstein’s model.

Figure 2.4 Eidsvik’s Analytic Grid of Public Participation (1978)

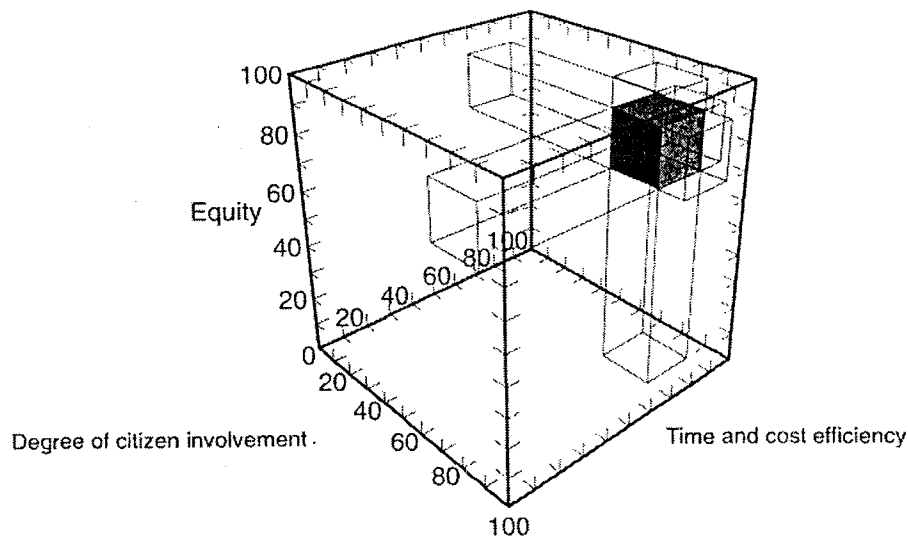


Adapted from:
Eidsvik, P. 1978. Le public et la planification des parcs au Canada. *Parks* 3(1):3-5.

According to this grid, the middle component, public consultation, appears to be the balance point of power. To the right, the citizens take on more decision-making power. To the left, the agency does. To Eidsvik, consultation occurs prior to the final decision and implies that citizens’ opinions are heard and taken into consideration in the decision-making process. This grid does not provide any new insights than Arnstein’s (1969) ladder; in fact, it simplifies it. But Eidsvik seems more generous about the role of consultation in providing citizen power than does Arnstein, who called consultation a form of tokenism.

Beyond the central issue of empowerment of citizens in public participation, there has also been interest in issues of efficiency and equity (fairness). A heuristic device was devised by Sewell and Philips (1979) to help assess the quality of the public participation process (Figure 2.5).

Figure 2.5 Equity, Efficiency, and Involvement Dimensions to Public Participation



Source:

Sewell, W.R.D. and Phillips, S. 1979. Models for the evaluation of public participation programs. *Natural Resources Journal*, 19(2):225.

Sewell and Phillips' (1979) model depicts the three dimension of public participation: degree of involvement, time and cost efficiency, and equity. Involvement has to do with the level and types of participation, according to the mechanisms used to incorporate the public. This dimension is most associated with the experience of involvement by the public, and is closely tied to participant satisfaction. Efficiency refers to the amount of time, personnel, and other agency resources required for the consultation process to reach a decision. Equity problems faced by public participation involve questions of bias produced either by the exclusion of some groups, or the failure of certain points of view to be given credence while others are weighed too much (Warriner,

1997). All three dimensions have implications for meeting objectives of participatory democracy. But, as Sewell and Phillips suggest, it is rare for any participation process to achieve the maximum level on all three poles. The greater the focus on equity and degree of citizen involvement, the greater the time and cost involved, thereby reducing efficiency. There are trade-offs between these dimensions, and evaluating the success of the participation exercise depends on the judgements made about the value of each dimension. While pointing out the major areas of concern in public participation and extending the evaluation to more than public empowerment, this heuristic model provides no answers on how to improve public participation to maximize any of the dimensions.

Public participation evaluation, like public participation (described earlier), after an enthusiastic beginning, had reached its nadir in the late 1970s. Recognizing the need for trade-offs between the three dimensions of involvement, efficiency and equity, the nature of the participation process was being questioned: *What degree of public involvement is desirable and feasible?; Which segments of the public should be consulted?; At which points in the planning and policy processes should public input be sought?*. What followed was a string of empirical assessment studies, which were often process-specific (see Mitchell, 1989), and there appeared to be no consensus about how to go about performing the evaluation.

In light of this, Smith (1983) argued that evaluation of public participation should go beyond mere assessment of procedural aspects. Rather, evaluation must include the decision-making *context*, as well as the post-process *outcomes* (Table 2.1).

Table 2.1 Smith's Schema for Evaluation of Public Participation (1983)

Context	Process	Outcomes
Historical background Institutional arrangements <ul style="list-style-type: none"> political structure and processes legislation and regulations administrative structures Agency features <ul style="list-style-type: none"> status function terms of reference financial arrangements 	Goals and objectives for participation <ul style="list-style-type: none"> mandate given participation by agency objectives of participants Number and nature of public(s) involved <ul style="list-style-type: none"> who are they? how representative are they? how organized are they? Methodology employed <ul style="list-style-type: none"> techniques & access to info 	Results of participatory exercise Effectiveness <ul style="list-style-type: none"> focus on issues representativeness of participants appropriateness of process degree of awareness achieved impact and influence of participation time and cost

Adapted from:

Smith, L.G. 1983. The Evaluation of Public Participation in Water Resources Management: A Canadian Perspective. Pg. 235-44 in J.W. Frazier, B. J. Epstein, M. Bardecki and H. Jacobs, (eds). *Papers and Proceedings of Applied Geography Conferences*, Vol.6. Department of Geography, Ryerson Polytechnical Institute, Toronto.

Despite Smith's innovative approach, not much research has taken up his suggestions. In fact, the 1980s showed a diversity of public participation evaluation attempts, with a resulting disparate collection of findings that appeared to confuse any attempts at generalizations, leading Mitchell (1989, 123) to declare:

Concurrently, a theoretical vacuum exists concerning the process of citizen involvement. The search for a firm theoretical foundation for such research represents a pressing need for future work.

As it turned out, Mitchell's statement foreshadowed the emergence of empirical research on the nature of success and theoretical investigations on public participation evaluation that followed. The search for what makes a good participation process -- or the "success factors" -- dominated much of the literature in the 1990s. By then, public participation had once again gained prominence, with governmental agencies and private industry embracing public participation, along with a resurgence of academic and popular interest in examining whether or not these efforts have been or can be successful. The next section discusses the search for success factors in public participation.

2.5.2 *What Accounts for Success?*

The issue of “successful participation” has been addressed conceptually by many scholars, who have proposed a host of evaluative criteria. Since there is a diversity of goals and expectations for public participation processes and mechanisms, definitions of success are complicated (Ashford and Rest, 1999). English (1991), in her extensive study of Superfund clean-up sites in the United States, claimed that success is relative and site-specific, and that it varies with the views of the participants and agency sponsors, and may be context-dependent. This confirmed the validity of Smith’s (1983) approach that sought to include, in the evaluation, the context and outcomes of the process as well.

The literature is very thin on studies that deal with contextual features that may affect the success of public participation. By far, most deal with process and outcomes. Several studies suggest that evaluative criteria be based on participants’ goals and expectations for a particular process. Not surprisingly, their goals general fall into two broad categories – process and outcome (Chess and Purcell, 1999).

Process goals focus primarily on means rather than ends, and the criteria used to evaluate success examine a variety of procedural aspects of the participatory programs. English *et al.* (1993) suggest operational criteria for public participation mechanisms that include inclusiveness, adaptability, resiliency, durability, and generalizability. Syme and Sadler (1994) discuss issues of procedural justice, and suggest such criteria as independence of the facilitator. Lach and Hixson (1996) propose such process indicators as accessibility to the decision making process, diversity of views represented, opportunities for participation, information exchange, and identification and integration of concerns. Jackson (1997) derived four general success factors for public participation from the literature: Integrity, explicit objectives, early stakeholder identification, and strategic communication. Her research results determined these to be “critical” to the success of the planning process, along with solid information, facilitator, commitment of participants, training, and government support. Yosie and Herbst (1998) suggest that such process indicators of success add value to a decision making process.

For some researchers and practitioners, the success of a public participation effort can and should be judged in terms of results or outcomes. However, there may be many preferred outcomes by different participants. For the agency, outcome success may mean public support for its plans and decisions, the resolution of conflict, or ease at implementing the decisions. The community, on the other hand, may measure success by how it is able to achieve its own agenda, or even block agency proposals. The United States National Research Council (1997) suggests that public participation will lead to better decisions, and offers an approach that combines open, public deliberations combined with analysis of environment information. Lach and Hixson (1996) identify such outcome indicators as decision acceptability, efficiency, cost avoidance, and mutual learning and respect. Beierle (1998) examined public participation using commonly-held social goals, defined as those goals which are valued outcomes of a participatory process, but transcend the immediate interests of any party in that process. These goals are: educating the public, incorporating public values, and knowledge into decision-making, building trust, reducing conflict, and assuring cost effectiveness. Other studies on outcomes include improved understanding (Laird, 1993), conflict resolution (Shepherd and Bowler, 1997; Yosie and Herbst, 1998), consensus (Elder, 1982), influence on and participation in decisions (Lynn, 1987; Fiorino, 1990; Kathlene and Martin, 1991), and participant satisfaction with the outcome (Mazmanian and Nienaber, 1979; Kelly and Alper, 1995).

Still other researchers have found success factors that can be used as both process and outcome criteria. Lynn and Busenburg (1995) and Ashford and Rest (1999) put forth definitions and measures of success used by different investigators. Chess and Purcell (1999) reviewed process and outcome goals used in twenty empirical studies of participation. Of these, sixteen used both process and outcome criteria, and five used only process criteria. Only one study examined outcome criteria (influence on the decision) as the sole measure of success. These findings suggest a clear preference for evaluating both process and outcome goals, together, when assessing the success or effectiveness of different public participation mechanisms. Schweitzer *et al.* (1996)

developed seventeen different definitions of success in public participation programs based on their interviews with key participants, along with their review of the literature. They grouped these definitions into five categories dealing with: (1) the decision-making process; (2) the effects of public participation on stakeholder understanding and attitudes; (3) the effects of participation on environmental management decision; (4) the effect of environmental management decision on site conditions, and (5) the effects of environmental management decisions on stakeholders' objectives. They concluded that complexity of management decisions, of stakeholder groups, and of the variety of interest within these group argue against the oversimplified use of one definition of success. It appeared that the empirical evidence was pointing to the fact that the nature of success in public participation is very complex and quite elusive.

Studies on particular forms of public participation, however, revealed more focussed insights. Beierle and Crayford (2001), evaluated dispute resolution as an approach to public participation. By coding more than 100 attributes of 239 published case studies of public participation for dispute resolution in environmental decision-making, they concluded that the high degree of effectiveness in influencing decision, resolving conflict, building trust, and educating a small group of participants often came at the expense of engaging the wider public, including all relevant parties, and tackling all relevant issues. These findings reinforced the major lesson for evaluators of public participation. By broadening the scope of the evaluation, failings and opportunities can be identified that would otherwise not be visible. Examination is needed that extends beyond the process itself and looks at the extent to which decisions are actually implemented, as well as the context in which the participation process takes place. Empirically, it appears that public participation has both procedural and outcome goals and that its "success" should and can be assessed in terms of both. The vast evidence suggests that public participation processes can, and often do, achieve demonstrable benefits for natural resource management and environmental decision-making, even if the definitions of success are varied.

Unfortunately, there is little published research on the theoretical implications of these empirical findings. Mitchell's (1989) lament that most evaluation of public participation takes place in a "theoretical vacuum", to a large extent, still holds true. There is a need to consolidate the findings with the aim of generalizability, in order to make theoretical sense of them, but as of yet, no study has attempted such an endeavour. However, there is a small body of researchers that have offered prescriptions for public participation, based on theories of democracy and justice, as well as on social theories of communication. These are reviewed in the next section.

2.5.3 Theoretical Foundations to Evaluation

Some have suggested the application of a normative yardstick when measuring the success of public participation processes, often buttressed by theories of democracy. Fiorino (1989) developed performance criteria from a theory of participatory democracy. Laird (1993) added to Fiorino's criteria with another set from the theory of pluralist democracy. Fiorino (1990) endorsed the basic value of discussion in public participation, which he sees as reinforcing citizen autonomy and sense of improvability through the promotion of individual reason, judgement and choice. He sees participation mechanisms as democratic processes and notes that democratic theory suggests that other criteria for evaluating participation are: direct involvement of "amateurs" in decision-making, shared collective decision-making, and equality of participation. Eden (1996) defines truly "public" participation as lay involvement, stressing the need for inclusiveness foremost. Syme and Sadler (1994) include the normative criterion of interactive justice, which includes the extent to which participants believe they have gained an adequate degree of knowledge about, and control over, the issue at hand. In her discussion of public risk perception, Hadden (1990) also notes the importance of enhanced control and equity. Shepherd and Bowler (1997) include the democratic ideal of citizen representativeness in their analytic framework for examining the effectiveness of public participation. English *et al.* (1993) suggest the ideal outcome of public participation is a normative consensus. They also propose a set of ethical criteria to be used when designing and evaluating

participatory mechanisms, including: impartiality, representativeness, accountability, transparency, and recognition of promises. Vaughan (1995) emphasizes the role of the public is particularly important to the environmental justice movement.

When it comes even to the normative criteria and theoretical frameworks employed, it appears that many are simply re-stating the original ideals of democratic participation that marked the early participation movement (see section 2.3.1 above).

Webler (1995) has offered a normative model for evaluating public participation that departs from the rest of the evaluation literature because it circumvents the problem determining “success factors”. He suggests that using a set of criteria derived from definitions of success raises a number of questions. From which perspective did the criteria evolve? And with whose interests in mind do we define what makes decisions “better”? Viewing public participation in terms of how it affects government regulators, stakeholders, interest groups, or private citizens has its merits, since it can point to specific areas where participation, as well as the decisions that result, can be made better from that particular perspective. Since there are often many different interests represented in such processes under investigation, it is always possible to produce a negative evaluation by orienting the evaluation around the interests of the participant who was not satisfied with the process in some way.

A number of studies have been done on whether the participation is beneficial, or not, to the public. Arnstein’s “Ladder of Participation”(1969), reviewed earlier, focused on the degree to which the public process empowers the public in the final outcome. Van Til (1978) noted that participation provides society with a means for social change to occur. Rosenbaum (1978) argued that participation is meant to give citizens a voice in decisions that affect them, so that they can protect their own interests. There are many other researchers, in this vein, who have stated that public participation has failed because citizens feel the existing participatory opportunities are inadequate (Langton, 1978; DeSario and Langton, 1987; Fiorino, 1990).

On the other hand, there are those that point out how public participation has failed to meet the needs of government administrators. According to Cuthbertson (1983), public

participation is organized only to inform decision-makers. The prime motivation for administrators, according others, is to acquire public support to implement policy (Ethridge, 1987; Cupps, 1977; Rosenbaum, 1978). But asking for support from the public is a double-edge sword, as many such endeavors encounter - and perhaps cause - public opposition. If this opposition cannot be transformed into policy adjustments that, at least to some extent, satisfy the public, then a kind of legitimacy crisis ensues.

These studies reveal that the evaluation of public participation can be intricately attached to the subject (*e.g.* the administrator or the citizen) under evaluation. And the success of the process will depend on whatever perspective is taken in the evaluation. As Rosener (1978, 458) put it “there should be little doubt that knowing who is doing the perceiving is crucial to any understanding of the effectiveness of citizen participation”.

Webler (1995) questions whether it is possible to escape the trap of evaluating public participation from the point of view of the subject. He asks: “Is it possible to evaluate public participation without being committed to seeing it merely as a tool that supports or topples, the administering elites?”

Renn, Webler and Wiedermann (1995, 7) state

it is unfortunate that evaluations of public participation have been so tightly linked to serving the values and interests of individuals and groups. What has resulted is a standoff between government administrators on the one hand, who offer participation opportunities with no real power to citizens, and locally-impacted citizens on the other hand, who block projects through other means such as protests and complaint.

Webler follows up on the theory-based work of Fiorino (1990) and Laird (1993). But instead of looking to theories of democracy that tends to examine exclusively macro-level social interactions, that is, how public participation works in society as a whole, Webler looks to a micro-level theory of social interaction. He sees public participation as interaction among individuals. “Interaction is oriented toward the individual and shared goals of the actors through a coordinated process of discourse” (Renn, Webler, Wiedermann, 1995, 9). In essence, public participation is about how people interact through the means of communication.

To build his normative evaluation criteria, Webler relied on the theory of communication by Jurgen Habermas, a German philosopher and dominant figure in the tradition of critical theory (Habermas, 1970; 1984; 1987). Habermas' theory is attractive because of the credence it gives to individual autonomy that Webler sees as fundamental to public participation in environmental decision-making. In the tradition of critical theory, Habermas believes that individuals ought to be free of all forms of domination. Once they are free, people can engage in critical self-reflection. In his view, public participation can and should be a means to realize the critical awareness. Building on the work of Habermas, Webler (1995) has proposed "fairness" and "competence" as the metacriteria for evaluating public participation. He suggests that "right" participation encourages multi-party communication; is consensual and non-hierarchical; requires respect for individual autonomy; relies on citizen's reasonableness; and promotes critical self-reflection. Webler's Fairness and Competence Model is described and applied in Chapter 7 of this thesis.

While Webler's model has potential, it has limitations when used as the sole means of evaluation, since it focuses exclusively on the public participation process. There is no recognition of the context or outcomes in his evaluation that earlier empirical research had deemed relevant. The overall assumption is that a procedural normative evaluation model is sufficient. In other words, if the process is "right", the outcomes will be also. Contextual issues are unaccounted for altogether.

But is this assumption valid? Agency evaluations of a process might give a positive picture of the process and its outcomes, while participant evaluations of the same process might give a negative one (the literature of empirical research suggests it is rarely the inverse). Beierle (1998) suggests that the relationship between procedural criteria (Webler's fairness and competence meta-criteria, for example) and the goals of the public or the convening agency are poorly supported by literature. As a result, he claims, process evaluations are unclear about what aspects of the process are necessary rather than merely sufficient for a desired result. The procedural criteria may not capture all of the important factors affecting a participatory process. Community conditions,

relationships among stakeholders, institutional capacity may be important contextual factors in how well processes function (English, 1991; Peelle *et al.*, 1996; Webler *et al.*, 2001).

2.6 Research Implications: Issues and Challenges

The review of the literature suggests that public participation has become an increasingly important part of resource management decisions with the development of extensive set of mechanisms for incorporating the views of citizens. As well, many evaluation typologies, the challenges of determining successful participation, and the search for some theoretical basis for evaluation has been discussed. Despite the progress, public participation evaluation remains problematic. Gregory (2000) summarizes the state of public participation, after over 30 years of practice, as follows:

Too often decision-makers cast a wide net for hearing citizens' views but then disappear behind closed doors to interpret what they have heard and to work out tough conflicts that inevitably arise across disparate points of view. A charitable interpretation is that decision-makers access to tools for deeply understanding the concerns of the community residents, technical experts, or interest groups and for incorporating objectives and tradeoffs effectively as part of policies or legislation has not kept pace with the rhetoric of public involvement. It is therefore not surprising that there remains a widespread dissatisfaction with the quality and meaningfulness of stakeholder input with the environmental decisions (Gregory, 2000, 1).

Gregory's observation that access to tools for understanding public participation has not kept up with the rhetoric of public participation suggests a pressing need for an approach to evaluation of public participation that will help governments "walk the walk", as well as "talk the talk". The fact that there is still widespread dissatisfaction surrounding public input into resource decisions suggests that simply investing in more opportunities for public input is not the solution. Rather, the need is to devise ways to increase the quality of public participation. As Webler and Renn 1995, 26) state:

In a nutshell, it is not the quantity of public participation avenues that influences an individual's choice to participate, but the perception that the government sincerely wants them to participate in a meaningful way.

There are gaps in our understanding of what makes for “meaningful participation”. The literature review has demonstrated that theorists, researchers and policy analysts raise a host of inter-related issues that pose practical challenges to agencies and governments contemplating public participation.

First and foremost, citizens feel cheated if they are asked to participate only to find out that the decision has already been made (Rung 2: “Therapy” on Arnstein ladder, a form of nonparticipation). Or, if the decision does not adequately reflect the input from the public, then some degree of tokenism (Rungs 3,4, and 5) prevails. The fact that public participation in resource decision rarely reaches beyond consultation – by any analytic standard - suggest that true shared decision-making or some degree of partnership with citizens remains a significant challenge to implement.

Second, most people in resource-based communities may have limited trust in public institutions and limited confidence in the decision-making process. This may have come about because of what people perceive as a history of betrayal marked by repeated resource decisions made by governments that do not reflect their input in the decision process. As a consequence, the public often demands to oversee the process and define objectives for themselves. If they are not permitted to do this, they may see no reason to participate in yet another so-called public participation opportunity. The challenge is to enable and promote trust between the public and the agency decision-makers, and to design an evaluation approach that addresses the problem of distrust.

Third, resource managers are often uninformed, ill-informed, or unconcerned, about the public’s concerns in the resource management decision-making process. There is still widespread neglect the experiences and preferences of the public when making resource management decisions that affect citizens. While the rhetoric of sustainable development (and its emphasis on increased public participation) has prevailed since the late 1980s, the innovative experiments for providing more opportunities for participation by citizens may continue to be undercut by a dominant culture of managerialism, especially in certain resource sectors, jurisdictions and

geographic contexts. A participation mechanism that works in one context and community may fail miserably in another. Standardized, or “cookie-cut”, participation mechanisms are not the solution. But designing a process “from scratch” in every situation is also problematic. The challenge is to devise an approach that incorporates into the public participation evaluation an in-depth understanding of both the contextual issues that govern the participation experiment. This may include both agency and government features as well as the history of resource management in the local community.

Fourth, there are many evaluation approaches available. The earliest typologies have been replaced by more in-depth investigations into the factors of success in participation. In fact, the literature currently contains much overlap and repetitions, perhaps due in part to the restrictions of discipline-limited research in this transdisciplinary topic of inquiry. Perhaps in an effort to generalize findings, the problems associated with determining success factors in public participation have been too narrowly focussed. Most focus exclusively on procedural features. Others focus only on the decision outcome. Still fewer examine both process and outcomes. While some studies have mentioned the importance of studying contextual features, to date, there has no been method available for evaluating public participation which incorporates all three aspects of public participation: context, process, and outcomes. It is now time to build on the innovative, yet unheralded, work of Smith (1983) who first suggested evaluation include these three aspects (Table 2.1 reviewed earlier).

Finally, a theoretical basis for evaluation is needed. Some evaluation models find their basis in democratic theory which see public participation as a form of democracy, and focuses on the macro-level dimensions (how public participation is good for society). But this approach fails to understand that participation is about communication between people. Its is about relationships and personalities, as well as the abilities for, and hindrances to, proposing, discussing and defending views. The movement toward a theoretical basis for evaluating public participation has already been informed by theories about what makes for good, or ideal, communication (see Webler, 1995). The

problem, thus far, with this approach, is that it examined the procedural aspects only, not the context or the outcomes. The challenge is combining a theoretical norm with some empirical evidence from real-world case studies where context and outcomes play important roles.

With the benefit of over 30 years of evaluation results, a body of literature that points to a need for some degree of synthesizing of approaches, as well as a pressing need to fill the “theoretical vacuum” for performing evaluation research, the time is now ripe for a conceptual approach that addresses these needs. The next chapter (Chapter 3) presents the conceptual framework employed in this study, along with the research design.

CHAPTER 3

CONCEPTUAL FRAMEWORK & RESEARCH DESIGN

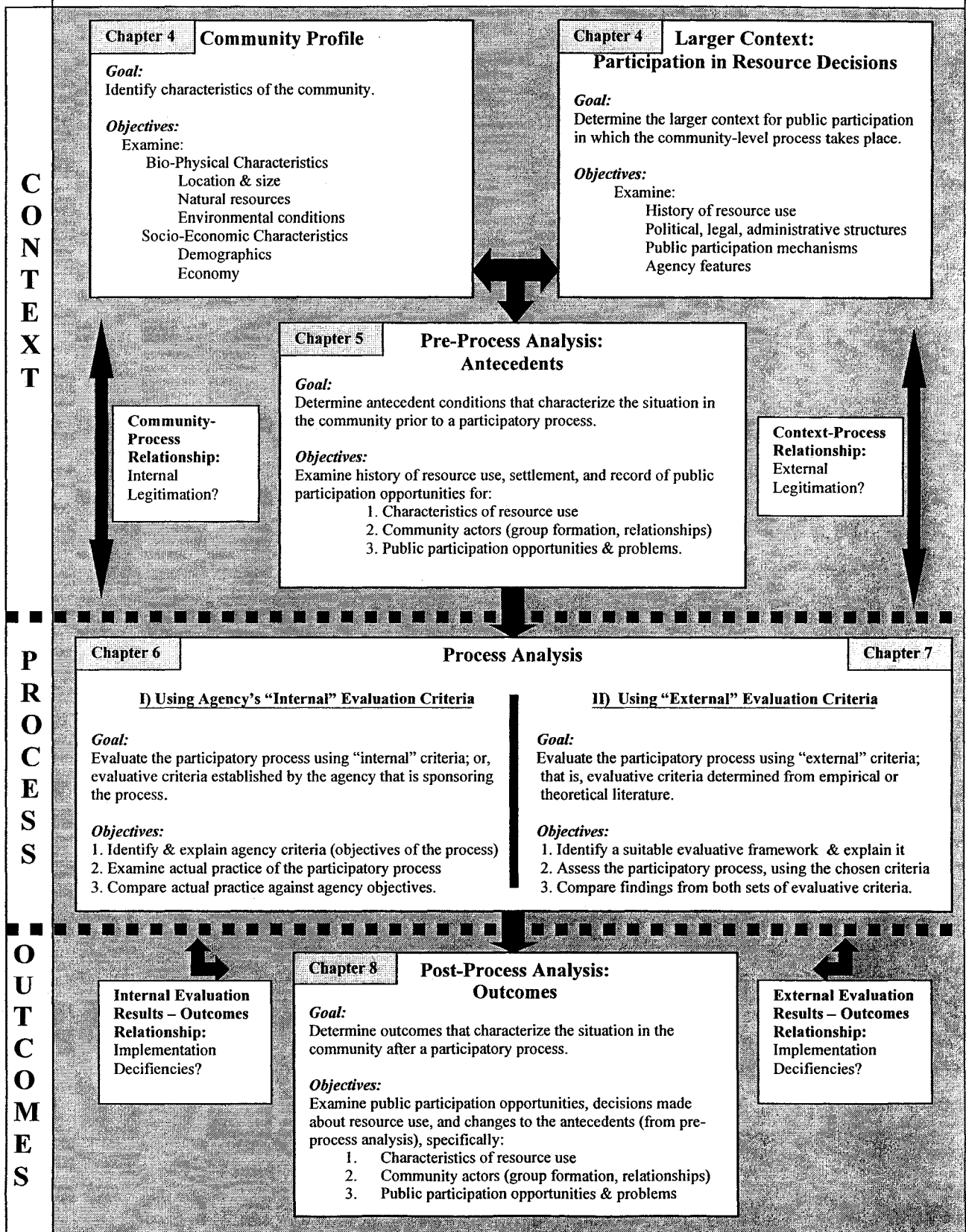
3.1 Conceptual Framework

The literature review (Chapter 2) concluded with the challenges to evaluation of public participation in natural resource management. It revealed that evaluations of public participation, for the most part, are process-centered, do not include a means to understand the role of the community dynamics or the larger decision-making context, do not examine process outcomes, focus on arguable interpretations of success, and operate without a strong foundation in theory. From the review of the literature, at least five categories of information need to be addressed to analyze and evaluate a public participation case study. They are, chronologically,

- Community profile;
- Larger context for participation in resource decisions;
- Pre-process analysis: Antecedents;
- Process analysis; and,
- Post-process analysis: Outcomes.

The first three components are concerned with the *context* for participation “before” the consultative process takes place. The fourth component is concerned with the *process* aspects “during” the participation exercise. The fifth component is concerned with the *outcomes*, or what comes “after” the participation process is completed. Each of these components is a step in the evaluation with corresponding goals and objectives. When examined together, these components form an evaluation model that attempts to address the many challenges to public participation evaluation (Figure 3.1). The five components are discussed in respective sub-sections below.

Figure 3.1
Conceptual Model for Evaluating Public Participation in Resource Communities



3.1.1 Community Profile: Describing the Host Community

The literature review (Chapter 2) revealed that few evaluations consider the role of the local context. This study's approach suggests evaluation of public participation must begin with an understanding of the community hosting the process, including both its bio-physical and socio-economic characteristics. The conceptual framework for this research includes the case description, or "community profile", as a necessary first step in the evaluation. It helps provide insight into the local context for the evaluation that is often overlooked in standardized process-related evaluations.

The goal in conducting the community profile is to identify the bio-physical and socio-economic characteristics of the community at the time of the participation process. The objectives are to identify and describe the community's location, size, natural resources, and environmental conditions in which natural resource use takes place, as well as basic demographic, employment, and resource-based economy data.

The majority of evaluations are based on the assumption that variability in the community characteristics will have no bearing on the progress of the participation process (see Chapter 2). Refuting this assumption, this conceptual approach explores whether effectiveness of public participation is tied to the local context.

3.1.2 Larger Context: Participation in Resource Decisions

All local decision-making processes are spatially embedded in larger geographic and management contexts. The literature review (Chapter 2) revealed that almost no attention is placed on the role of this larger context in the evaluation of public participation. One exception is found in Smith's (1983) *Schema for Evaluation of Public Participation* (Table 2.1). Building on Smith's work, the goal of this component of the conceptual framework is to understand the larger context for public participation in which the community-level process takes place as a fundamental component to the evaluation.

Objectives in this step include tracing the history of resource management within the larger jurisdiction governing the natural resources that are the topic of the public participation process, including a description of the institutional arrangements (political

structure and processes, legislation and regulations, and administrative structures), and the agency sponsoring the participation process⁵. Despite this potentially very broad contextual overview, the main focus remains on the narrow role played by public participation in shaping resource management decisions.

This component of the evaluation aims to highlight whether the local process reflects the problems and challenges of public participation in resource management decisions that characterize from the larger context, and whether characteristics of the larger context place any limitations on the local participation process.

3.1.3 Pre-Process Analysis: Antecedents

The third component that is concerned with the context for participation is an in-depth analysis of the historical context for public participation in resource decisions in the community prior to the participation process – the local antecedents. The literature review (Chapter 2) discussed a number of studies which observed that “trust” between the regulators and the regulated, and also among participants, played an important role in the evaluation of public participation (Clark and Majone, 1985; Crowfoot and Wondolleck, 1990; Weeks and Packard, 1997; Cardinall and Day, 1998). These studies point to the need to understand the history of the local resource decision-making context. Smith (1983) called it “historical background” and included it in his evaluation model (Table 2.1). However, few other studies have included an historical analysis of the local antecedents in their evaluations, despite the fact that it is evident that no public participation occurs in isolation from its past.

Since the literature offers very little insight on how to examine local antecedents to a participation process, this component of the conceptual model is exploratory. The pre-process analysis performed in this study seeks to explore the history of participation in the local community in order to identify relevant antecedent conditions that

⁵ According to the Canadian Constitution Act (1867), most aspects of natural resource management is the jurisdiction of the provincial governments. Therefore, understanding the larger context for resource management in Canada implies examining the provincial resource management history, provincial institutional arrangements with political and legal jurisdiction over natural resources, and the provincial agency sponsoring the participation process.

characterize the community on the eve of the participation process. The objectives are to examine the history of local settlement, resource use, record of public participation in decision-making, noting specifically the local history of resource management, local group formation and participant dynamics, the record of public participation, and problems of past participation efforts.

3.1.4 Process Analysis: Using Two Sets of Evaluative Criteria

The fourth component - process analysis - has a long tradition in the literature. There is no shortage of studies on process evaluations. The research implications associated with this component have been discussed in Chapter 2. These form the basis for the following research questions:

- *Which evaluation yardstick should be used to measure the success of the process?; and,*
- *How can we move toward a theoretical foundation for the evaluation of public participation?*

Both these questions are addressed in the conceptual model by performing two separate evaluations of the same process using two different sets of evaluation criteria – one evaluation using the agency’s own criteria (the “internal” criteria), and another evaluation using a theoretical-based set of criteria (the “external” criteria).

Using the agency’s own set of criteria involves identifying the objectives it set out for itself and determining whether it “did what it set out to do”. First, this approach is justified on purely pragmatic grounds. The agency regulators who sponsor the participation process often want to know whether their own goals and objectives were met (Mitchell, 1989; Jackson, 1997). If they were not met, the evaluation should be able to provide insights into the reasons. The second reason for using agency criteria is more analytical. It offers an in-built accountability check, especially when a non-interested party performs the evaluation. If the agency did not meet its own objectives, the evaluation could help identify precisely the areas where it failed, and provide insights into the reasons for the failure, as well as the implications of this failure on the process outcomes (a bad process can lead to bad outcomes). On the other hand, in a consensus-

based process where success is often measured by whether the participants reach agreement (see Chapter 2), the agency might meet all its objectives and the process still does not achieve consensus. In such a case, the evaluation can suggest reasons for the lack of consensus that extend beyond the agency's objectives (a good process can lead to bad outcomes). Finally, in the rare event that the agency does not meet its objectives, and there is a consensus agreement (a bad process can lead to good outcomes) the evaluation can suggest how this agreement took place. The objectives in performing the "internal" evaluation, is to identify and explain the agency criteria; to examine actual practice of public participation in the process; and to compare actual practice against the stated agency objectives.

Using agency criteria alone, however, is insufficient because of the problem that Webler (1995) calls "subject-centered evaluation" (discussed in Chapter 2). The agency sponsoring the process can be considered a subject in the process, just as the various participants in the process are, including representatives of industry, government, environmental non-governmental organizations, community groups, or anyone else. An evaluation of the process from the perspective of any of these subjects lends itself to criticisms. As Rosener (1978, 458) wrote "*there should be no doubt that knowing who is doing the perceiving is crucial to any understanding of the effectiveness of citizen participation*". Even when an uninterested party (or non-subject evaluator) evaluates the process from any of the perspectives of the subjects, there is a risk that evaluator subjectivity can influence the interpretations. While the agency's own criteria can be useful for pragmatic reasons and issues of accountability, mentioned above, they should not be the sole means of evaluation. Criteria developed from a theoretical foundation are needed also because this approach provides an escape from the trap of evaluating public participation from the point of view of any of the subjects. It also addresses the need to fill the "theoretical vacuum" (Mitchell, 1989, 123) surrounding evaluation research, accounting for the second research question above.

One way to move toward a theoretical foundation for the evaluation of public participation is to base the evaluation criteria on a well-established theory. The

objectives of this second process evaluation are to identify a suitable evaluation framework and to explain it; to assess public participation by applying the chosen evaluation framework to the process, and to compare its findings with those of the first process evaluation.

The literature review (Chapter 2) discussed the recent movements in the search for a theoretical foundations for evaluation. It suggested that Webler's (1995) "Fairness and Competence Model", which is based on renowned German critical theorist Jurgen Habermas' (1979; 1984; 1987) theory of communication, is an ideal model to work with. Webler's model is explained and applied in Chapter 7.

3.1.5 Post-Process Analysis: Outcomes

The literature review (Chapter 2) revealed that only some evaluations of public participation are concerned with process outcomes. Of those that address outcomes, the determination of success for the outcomes is also, as in the case of the process, tied to the perspective taken by the evaluator. The agency will generally look for effectiveness issues such as cost avoidance, efficiency in reaching a decision, conflict resolution, consensus, and public acceptability of the decision (Lach and Hixton, 1996; Shepherd and Bowler, 1997; Yosie and Hebst, 1998, Elder, 1982, CORE, 1995). The public will generally look for influence on and participation in the decision, and satisfaction with the outcome (Mazmanian and Nienaber, 1979; Lynn, 1987; Fiorino, 1990; Kathlene and Martin, 1991, Kelly and Alper, 1995). Some researchers have attempted to look for the so-called "social goals" of educating the public, incorporating public values, building trust, reducing conflict, and assuring cost effectiveness in public participation outcomes (Beierle, 1998; Laird, 1993). There is a lot of overlap in the determination of what makes a good outcome, and the determination tends to be dependent on the particular perspective taken. Some researchers have questioned whether the effectiveness of public participation can ever be measured at all because of this problem (Rosener, 1978).

The conceptual model developed for this research addresses the problems of subjective perspective by comparing antecedent conditions and outcomes with the results

from the two sets of criteria used to evaluate the process. Since most participatory processes for resource management decision-making are created to address a particular resource management problem, then it would be useful to determine if and how the problem was indeed addressed, and what the public participation process contributed in this regard. Simply put, the post-process analysis calls “outcomes” those changes to the antecedent conditions that resulted from the public participation process, and even “no change” is an outcome. Consequently, the objectives of this component of the conceptual model are to examine changes to resource management structures, community actor dynamics, participation mechanisms, and participation problems.

3.2 Research Design

The conceptual framework (Figure 3.1) outlines the research needs for each stage and provides the basis for the research design. It is, in itself, an evaluation framework that is made up of separate evaluations for each of the five components that make up the conceptual model, as well as the links between them. Two components of the model call for descriptions, “Community Profile”, and “Larger Context” (Chapter 4), and are used in the assessing the relationships between context and process. Two components, “Pre-Process Analysis” (Chapter 5) and “Post-Process Analysis” (Chapter 8) call for exploratory study of the conditions in the community before and after the process. The central component, “Process Analysis”, relies on two separate evaluation frameworks that have been employed before and proven to yield useful results. The “internal” evaluation (Chapter 6) uses the agency’s own objectives for the participation process as criteria for the evaluation, while the “external” evaluation (Chapter 7) relies on the theory-based “Fairness and Competence Model”.

Evaluation of public participation requires interpretations and judgement (Webler, 1995). The interpretive case study approach appears to offer the best method to perform evaluations of public participation and it is one that dominates the literature on the topic (see Chapter 2). Patton (1994, 435) reminds us, "the purpose of qualitative evaluation is to produce findings useful for decision making and action".

Yin (1984, 23) defines the case study research method as an empirical inquiry that investigates a contemporary phenomenon within its real-life context; when the boundaries between phenomenon and context are not clearly evident; and in which multiple sources of evidence are used.

Although gathering evidence from many cases would allow for comparability across communities, a single community was chosen for practical reasons. While this approach limits the generalizability of the findings, the single case study approach promotes greater depth of analysis deemed necessarily in this study. The conceptual framework employed for this study can be applied to other community settings and public participation contexts, or adapted in a study with multiple case studies.

Information was gathered over the course of four years (1997-2001) which included four visits to the Slocan Valley during the summer months (Table 3.1). Information was gathered from three sources: (1) case-related documentation; (2) personal semi-structured interviews; and (3) field observations.

(1) Case-related documentation:

Information about what actually happened relies primarily on existing documents. Documents about the Slocan Valley case include:

1. journal articles and books;
2. newspaper accounts;
3. documents generated by parties before, during and after the participation process;
4. process documentation including minutes of the process meetings;
5. technical documents such as hydrology and risk assessments that were mentioned in the minutes of the process meetings;
6. legal documents surrounding litigation cases between parties following the process.

All documents collected were open-published (Kitchin and Tate, 2000), public, and in the majority of cases, accessible at no cost. For information storage and retrieval purposes, a research journal was used to record for each document: (i) the title and a

summary of its content; (ii) the author; (iii) author of publication; (iv) date of publication; (v) source from which I obtained it; and, (vi) date and place I obtained it. These journal entries for each document were also re-recorded on the documents themselves, so that I could have the information at hand when sorting and analyzing each one. As the database grew, over four years, to include over 300 documents, this simple but systematic recording and storage process allowed for extensive cross-referencing. Chapters 4 to 8 use quotes from the documentation as evidence in the analysis.

(2) Personal semi-structured interviews:

Following a similar approach taken by previous public participation evaluation researchers (Jackson, 1997; Kelly and Alper, 1995), semi-structured interviews with community residents, public officials, and industrial proponents were performed to corroborate information collected from the documentation, providing data source triangulation (Stake, 1995). The focus was two-fold:

- (i) On gathering the recollections of participants in the Slocan Valley public participation processes, past and present;
- (ii) On obtaining referrals to: a) additional documentation; b) additional potential interview respondents; c) events which I could observe, such as demonstrations; and, d) details about, and directions to, specific contested watersheds or landscape units which I could visit on my own (described later).

Thus, the purpose of interviewing community residents was not to collect their opinions about the case study (*e.g.* were their needs met at the negotiation table?; did they have misgivings about the process?) as might be expected in much qualitative research. Rather, the emphasis was placed gathering factual statements about the local history of resource use and public participation before, during, and after the CORE process. These factual statements were then corroborated with the evidence found in the documentation. The literature review (Chapter 2) discussed the subjective nature of public participation evaluation. Corroboration of evidence serves to “cross-check”

conclusions drawn from the researcher's judgments and helps to verify the integrity of both the data and the researcher's treatment of it (Kitchin and Tate, 253). Specific procedures for the evaluations of the process, using two different analytical models, are described in Chapter 6 and 7.

Thirty-four personal, semi-structured interviews were conducted over the course of four summers in the field (see Table 3.1). They were selected on the basis of their knowledge of the long-standing conflict in the valley. When the project began, the researcher was familiar with only one person in the community, and the first interview was conducted. With time, the interviewees were selected on the basis of the recommendation of previous interviewees. This has been termed the "snowball effect" (Kitchin and Tate, 227). Conscious effort was made to ensure all key persons representing all sides of the controversy were approached for interviews.

The subjects' affiliations were as follows:

Government: 2 (1 senior manager from Ministry of Forests (not a local resident) and 1 senior municipal official.

Forest Industry: 2 (1 senior manager and 1 head of an ad-hoc forestry worker group).

Local Environmental Consulting Firm: 3

Local Environmental Group: 4

Licensed water users: 23

Licensed water users form the majority of local residents (see Chapter 4). Interviewees were part of a household that owns a water license to tap surface runoff from stream that flow on forested Crown land.

Responses for all 34 interviews were recorded by hand, utilizing a simple interview sheet, and post-interview comments by the interviewer, as described by Lofland (1984), were added after each interview. A copy of the interview sheet used appears in Appendix I.

Table 3.1: Summary of Information Gathered

Time Period	Methods Employed	Summary of Information Gathered
Summer 1997: July and August	1) Documentation	Government docs (from CORE, MoF); hydrology reports (from VWS, SVWA), GIS reports (from SFF); assessments of GIS reports (from government); newspaper articles.
	2) Personal Interviews	Semi-structured interviews with 10 key informants.
	3) Field Observations	Observed road blockades at New Denver Flats and Perry Ridge; Observed training session at Peace Camp; Attended local watershed association planning meeting. Observational tours of New Denver Flats and Bonanza before logging.
Summer 1998: July and August	1) Documentation	Government docs (from CORE, MoF); hydrology and risk assessments (from SFP, VWS, and MoF); legal documentation surrounding New Denver Flats case, and other cases involving VWS; local newspaper articles.
	2) Personal Interviews	Semi-structured interviews with 10 key informants
	3) Field Observations	Observed demonstrations at Min. of Forests District and Regional Offices. Observational tours of New Denver Flats and Bonanza after logging.
Summer 1999: June	1) Documentation	Government docs (from MoF); Logging plans (from SFP); legal documentation, press releases and newspaper articles surrounding Hasty-Vevey and Elliot-Anderson-Christian-Trozzo watersheds logging plans.
	2) Personal Interviews	Semi-structured interviews with 4 key informants.
	3) Field Observations	Observational tours of Hasty-Vevey and Elliot-Anderson-Christian-Trozzo watersheds before logging.
Summer 2000: July and August	1) Documentation	Newspaper articles; press releases; legal documentation; minutes of meetings; government docs (Perry Ridge LRUP; CORE regional and pilot projects); Red Mountain lawsuit; SFP logging plans; terrain assessment and risk assessment reports (from MoE, MoF, SVWA); public written responses to LRUP process.
	2) Personal Interviews	Semi-structured interviews with 10 key informants.
	3) Field Observations	Observed protests at Red Mountain and Elliot-Anderson-Christian-Trozzo watersheds and at Peace Camp; observational tour of Hasty Vevey watershed.

Abbreviations:

CORE = Commission on Resource and Environment
 MoF = Ministry of Forests
 MoE = Ministry of Environment

SFP = Slocan Forest Products
 SFF = Silva Forest Foundation
 VWS = Valhalla Wilderness Society
 SVWA = Slocan Valley Watershed Alliance

(2) Field Observations

Field observation is an important inductive method of data generation, especially when combined with one or more other methods (Creswell, 1998). Moreover, according to Adler and Clark (1999, 285), “observation techniques are also useful when you want to study quickly changing social situations”. Since the topic of the public participation process centred on the controversy surrounding forestry activities (road-building and logging) in the watersheds that provided drinking water for the water licensees, field observation took two forms:

- (1) observation of events at road blockades and other protests sites (11 days); and,
- (2) guided, and self-guided tours of the before and after conditions of forestry activities in disputed watersheds (10 days).

The aim of the observations was to obtain a first-hand experience of the situation and further my understanding of community perceptions. My role in these observations was to maintain impartiality while attempting to build trusting relationships with the host community, although not as involved as in participant-observation (Kitchin and Tate, 2000, 221).

My physical presence in the Slocan Valley, during four consecutive summers (Table 3.1), served to “immerse myself in the community” which is often required in qualitative studies (Creswell, 1998), and my visibility in the community helped me gain the trust of key informants for interviews and additional documentation, used in the analysis. The combined information from the three sources provides a rich body of evidence from which to analyze and evaluate the record of public participation in the resource decision-making.

The following five chapters (Chapters 4, 5, 6, 7, and 8) present the results of the evaluation according to the five separate components of the conceptual model, while Chapter 9 concludes the thesis with the implications of the findings for the evaluation of public participation in resource decisions.

CHAPTER 4

COMMUNITY PROFILE & CONTEXT

FOR PUBLIC PARTICIPATION IN RESOURCE DECISIONS

4.1 Introduction

The conceptual framework for evaluating public participation in resource communities (Figure 3.1) stresses the need to develop an understanding of the community hosting the participation process (Figure 4.1), and the context in which public participation in resource decisions takes place (Figure 4.2).

Figure 4.1

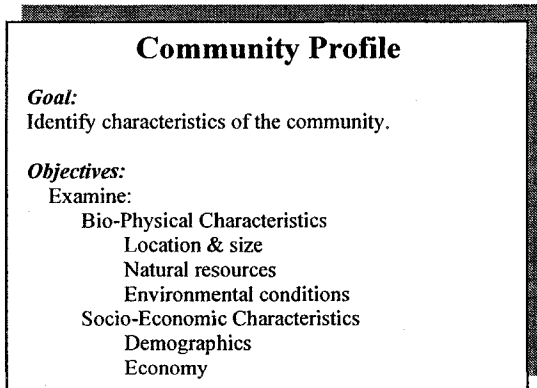
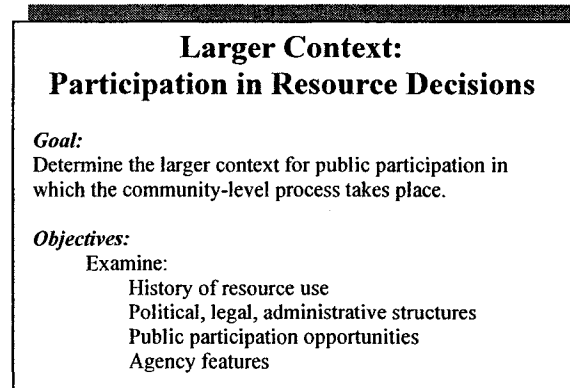


Figure 4.2



Chapter 4 addresses these first two components of the evaluation process.

4.2 Community Profile: The Slocan Valley

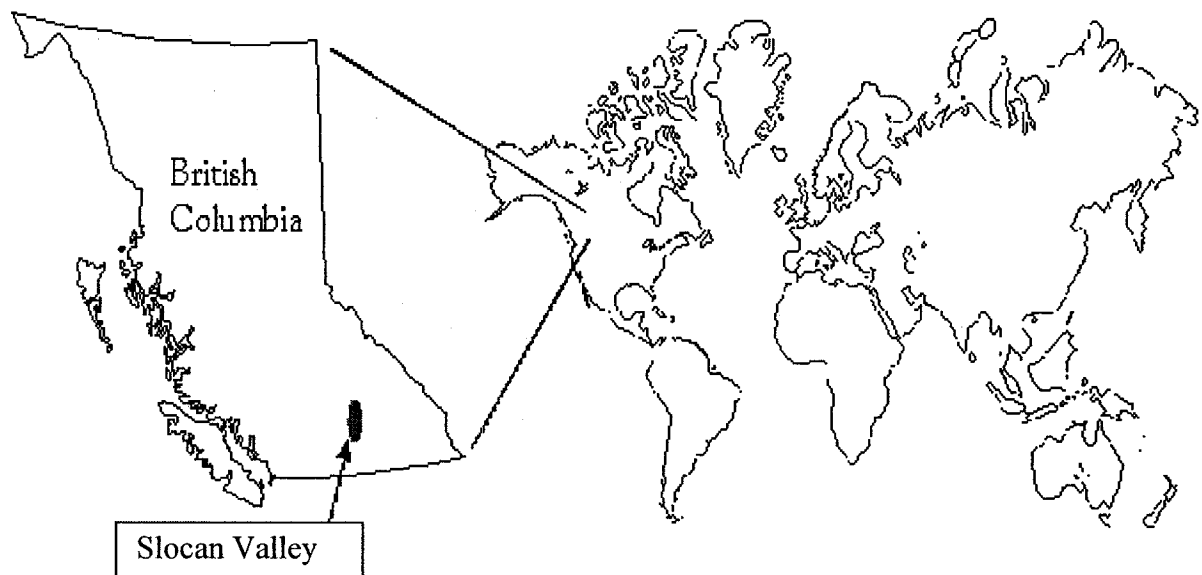
4.2.1 Bio-Physical Characteristics

This section provides a descriptive overview of the bio-physical characteristics of the Slocan Valley, and is divided into six sub-sections: (1) Location and size; (2) Topography; (3) Climate; (4) Soils & Forests; (5) Wildlife; (6) Aquatic Conditions.

(1) Location and size:

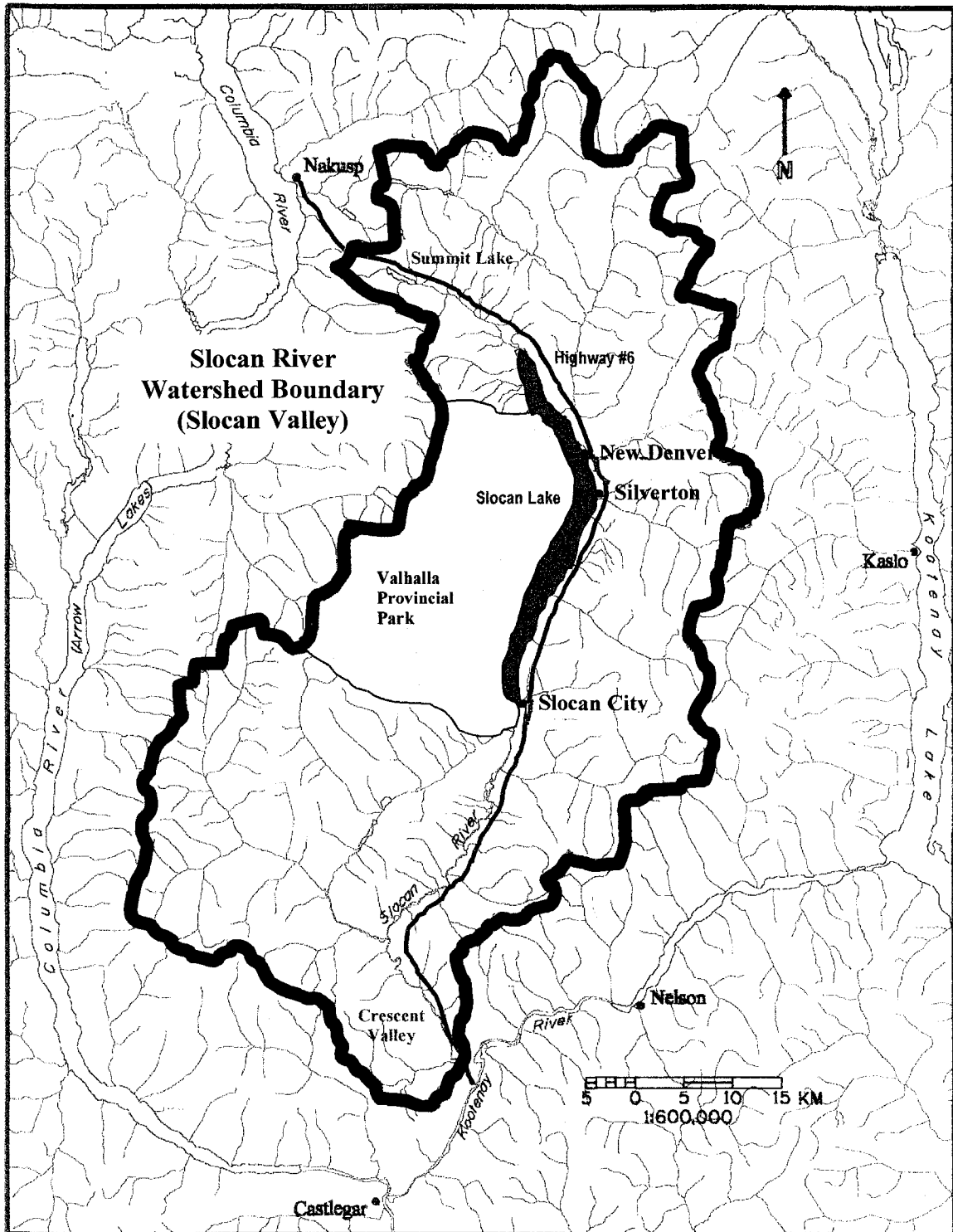
The Slocan Valley is the drainage basin of the Slocan River, located in southeastern British Columbia, Canada's westernmost province (Map 4.1), in the Selkirk Range of the Columbia Mountains, at the western edge of the Rocky Mountains.

Map 4.1 Location of Slocan Valley, British Columbia, Canada.



The valley is roughly 100 km long, extending in a north-south orientation, and about 34 km wide in the east-west direction (Map 4.2). It is approximately 340,000 hectares in size. The valley extends north to Summit Lake and south to Crescent Valley, and its villages are linked by provincial Highway # 6.

Map 4.2 Slocan Valley, British Columbia



(2) Topography:

The dominant features of the Slocan Valley landscape are steep forested mountainsides and rugged, perennially snow-capped peaks rising beyond 3 000 metres above sea level. According to Environment Canada's Terrestrial Ecozones Classification System, the Slocan Valley lies within the Columbia Mountains and Highlands Ecoregion of the Montane Cordillera Ecozone. In this ecoregion, mountains are composed of folded sedimentary and volcanic strata and massive metamorphic rocks of Paleozoic and Mesozoic age. All are intruded by small to large bodies of igneous rocks. The main valley and its tributaries are characterized by narrow flat valley bottoms which change abruptly to extremely steep, broken side walls. In this steep broken topography characteristic of the Slocan Valley (Photo 4.1), slopes often exceed 30 degrees, or 60% (Silva, 1996).

Photo 4.1: Steep, broken slopes of the Slocan Valley



These slopes are typical of the ecological limits posed by rugged topography throughout the Slocan Valley. The streams that drain the Elliot-Anderson-Christian area, depicted here, are the sources of drinking water for some 40 families.

Source: Silva, 1996.

The topography of the area plays a dominant role in the determination of other local biophysical characteristics. According to their report on the *Biophysical Resources of the Slocan Valley*, the BC Ministry of Environment (1982, 17) states:

The large vertical changes in topography, with short horizontal distances, have a profound effect on the way the climate is expressed, the kinds of soil, and the kinds of vegetation and aquatic systems.

(3) Climate:

The Slocan Valley is an ecological transition zone, being neither as wet as adjacent areas to the north, or as dry as areas to the east, west, and south. It has a humid continental climate dominated by easterly moving air masses that produce cool wet winters and warm dry summers. Mean annual temperature ranges from 2 to 8.7°C, depending on elevation, and the mean annual precipitation is 500-1200 mm, 25-50% of which falls as snow. Snowfall ranges according to altitude from about 250 mm in the exposed portions of the valley bottoms to over 1500 mm in upper elevations. Frost-free days vary from about 150 in the valley bottoms to approximately 70 or less in the upper elevations (BC Ministry of Forests, 1998).

(4) Soils and Forests:

The Slocan Valley is dominated by Humo-Ferric Podzols with Dystric Brunisolic soils developed on colluvial and morainal deposits (Environment Canada, 2001). These soils are derived from coarse textured, nutrient poor bedrock. This causes the soils to be well-drained and below average in nutrient content. The notable exceptions are found in valley bottoms, and mid-elevation benches (see section 6) where soil, water, and nutrients collect to develop relatively rich forest ecosystems.

Upland coniferous forests dominate the Slocan Valley. The Interior Cedar-Hemlock zone, which characterizes most of the Slocan Valley forests, has the highest diversity of tree species of any zone in the province. With its abundant rain, this forest zone is considered the "Rainforest of the Interior", or "Interior Wet Belt" (BC Ministry of Forests, 1998). Upper elevation forests are dominated by Engelmann spruce (*Picea*

*engelmannii*⁶), black spruce (*Picea mariana*), subalpine fir (*Abies lasiocarpa*), alpine larch (*Larix lyalli*) and Roche spruce (*Picea X lutzii*), with occasional western red cedar (*Thuja plicata*), western hemlock (*Tsuga heterophylla*). In the middle and lower elevations on drier aspects, ponderosa pine (*Pinus Ponderosa*) and Douglas-fir (*Psuedotsuga menziesii*) are the dominant tree species. Wherever sufficient moisture and nutrients collect, western red cedar (*Thuja plicata*), western hemlock (*Tsuga heterophylla*), western larch (*Larix occidentalis*), and western white pine (*Pinus monticola*) stands develop. Other species at middle and lower elevations include grand fir (*Abies grandis*), white spruce (*Picea glauca*), cottonwood (*Populus balsamifera ssp. trichocarpa*), trembling aspen (*Populus tremuloides*), lodgepole pine (*Pinus contorta*), limber pine (*Pinus monticola*), and paper birch (*Betula papyrifera*). All of these tree species are of economic importance to the forest industry operating in the Slocan Valley (BC Ministry of Forests, 1998).

Understory plants and other vegetation is also diverse. Black huckleberry, bunchberry, Queen's cup, oak fern, and moss thrive in most places. Skunk cabbage, oak fern, lady fern, and Devil's club dominate in wet areas. False box, twinflower and one-sided wintergreen grow in dryer areas. The commercial harvesting of edible wild mushrooms from the Slocan Valley's forests is increasing. Three species are particularly popular: pine mushroom, morels and chanterelles (Silva, 1996).

(5) Wildlife:

The topography, climate and forest conditions create a diversity of habitats suitable for a wide range of animal species. Large mammals include white tail and mule deer, elk, moose, caribou, grizzly and black bears, mountain lion, mountain goat, big horn sheep, badger and wolverine. A wide range of large birds and raptors including blue heron, woodpeckers, eagles, hawks, osprey, and owls, as well as a host of songbirds and waterfowl inhabit the valley. The Slocan Valley is home to a number of endangered

⁶ Given that the Slocan Valley is a forested ecosystem, the Latin name is included for all tree species because their English counterparts are usually general colloquialisms that do not describe the specific sub-species found in this ecosystem.

wildlife species such as grizzly bear, mountain goat, bald eagle, badger, wolverine, Cooper's hawk, blue heron, short-eared owl, northern pygmy owl, and pileated woodpecker (Pearse *et al.*, 1999).

(6) Aquatic Conditions:

The 45 km long Slocan Lake dominates the Slocan Valley (see Map 4.2). The tributaries that feed the Slocan Lake and River frequently originate in very small drainage basins, which are less than 10 km². These small tributaries are younger geologically than the main Slocan River valley; the mountain glaciers that shaped the terrain of the tributaries left the area only 3,000 to 4,000 years ago, as opposed to about 10,000 years ago in the main valley. Therefore, these small watersheds are characterized by a young geology that is still rapidly eroding and downcutting, and that is inherently unstable (Silva, 1996). These small tributaries are characterized by deeply incised channels, particularly in the middle portion of the length of the creek or stream. Coarse and fine sediment is deposited where these streams join the main Slocan River. It is from these small tributaries that rural residents obtain their drinking water.

Extensive wetlands are infrequent in the Interior Cedar-Hemlock zone due to the steeply sloping mountainous terrain of much of the zone. In the Slocan Valley, wetlands are relatively small and usually restricted to small transitional bogs and fens, and to skunk cabbage swamps in mid-elevation areas (BC Ministry of Forests, 1991). These mid-elevation areas are often the headwaters of the streams or creeks found in gentler basins where a mountain glacier once sat (Photo 4.2).

Photo 4.2:**“New Denver Flats” above the village of New Denver, Slocan Valley**

The arrow points to the relatively gentle topography that marks the many mid-elevation watersheds in the Slocan Valley. These areas are valued by water users as the sources of their drinking water, as well as by the forestry company for its high-value lumber. This photo was taken before the area was logged in 1997.

Photo Source: Valhalla Wilderness Society, 1997.

The terrain in these areas is unstable because it consists of many feeder streams that have downcut through the superficial or glacial deposits and joined together to form a single stream in the deeply incised middle portion of these watersheds. Stream channel erosion is a common natural disturbance in these sensitive watersheds due to their young geology. A disturbance at the headwater or middle reach of these streams will result in accelerated erosion downstream (Silva, 1996).

The gentle headwater areas are attractive to forest companies for their large commercially valuable trees and relatively easy access. Logging and road building activities in these headwater areas remove significant portions of biomass and causes compaction of the ground, which tends to increase runoff. This exacerbates erosion by releasing large amounts of water in concentrated areas that feeds sediment and higher

peak flows into the naturally unstable channels of these sensitive watersheds (Voller and Harrison, 1998).

4.2.2 Socio-Economic Characteristics of the Slocan Valley

In 1996, the total population of the Slocan Valley was estimated at 5,615 (Statistics Canada, 1996). Just over 20% of residents live in one of the three incorporated urban municipalities (Slocan, Silverton, and New Denver), while the remaining 80% live in the rural municipality called “Area H of the Regional District of Central Kootenay (RDCK). Table 4.1 presents the population by individual municipality.

Table 4.1 Population of the Slocan Valley, 1996.

Municipality	Population	Percentage of Total
New Denver	579	10.3
Silverton	241	4.3
Slocan	335	5.9
Total (urban):	1,155	20.5
Area H of RDCK		
Total (rural):	4,460	79.5
Total (Slocan Valley):	5,615	100.0

Source: Statistics Canada, 1996 Census Data.

The total valley workforce (which includes individuals between the ages of 15 and 65, except students and people in institutions) is around 2,760, or about 49% of the Slocan Valley population (Statistics Canada, 1996). Unemployment is 16%, compared to the regional district average of 12%, and the provincial average of 9% for 1996. Youth unemployment is particularly high at 24%, which is also higher than the regional district average of 18.5%. This is an obvious source of concern for families in the Slocan Valley, as the opportunities for young people are few. This has caused high degree of out-migration of young adults from the area (Pearce *et al.*, 1999). Table 4.2 shows the employment rates in the Slocan Valley by economic sector.

Table 4.2 Employment in the Slocan Valley, 1996.

Economic Sector	% of Workforce
Public Sector: municipal, education and health services	12
Forestry: logging, hauling, and silviculture	11
Wood Manufacturing	10
Tourism	10
Construction	8
Agriculture	3
Mining	2
Other: includes private health, social, real estate, banks, consulting.	44
Total	100

Source: Statistics Canada, 1996 Census Data.

Forestry and wood manufacturing combined account for 21% of both the valley employment and percentage of income, and accounts for the largest single contributor to the local economy. However, non-employment income generates 27% of the valley economy (Pearse *et al.*, 1999), with 15% coming from investments and pensions, and 12% comes from employment insurance and social assistance. While tourism employs 10% of the workforce, it generates only 3% of the income since many jobs are seasonal and low paid (Pearse *et al.*, 1999).

Although the Slocan Valley has never been a single-industry dependent community, its economy does rely heavily on the health of its natural resources. The valley economy exhibits some of the same characteristics of many other resource-dependent communities across British Columbia (Booth and Halseth, 1997a), where the income generated from forestry-based activities has been significant in the local economy. However, that influence has steadily dwindled and given rise to an increasingly diversified economy. The local economy's reliance on the area's natural resources is shifting from one of traditional industry-based resource extraction activities (primarily forestry) to one where resource conservation activities plays a key role for the local economy (though the creation of parks, nature-based recreation, tourism-based small businesses, and retirement amenities) (Pearse *et al.*, 1999).

These socio-economic characteristics make the Slokan Valley ideal for the study of public participation in post-industrial democracies where the economy is in transition (Barnes and Hayter, 1997), and where the government has made a stated effort to promote sustainable development.

According to the most recent economic study of the valley, which included a significant public review period, “there was almost unanimous agreement that big, commercial developments were not part of the economic vision for the valley” (Pearce *et al.*, 1999, 4). The survey did not specify what constituted “big, commercial developments”, but it appears to point to large-scale industrial forest development. The survey responses indicate that respondents overwhelmingly felt a diversified economy that maintained a clean and healthy environment was “highly desirable”, over one that increased the role of industrial forestry in the local economy. The study concluded “the majority of residents surveyed in the study felt that the few short-term economic benefits that result from logging activities in the Slokan Valley are overshadowed by the immediate and long-term effects on both the tourism industry and the natural environment” (Pearse *et al.*, 1999, 6).

4.3 Provincial Context: “Crown Owned, Company Controlled” Forests

4.3.1 Importance of Forests

The province of British Columbia comprises about 10 % of Canada’s land base, and over 15 % of its total forested lands. Forests cover 63.7 % of the province compared with 45 % for the country (Environment Canada, 2001). Ninety-three percent of the province’s vast forest is on Crown, or publicly-owned, land. In addition to this abundance of forests, the province has an unusual diversity of forest ecosystems. Of the eleven major forest regions in Canada, six are found in BC, more than any other province (Forestry Canada, 1990). Because of the climatic conditions on the Pacific coast, British Columbia also boasts some of the largest species of coniferous trees in the country, including Sitka spruce (*Picea sitchensis*), Western hemlock (*Tsuga heterophylla*), Western red cedar (*Thuja plicata*) and Douglas fir (*Pseudotsuga menziesii*). Vast

expanses of forests include trees which can be over 800 years old and more than 100 meters in height. It is this abundance and diversity of timber resources that has been the driving force of the forest-based provincial economy. The province accounts for 53 % of world softwood lumber exports and 15 % of the world's newsprint (Owen, 1998). International markets are essential to BC's forest industry. Canada is the largest exporter of forest products in the world, and nearly 50 % of those products come from BC (Statistics Canada, 1998). About 85 % of BC's forest products are exported, at a value of more than \$18 billion a year (BC Ministry of Forests, 2001). More than 270,000 British Columbians, 14 % of the total workforce, are employed directly or indirectly by the forest industry. British Columbia's forest sector provides more than 25 % of all direct forest sector jobs in Canada (Council of Forest Industries, 2001).

4.3.2 Forest Management before the 1970s

The 1867 *British North America Act*, which gave birth to the country of Canada, gave responsibility for managing Crown land and resources to the provinces. When the colony of British Columbia joined Canada in 1871, it had virtually no administrative controls on forest exploitation. American entrepreneurs such as Weyerhaeuser, Bloedel and the Rockefellers began harvesting operations in the lush "green gold" of Canada's westernmost province, and the forests' commercial exploitation by these corporate giants was an important source of the province's early prosperity (Marshak, 1995). Forest harvesting activities were conducted for timber products, but also railway development, mine development, agricultural lands development, and in settlement areas.

In 1891, a Land Act was passed introducing a classification of "lands suitable for lumbering", and in 1905, public ownership of forest land became official forest policy when the government began granting 21-year land tenure licenses to private companies (Drushka, Nixon and Travers, 1993, x). These land tenure licenses allowed license-holders to harvest timber of the public land. These licenses could be bought and sold just like any other commodity. At that time, a forest inventory had not been conducted, and within a few years, the government, enlisted the services of Dr. Bernhard Fernow, the "father of forestry in North America", and founder of the first forestry school in Canada

at the University of Toronto, to study the forest resources (Swift, 1983). Fernow's report sent a warning to the British Columbia government declaring:

As yet the forests are viewed solely as a source of current revenue, not as capital, and the rights of the people and of posterity are sacrificed (quoted in Swift, 1983, 64).

Heeding Fernow's warnings, the government appointed the first Royal Commission on Forestry, in 1909, to investigate forest policy options. A key issue was the renewability of timber licenses. Forest operators wanted easy access to timber and secure timber supplies over the long run. They threatened government that unless licenses (tenures) were renewable, license holders would rapidly deplete the timber reserves.

Even though the operators knew this would result in unrestrained cutting, overproduction, market glut, and low prices, this argument received a sympathetic hearing from the government because of its desire for continuous revenue (Swift, 1983, 64).

Even before the Commission's report was published, in 1910, the government announced its license renewability provision. While the Commission's report called attention to the need to "safeguard the growing forests that will provide the future crop" (Fulton Report, 1910, quoted in CORE, 1995), it noted that the rights to harvest two-thirds of the province's merchantable timber had already been granted, and it recommended that the remaining timber be held in reserve or controlled through short-term timber licenses.

In 1912, the first *Forest Act* created the Forest Service branch to administer the province's forests. But this meant little more than preventing forest fires and granting timber cutting permits to licensees. It was guided by the perception that the "vast, inexhaustible supply" of forest resources was most rationally and effectively harvested and managed by private business interests (CORE, 1995). The prevailing opinion was that forests would regenerate adequately by themselves, provided they were protected from fires, and no legislative provision was put in place to ensure long-term supply of timber.

During the first half of the century, the Forest Service oversaw the exploitation of the abundance of forest resources that had helped propel the province through successive waves of economic cycles. The pulp and paper industry grew in this time, as the demand for paper products rose. In contrast to saw-milling operations, where small entrepreneurs were still numerous, pulp and paper mills were invariably large and capital intensive, much more under the control of large companies (Draper, 2001). Those companies, with the help of the favorable government forest policy, were able to access large supplies of Crown timber. According to Swift (1983, 63):

Naturally, the biggest companies got the biggest concessions, usually on the basis of having promised to build new mills, use more wood, and employ more workers.

This situation allowed for both the increasing corporate concentration of harvesting rights and the growing economic strength of the larger “integrated” (having operations in all areas of wood harvesting, lumber and paper manufacturing, sales and exports) forest companies (Hayter, 2000). At this time, little attention was placed on conservation and what the forest policy meant for both the future of the forests or the communities that depended on them:

The concerns of a few, relatively powerless, people who understood the progressive depletion that was occurring in the nation’s forests, the failure of natural regeneration, and the decline in future values and employment that these issues implied were ignored by government and industry (Draper, 2001, 321).

Instead, the focus remained on expanding the province’s timber harvesting potential. By the 1940s, the forest policy set by the 1910 Forestry Commission faced two major concerns. First, industry needed more timber to expand their increasing size of production facilities. Second, “forest liquidation” (a term used by Hayter, 2000, 48) was a problem in the areas already under license. The government acknowledged that if it continued its policy of corporate control of the crown lands, it would need to devise some more stringent form of forest management which would focus on sustaining the wood supply in the long-term – a concept called “sustained yield management”. Once again the

government appointed a Commission of Inquiry to investigate the future of the Crown forest and the applicability of sustained yield management, headed by Justice Gordon Sloan.

Sustained Yield Management

Sustained yield, in theory, means that the rate of harvest equals the rate of biological forest production, so that an even flow of timber in perpetuity can be obtained (Mitchell, 1989). However, in practice, the calculation of the yields of wood fibre possible on a continuing basis from a forest is determined by a host of economic and political criteria, not only biological ones (Dunster and Dunster, 1996). The Sloan Commission's mandate was to recommend policies to establish sustained yield, rather than liquidation, as the basis for forest policy, and to provide industry with secure supplies of timber for large-scale operations (Hayter, 2000, 48). The Sloan report confirmed the need to act quickly to ensure the management of forests for a sustained yield:

Our basic, fundamental and vital forest problem, in this province, is to see to it that our forests are perpetuated for the use, profit and pleasure of future generations. If we fail in this objective, then the economic future of British Columbia will, indeed, present a very dark and dismal picture. Fortunately, it is not too late to plan now for the future, but the sands are running out and the time is now upon us when the present policy of unmanaged liquidation of our forest wealth must give way to the imperative concept of a planned forest policy designed to maintain our forests upon the principle of sustained-yield production (Sloan, 1945).

Realizing the evidence that was mounting that forest were not limitless as had been previously thought, government and industry embraced a new concept of sustained yield forest management. Concern about the sustainability of forests was inextricably linked to concern for promoting continued industrial growth. Sustainable forests were needed for sustainable industrial growth, and the government believed this goal could be best achieved

by the creation of extensive timber leases that would be granted over long terms in exchange for large-scale industrial development, preferably by large corporations with appropriate industrial and financial capabilities (Hayter, 200, 49).

Two new forms of tenure were created: private and public working circles, which respectively became known as Tree Farm Licenses (TFLs) and public sustained yield units (PSYUs). Both were regulated according to an “annual allowable cut” (AAC)⁷. The AAC was intended to ensure that harvesting rates would not jeopardize the flow of timber in the long run. In TFLs, the licensees were required to have logging plans approved by the Forest Service. Licensees were also responsible for forest management (notably, replanting, preventing and controlling fire, and ensuring that AACs were not exceeded) to meet sustained yield principles. In PSYUs, the Forest Service had responsibility for forest management, and timber was allocated by competitive bidding. This new policy continued its earlier policy of favouring the concentration larger forest companies.

Post-War Boom

This new company-controlled, sustained yield-guided, approach to Crown forest land management, resulting from the Sloan Commission, had come just on the eve of unprecedented economic growth, technological innovations and modernization of the forest industry that defined the post-war era of the 1950s and 1960s. During these boom years, the forest industry transformed itself into a small collection of massive, vertically integrated companies that made possible not only the use of vast amounts of timber that had previously been considered unmerchantable, but also the harvesting and processing of much higher volumes (Jackson, 1997).

Between 1945 and 1970, forest management in public forests has been referred to as being concerned primarily with “decisions about how the pie should be divided among those clamouring for cutting rights” (Wilson, 1998, 88). The award of harvesting rights to companies was tied to investment proposals, the larger the scale, the better (Hayter, 2000, 50). Economic productivity and growth was the major priority, and the

government's emphasis on allocation questions was little tempered by concerns about forest sustainability that had been the *raison d'être* for the post-Sloan forest policy. Reforestation performance lagged far behind the goals targeted in the Sloan Commission's report. The AAC, which was the supposed guarantor of the forests' sustainability, was revised continually in light of growing demand for forest products and technological change that, in turn, encouraged increasing rates of timber harvesting and manufacturing. In the two decades between 1956 and 1976, the annual cut increased by 400 % (Jackson, 1997). Until the 1990s, the AAC was revised only in an upward direction (Hayter, 2000, 49; M'Gonigle and Parfitt, 1994).

This rich harvest of timber was the primary source of the unprecedented prosperity in British Columbia during these decades. While the economy of the central Canada was growing because of the large manufacturing sector, British Columbia remain largely dependent on its primary sector forestry activities. In order to encourage industrial growth in the manufacturing sector, the provincial government made investments in infrastructure to facilitate industrial forestry sector growth, especially extension of rail, road and power networks and new town legislation which facilitated "instant resource towns" in remote areas of the province (Bradbury, 1978). Foreign direct investment, dominated by large multi-national corporations, was welcomed without restriction, further reinforcing preferences for large firms in BC's forest economy (Hayter, 2000).

Direct forestry-related jobs tripled from 30,000 in 1945 to 90,000 in 1970. While forest-industry related labour unions began to form in the late 1930s, the post-war boom and associated labour supply problem added to their bargaining strength. By the 1970s, British Columbia forest industry workers had achieved improved wage and nonwage benefits to become among the highest-paid workers in North America (Hayter, 2000, 58). Residents in forest communities, during this boom period, enjoyed high incomes and stable employment. But the rapid growth in economic development by these industrial forestry operations brought with it inevitable effects on the natural environment. This set

⁷ The AAC, which is determined by the government's Chief Forester, is the volume of wood that can be harvested in one year from any area of forest under a sustained yield management regime.

the stage for an unprecedented increased public concern for the way in which public forests were being managed.

4.3.3 Forest Management since the 1970s

Emergence of Advocates for Public Participation

By the early 1970s, the province saw the beginnings of widespread public concern for the environment, and increased demand for recreational wilderness experiences. The perceived scarcity of intact forest ecosystems led to the establishment of advocacy groups that lobbied for protection of large forested areas, both for recreational use and for biological conservation. This growing environmental movement contained groups with a diversity of goals, such as expansion of protected areas, protection of water quality in rural areas, maintenance of game species and wildlife, and the preservation of intact ecosystems. Given that most of the public forests were managed by large companies for industrial timber production, the result, according to CORE (1995), was “a gradual increase in the number of vocal and potentially conflicting interests in the use of public, and especially forested, lands”.

There was growing pressure on government to incorporate the public’s input regarding their many non-timber values as part of the forest management system. There was well-informed criticism to industrial forestry from those who held advanced degrees in relevant subjects, and some were trained foresters who knew how much was being logged and what ecological damage logging had caused to watersheds and mountainsides (Marshak, 1995). These advocates of change asked a question that had not been asked before: “how much land should be allocated to the forest industry?”

In the early 1970s, the public participation movement (see Chapter 2) was in its infancy, and British Columbia’s perceived undemocratic system of forest management became the topic of a growing concern among advocates of the participation movement. Empowerment of the public in the decision-making process and control over the implementation of decisions was at the forefront of attention. Some groups began to experiment with locally-developed alternative management plans. The province’s first

community-based forest management, the *Slocan Valley Community Forest Management Project* (1974), contained both a critique of the current forestry practices in the valley and a blueprint for a radically different approach. The dominant argument rested on two observations: that the public forests were not public (they had been committed to private companies), and they were not being managed on a sustained yield basis. The *Slocan Valley Community Forest Management Project* and its implications in the Slocan Valley are examined in Chapter 5.

The growing opposition to corporate control of public forests, and increasing calls for more public participation in decisions appeared to threaten the forest industry's traditionally favoured position. While public ownership of province's Crown forests was never contested by the private forest companies, the latter did insist on secure tenure (harvesting) rights, and resisted any reallocation of the land base to non-timber uses (Drushka *et al.*, 1993). The rise in public concern in the early 1970s had marked the beginning of what would become a persistent, sometimes subtle, sometimes heated, land use conflict between advocates of community control and the timber industry. Until the creation of CORE in 1992 (as well as since CORE), the government remained under constant pressure to balance these conflicting interests over the uses of the province's forests.

Government response

Formal mechanisms for the incorporation of the public's input into forest management decisions were virtually unheard of in the early 1970s. But in 1972, a new left-wing, New Democratic Party government was elected for the first time in BC history, and while it was not a "green" party, it brought to office a "thoroughly skeptical view of the forest management orthodoxy, especially those parts that helped legitimate delegation of control over the resource to large companies" (Wilson, 1998, 112). In attempting to chart a course of reform, the government began to pay closer attention to environmental considerations in many of its resource extraction sectors. In 1973, the Ministry of Forests began a system of forest planning with its "Resource Folio Plans", that set target rates for

harvesting and reforestation. In 1976, the Ministry of Environment was established. By then, the fears of the environmentalists about the full impact of the industrial forestry on the landscape was beginning to be realized, with evidence in some areas of drastic over-cutting, erosion and destruction of critical habitats (Jackson, 1997). In response to this, the government established yet another Royal Commission on Forestry, chaired by Peter Pearse, to investigate land tenure rights and forest policy.

The Pearse report, completed in 1976, revealed the continuing concentration of control over harvesting rights by a few large companies. In the 1940s, at the time of the last Royal Commission on Forestry, 58 firms held about 52% of the forest under timber license. By 1973, 59% of the harvesting rights were held by 10 large companies that were multinational in scope with integrated forest management operations around the world. (In 1991, another Commission on Forestry would discover that those 10 companies increased their control of harvesting rights to 69%; see Peel, 1991). Pearse called this concentration of corporate control a matter of “urgent public concern” because it meant, in communities where these corporations operated, that

they eliminated competition from the logging business, did not sell their timber on the open market where it would be available to the most efficient mills, and threatened to overwhelm the smaller resident business community’ (Drushka et al., 1993).

Putting Pearse’s recommendations into practice, however, was confounded by transition in the British Columbian government. The New Democratic Party lost the election in 1976, and the conservative Social Credit Party took over. The pendulum in the government halls of power had shifted back toward the corporate control of forests, and the government drafted legislation to ensure it remained that way. With the creation of a new Forest Act, in 1978, the 88 PSYUs in the province were consolidated and redefined into 33 timber supply areas (TSAs), and a new form of harvesting license, the forest license (FL), provided corporate licensees with stronger entitlements to wood and greater forest management responsibilities. Essentially the government gave *more* control of the Crown forest to increasingly fewer and larger forest companies. The new Act did set aside some wood for smaller businesses. The new policy change allowed for the

provision of wood fibre to smaller businesses that qualified for the Small Business Forest Enterprise Program (SBFEP). With this new system, smaller businesses were now capable of obtaining a timber license by bidding on timber made available from the wood in the old PSYUs (Marchak, 1995). While this was not what critics of corporate control had anticipated or wanted, the new Act did show the government willingness to support smaller businesses, and the new legislation included references to wider environmental values.

Public Participation in Forest Plans

In replacing the PSYUs, the Forest Act granted the Ministry of Forests (MoF) the responsibility for developing sub-regional plans, referred to as Timber Supply Area (TSA) plans. Public involvement processes were developed to both inform the public and solicit information. Legislation required formal public review and comment on key forestry decisions, such as the determination of AAC and the approval of TSA plans. In addition, the public became more actively involved in local planning processes in areas where there were other significant resource values and concerns.

Despite the new era of public scrutiny in the government forest development planning, the Act did not include any provisions for considering the public concerns in the design of these plans. Furthermore, there were no considerations for community controls on resource management, as had been advocated by community-based groups and the public participation movement. Members of the public would have found it impossible to obtain accurate data on harvesting practices and allocations (Marshak, 1995). “Apart from the dialogue with the forest industry, public input was limited to consultation near the end of the planning process” (Williams *et al.*, 1998, 1). In addition, input from other ministries that had land and water use jurisdictions such as Environment and Health, was often confined to unofficial discussions and informal reviews of TSA plans. On Arnstein’s (1969) *Ladder of Citizen Participation* (Figure 2.3), public participation in this new initiative barely reached beyond Rung 3, *Informing*, which to Arnstein is “a form of tokenism”, and Warriner (1997, 188) calls “nothing more than a

public relations game”. Tokenism happens when there is a commitment to communication with citizens without any obligation to heed their concerns, or to redistribute the decision-making power as a result of their participation (Arnstein, 1969).

Although the Forest Act did introduce some degree of change to traditional forest exploitation by large forest companies, by incorporating a limited degree of public participation, the long-established tradition of secrecy in decisions about forest use in the province maintained by what Wilson (1988, 9) labels the “wood exploitation axis” of government and business remained intact. Public outcry over the continued secrecy, and lack of meaningful input in decisions, was compounded to the fact that the next decade would see some drastic pressures on the forest economy. As a result, the volatility of the 1970s turned into the real trouble in the 1980s.

Economic Recession

Economic recession in the first part of the 1980s had a major impact on the forest economy. The relatively high standard of living of forest workers accustomed to high wages up until the 1980s began to crumble. In the competitive market-driven world of forest commodities, the forest industry had to cut costs by reducing its workforce and investing in higher capacity equipment and automation to maintain efficiency. This had the dual effect of *increasing* the volume of forest exploitation, while *decreasing* the number of workers needed. According to forest policy analyst Ray Travers:

... particularly since 1982, there was a clear decision by the industry to replace labour with capital. Having made massive investments in machinery that displaced workers, industry then needed more [wood] fibre to justify its expenditures. The problem is, much of this new machinery was designed to pump out a limited number of commodity products at a rapid rate. When the markets were good this economic strategy worked well for the companies and their remaining workers. But when the markets fell, workers and communities paid the price (M’Gonigle and Parfitt, 1994, 42).

The ratio of employment to volume harvested had been steadily declining since the 1960s and dropped more sharply in the early 1980s. This situation demonstrated that a sustainable timber supply alone would not ensure sustained employment. The rate of

harvest on Crown lands continued to rise despite the economic pressures on the industry — from 62 million cubic metres in 1976, to 67 million cubic metres by 1980 and to 71 million cubic metres by 1992 (B.C. Ministry of Forests, 1984). Logging operations expanded, moving into more difficult and controversial areas and exerted increasing pressure on other forest resources.

Forest management and the limited public involvement opportunities did not sustain the resource in the face of expanded logging operations and relaxed standards of performance during the economic recession. Therefore, environmental concerns of the public increased and land use conflicts escalated. Consequently, more and more public attention was directed to B.C. forest practices, locally, nationally and internationally.

The *1984 Forest and Range Resource Analysis* discussed several forest policy issues. The most significant concerned timber supply and the adequacy of forest management, protection of non-timber resource values, management of the second-growth forest and the delegation of management responsibilities. The report stated that the

present forest resource cannot, without significant changes in management policies and programs, continue to support current harvest rates and still meet the long-term objectives of sustained yield (B.C. Ministry of Forests, 1984, I-8).

The report also pointed out that many of the integrated resource management decisions to date had been compromises; underlying conflicts inherent in the management objectives for various resources had not yet been resolved. Temporary solutions had been negotiated by moving potentially conflicting resource uses, such as logging, to other less contentious areas. However, with increasing timber supply scarcity, harvesting in controversial areas would soon no longer be avoidable. The *1984 Forest and Range Resource Analysis* warned that integrated resource use policy would “soon emerge as a central political topic.”

The “War in the Woods”

In 1984, the Ministry of Forests was downsized by approximately 30% and adopted a policy of “sympathetic administration” to assist the financially troubled forest industry and to buoy the provincial economy during the global recession (B.C. Ministry of Forests, 1985). This latter policy resulted in the relaxation of forest management guidelines and standards of performance (B.C. Ministry of Forests, 1985).

After 1984, forestry issues became intense and complicated. Policy issues were no longer restricted to questions of timber supply production, but included a range of other resource uses and ecological values. The concept of sustainability evolved from a focus on maximum sustained yield to a concern for integrated use and ecosystem management. The government was increasingly being challenged to seek to balance the many competing social values associated with the Crown forests. Forest planning processes were being developed to attempt to achieve this balance. Field staff were implementing a resource folio planning method at the local level for areas with significant values other than timber. The method layered maps of various resource features (e.g., wildlife habitat, soils, topography) over one another to create a composite map from which integrated resource options could be developed and sensitive areas flagged. Other resource specialists, such as hydrologists and wildlife biologists, and members of the public, formed teams to discuss options and negotiate a consensus-based decision for the management of those areas. At the management unit level, timber supply area plans were developed to assess alternative management options and the implications of alternative rates of harvest. However, throughout these attempts to respond to the public participation challenges, the government’s “sympathetic administration” ensured that the “wood exploitation axis” (Wilson, 1988) did not lose control over the timber supply. The public may have been more ready for change than the government appeared to acknowledge, and the incipient uneasiness grew rapidly into full-blown hostilities.

Although many of the local planning processes were successful in resolving resource use conflicts, consensus was not possible in several highly contentious areas. Public interest, increased environmental activism, forest industry workers’ concerns and

First Nations issues highlighted these conflicts in some areas, most notably South Moresby Island (1987), Carmanah Valley (1990), Slocan Valley (1991), and Clayoquot Sound (1993). Public outcry, given increasing attention by the media, included road blockades, protests, and thousands of arrests. Massive campaigns by large international non-governmental groups like Greenpeace and Friends of the Earth encouraged European countries to impose boycotts on B.C. forest products adding to the hostilities on the home-front.

By the late 1980s, environmental issues had become international in scope and B.C. forest practices were coming under intense scrutiny. The World Commission on Environment and Economy (Bruntland Commission) questioned the wisdom of unrestricted economic development. In its 1987 report, *Our Common Future*, the commission brought the links between the environment and the economy to the attention of the world. The key idea was that to be sustainable, development must not exceed the capacity of the environment to renew itself; to do so undermines the economy, which depends on a healthy environment. The concept gained governmental acceptance, and formed the context for the changes that eventually led to the formation of the Commission on Resources and Environment (CORE).

4.4 Agency Context: The Commission on Resources and Environment (CORE)

4.4.1 What led to CORE?

Sustainable Development and Round Table Negotiations

Following the World Commission on Environment and Development's (the "Bruntland Commission") visit to Canada in 1986, the Canadian Council of Resource and Environment Ministers created the National Task Force on the Environment and Economy (NTFEE), which consisted of leaders from government, business, academia and environmental groups. In their 1987 *Report*, the NTFEE recommended that

each province and territory should form a multi-sectorial Round Table on Environment and Economy to bring existing organizations together to cooperate on environment-economy integration at the provincial and territorial levels (NTFEE, 1987, 11).

A “round table” is a public participatory process in which stakeholders - those who have a stake in the decision - come together to address a particular issue (Kelley and Alper, 1995). Membership on these round tables was to be drawn from government, industry, environmental organizations, labour, academia, and Aboriginal Peoples. Round tables were not to function as decision-making bodies, or to challenge the authority of any existing office or institution. Instead, according to Doering (1993, 1), “they would exert influence [on government], founded on their credibility, independence, and the exchange of views of important sectors and levels of society”.

As a result of the National Task Force’s recommendations, the BC Round Table on the Environment and the Economy (BCRTEE) was created in 1990. Its mission was to provide “objective arm’s length advice” to the provincial government by involving the public in the development of strategies for achieving sustainability (Kelly and Alper, 1995, 5). The BCRTEE was the first of its kind in BC, and though it could not legally challenge the existing forest management structure in the province, or the traditional control of Crown forests by industrial corporations, it did represent the government’s commitment to increasing the role of public participation in its policy making.

The BCRTEE held several public hearings and workshops, and after considerable public consultation presented reports to the government. These reports contained several recommendations on how to reach public consensus agreements on environmental matters (BCRTEE, 1991a), on various economic instruments that might be used in moving the province toward sustainability (BCRTEE, 1991b), and called for the need for community empowerment as a tool for achieving a sustainable land use strategy (BCRTEE, 1991b). These recommendations, along with those produced by the Forest Resources Commission (1989-1991), were instrumental in the design of the Commission on Resources and Environment (CORE) (1992-1995). BCRTEE was dissolved in 1994, since by then CORE had taken over many of the BCRTEE’s responsibilities.

Forest Resources Commission

The Forest Resources Commission (FRC) greatly influenced the establishment of CORE. Created in 1989, the FRC was intended to be a permanent body under the Ministry of Forests. It had three priority tasks: “to advise on the effectiveness of the Tree Farm Licenses (TFLs), to recommend schemes for improving public participation, and to review ways of improving forest practices” (Peel, 1991, 176). The FRC spent two years studying forest issues and consulting extensively with the public about their concerns. It presented its report “*The Future of Our Forests*” to the Minister of Forests in April 1991 (Peel, 1991). The report warned of

imminent economic collapse in the forest sector, including a fifty % contraction in the size of the forest industry, along with the loss of tens of thousands of forest jobs and provincial revenues (Drushka, Nixon and Travers, 1993, 24).

Among its major recommendations, FRC proposed that the government introduce comprehensive land use planning for the total land base of the province, and that “provisions for ensuring public participation must be formally enshrined in legislation” (Peel, 1991, 107). The FRC had also recommended sweeping changes to the forest tenure system and to the Ministry of Forests management structure, and proposed a new forest practices code. The FRC’s report, however, was tabled just as the Social Credit government was about to call an election. The FRC proposals for change, for about a year, “sank without a trace” (Wilson, 1998, 264). The NDP party won the election on a strong environmental platform, and, in 1992, put in place the cornerstone of its land use planning initiatives - the Commission on Resources and Environment.

4.4.2 What is the Commission on Resources and Environment (CORE)?

CORE’s Mandate

In April 1992 the headlines proclaimed “Stephen Owen appointed as forest peacemaker” when the British Columbia government created CORE, headed by Commissioner Stephen Owen (Kelly and Alper, 1995). CORE was intended to be a permanent, independent agency, with a legislated mandate that required:

1. *The development, for public and government consideration, of a British Columbia-wide strategy for land use and related resource and environmental management;*
2. *The facilitation of the development and implementation, and monitoring of:*
regional planning processes to define the uses to which the areas of the province may be put;
community-based (local) participatory processes to consider land use and related resource management issues;
a dispute resolution system for land use and related resource and environmental issues;
3. *Assurance of effective and integrated management of the resources and environment of the province by:*
facilitating the coordination of initiatives within the government, and
encouraging the participation of Aboriginal peoples.

(BC CORE Act, 1992)

The government's underlying hypothesis in creating CORE was that "reforming the decision-making process will lead to improved land use decisions" (BC CORE, 1995). Following years of failed planning processes and bitter conflict between opposing interests, the creation of CORE was indicative of a significant methodological shift in public land use planning (Wilson *et al.*, 1996). In contrast to the more "authoritative decision-making" approaches of earlier attempts, CORE sought to follow a "negotiative decision-making" approach. According to Dorsey and Reik (1987, 8), the first involves the imposition of a decision by an individual or organization without consulting those who will be affected, while the second involves reaching agreement through negotiation between affected interests. CORE's tried to involve a greater public participation through round table negotiations, and to move toward more sustainable resource use systems by striking a balance among economic, social and environmental interests in land use decisions (BC CORE, 1995). It was clear from the beginning that CORE was meant to ease the tensions between the government and the public. Early in his mandate Commissioner Stephen Owen, stated:

the need in British Columbia for a more comprehensive land use strategy is related to the more general dysfunction that confronts society in the processes and substance of public policy decision-making. This dysfunction expresses itself in a widespread public cynicism about

government effectiveness and fairness and a resulting dissatisfaction with the actions and decisions of government (Owen, 1993, 1).

Parties from across the broad spectrum of interests in resources and related land use regularly opposed decisions reached by processes in which they had taken no meaningful part (Owen, 1993, 2). This dysfunction became popularly referred to as the “war in the woods”, and had been increasingly marked public demonstrations, civil disobedience in several regions of the province, and international criticism of some of the forest industry practices (Kelly and Alper, 1995). As a result, as Owen continues (1993, 3), “this dysfunction needed to be addressed through decision-making processes that provide for the meaningful public participation of all significantly affected interests, and substantive results that can, so far as possible, be based on principles of broad sustainability”.

CORE’s role, from the onset, was to lead the way for the BC government to achieve fairness and effectiveness in its environmental decision-making, by allowing for meaningful participation by affected interests, hopefully resulting in environmentally sustainable decisions. The province-wide land use strategy, developed by negotiated consensus between affected interest groups, would become CORE’s means to help the BC government overcome the dysfunction in public resource land use policy.

Like the previous BC Round Table on the Environment and Economy and the Forest Resources Commission, CORE was not a decision-maker. This role remained with the provincial Cabinet, which is politically accountable, and with those who have delegated statutory authority, mainly within the Ministry of Forests. Instead, the CORE was an advisory body to government, but also directly to the public through its unique statutory reporting responsibility, in the public interest, to the public and the legislative assembly (BC CORE, 1995). Commissioner Owen’s team was able to rely on the much of CORE’s predecessors’ work (the BCRTEE, and the FRC) to design its approach.

The Land Use Charter

The first achievement of CORE was the creation of the *Land Use Charter* (BC CORE, 1995) in August 1992 (Appendix IV). The *Charter* outlined the government's commitments to the basic principles of social, economic, and environmental sustainability. It was intended to provide the necessary guidance to participants in the regional and community planning processes. The Slocan Valley Project adopted the *Charter*, and it forms the basis for the evaluation performed in Chapter 6.

Public Participation and Land Use Plans

In accordance with its legislated mandate, and with its goals elaborated in the *Land Use Charter*, CORE proceeded in 1992 to address land use conflicts in the most controversial regions of the province over an 18-month period. CORE also facilitated community-level participation processes throughout the province, including one in the Slocan Valley of the West Kootenay-Boundary region (Appendix III).

CORE intended to develop a participatory process that would enable strongly opposed and politically influential public interest groups to attempt to reconcile their differences in a manner that positioned the government to act decisively on many highly controversial land use issues (Owen, 1998, 17). CORE chose to implement an innovative, consensus-driven, round table-style "*Shared Decision-Making*" model in both its regional and community-based processes. Shared decision-making encompassed the goals for decision-making CORE had elaborated in its *Land Use Charter* (Appendix IV). Shared decision-making, or planning by consensus, according to CORE, provides for more direct and effective public participation in government decision-making. For CORE, it meant,

that on a certain set of issues for a defined time period, those with authority to make a decision and those affected by that decision, are empowered jointly to seek an outcome that accommodates rather than compromises the interests of all concerned (BC CORE, 1995).

The cornerstone of a shared decision-making process is its cooperative, problem-solving approach. With this framework, "one party cannot get what it wants without the

support or action of the other parties. By working together to solve a problem, each party will gain more than it could by relying on traditional bargaining techniques, where a gain for one party is seen as a loss for the other” (BC CORE, 1995).

The structure and design of the round table process was key to the shared decision-making concept. The public participated in negotiation through constituencies called “interest sectors”. Owen defines a sector as “a coalition of groups and organizations who share common concerns and values” (BC CORE, 1995). Owen claimed that CORE attempted to ensure that the processes were inclusive by making no prior assumptions about which interests will be represented (Kelly and Alper, 1995). The tool for bringing these sectors together was what CORE refers to as the “sector representation model” (BC CORE, 1995). The intent was for interest groups that have a common “stake” to form into coalitions, or sectors. A major factor that distinguished CORE’s round tables from all previous round table initiatives in the province is that government had only one seat representing government as a singular “corporate” entity. The BC Round Table, for example, had up to seventeen government representatives (BCRTEE, 1991a). Another unique feature with CORE is that each round table defined for itself the various process elements of concern to its sectors, such as: the mandate, time line, meeting logistics, public participants, government participants, funding, process managers, procedures, information access, minutes and media, and decision-making authority (see Chapter 6, and Appendix V). The key to success in CORE’s approach lied in structuring the process so that it involved the interest sectors in the design and development of the process itself, as well as in the negotiation of the substantive issues.

As such, CORE’s shared decision-making model meant the public had more than just access to the provincial land use policy making - it would be empowered through meaningful participation in it. In CORE’s definition of shared decision-making model, the public has a direct role:

they decide on issues with which to deal, participate in data acquisition, participate in making trade-offs and conducting analyses, and they are involved in implementing the decision (BC CORE, 1995).

Participants were given the expectation that their negotiated decisions would be acted upon: “when consensus is reached, it is expected that the decisions will be implemented” (BC CORE, 1995). CORE Commissioner Stephen Owen had promised participants that a consensus outcome would be “politically irresistible” to the provincial Cabinet charged with making the decisions in the final land use plans (Sherrod, 1998; also Owen, 1998, 19). The following excerpt from a CORE document elucidates its intentions with respect to the empowerment of its participants:

Meaningful public participation is an essential component of good representative government. The CORE process is designed to help reconcile the demand for greater local control and democratic choice from the community of interests affected by land use decisions with the need for a broader perspective, administrative efficiency and decisive policy making in the tradition of representative government. A shared decision-making forum permits local aspirations and experience to interplay with broader public policy making, creating an opportunity for information-sharing, greater understanding and collaborative outcomes. Shared decision-making at the regional tables is one stage along a spectrum of increased public participation. It begins with broad consultation and constituency building, and proceeds to interest-based negotiations involving accountable representatives of all government and non-government interests. The process represents the most direct public participation in land use decision-making ever offered to British Columbians (BC CORE, 1995, 31).

The CORE process made it clear that it intended for the public to have access to, and be empowered in, the public policy making process. CORE’s intentions were consistent with the principles elaborated in the literature on resource management, conflict resolution and public participation (Chapter 2).

4.5 Summary & Implications for Public Participation in the 1990s

This chapter outlined part of the context for the public participation process that took place, under CORE, during the 1992-1994 period. It presented the findings the investigation into the first two components of the conceptual model (Figure 3.1).

First, it presented the “Community Profile”, that is, the bio-physical and socio-economic characteristics of the case study employed in this research - the Slocan Valley.

The review of these characteristics painted a picture of a predominately rural community heavily dependent on its natural amenities, either for resource extraction purposes (forestry) or resource conservation purposes (consumptive-use watersheds, tourism, and recreation). The relatively “undeveloped” nature of this medium-sized valley (approximately 100 km and 34 km wide), with its quaint historic villages by the lakeshore has a picturesque quality that plays into the nostalgic sentiment of those looking for a place largely untouched by modern industrial society. The Slocan Valley is blessed with snow-capped mountains, a visual corridor of lush forests largely unmarred by forestry activities, an abundance of natural wildlife including some endangered species, a large, unpolluted lake, and several cascading streams flowing into it that are the drinking water sources for the valley’s 5000 residents. It is the kind of landscape that attracts nature-based enthusiasts as both tourists and residents.

It is the kind of environment in which the forest industry has traditionally held the keys to the community’s economic future. The Slocan Valley’s employment data (for 1996) suggest, however, that forestry is no longer as dominant as it had been. Although forest-related employment still generates the highest incomes for wage employment, relative to the other sectors, the economic opportunities for local residents in the forest sector are relatively few, in the current era of specialization and automation. This has prompted residents to take steps to diversify the local economy and promote a growing tourism industry. Bed & breakfasts, cafés and restaurants, art galleries, boutiques, and outdoor-based tourism outfitters have sprung up in the new local economy in recent years (Pearse *et al.*, 1999). Since income generation is relatively low in these sectors, many young people have had to move away from the valley, or rely on a combination of rare seasonal labour jobs (in the forestry or tourism sectors) and on social assistance programs. The influx of semi-retired, and financially independent, professionals has also changed the valley’s traditional reliance on resource extractive activities.

Second, the “Larger Context” discussed the system of forest management in the province, as a “Crown-owned, company-controlled” arrangement. The evolution of forest management in B.C. has been marked by an increasing concentration of power in

the hands of increasingly fewer and larger corporations who have systematically liquidated the forest resources, and contributed to environmental degradation along the way, despite the various attempts at sustained yield management. Although theoretically sound, sustained yield management has, in practice, not proven to be economically or ecologically sustainable. Meanwhile environmental concerns and associated calls for increased public participation in forest management, dating back to the early 1970s, remained poorly addressed, despite the warnings of successive Royal Commissions on the need to preserve the renewability of the forests and incorporate other, non-timber values in the decision-making process. Perhaps for political and economic reasons, the government had been relatively slow to affect the change toward environmental sustainability, as it proceeded with “sympathetic administration” that favoured the status quo. Its continued reliance on the economic benefits generated from the forest sector, saw forests almost exclusively for their timber to the exclusion of non-timber forest values. In the 1980s, this entrenched approach came up against economic and social forces acting against it. Although economic hardships brought on by global recession led to reductions in the labour force, the volume of timber continued to rise. Meanwhile, a growing voice of opposition called for increased attention to environmental concerns. The resulting “social dysfunction” (Owen, 1998), which led to open hostilities and international attention, about the way the forests were managed meant that change was very much needed. By the late 1980s, the B.C. government agreed with the world’s nations that it had to chart a new course, based on principles of sustainable development and a respect for the multiple values from the public. The “wood exploitation axis” (Wilson, 1988) of government and industry was under such intense scrutiny, that it could no longer ignore the rage of the public.

In the larger context of the provincial system of forest allocation and management, the Crown forests are the propriety of the people of the entire province, not just the local residents. Since the provincial government allocates harvesting rights to timber companies in the form of tenure rights, the Slocan Valley’s forest resources represent a vast economic potential for the province, and especially for the licensees. In the face of

growing provincial scarcity of timber supplies, the Slocan Valley's untouched Crown forests became one of the sites, in the 1980s, where the "war in the woods" was fought and eventually led to the public participation process, under the new Commission on Resources and Environment (CORE).

Overall, the implications of local Crown forest land management on public participation are enormous. All who live in the area rely in some way on the natural amenities for either extractive or non-extractive uses. It was perhaps inevitable that social conflict would arise between those who depend on these natural resources in their "undeveloped" state, and those who derive benefits from "developing" them.

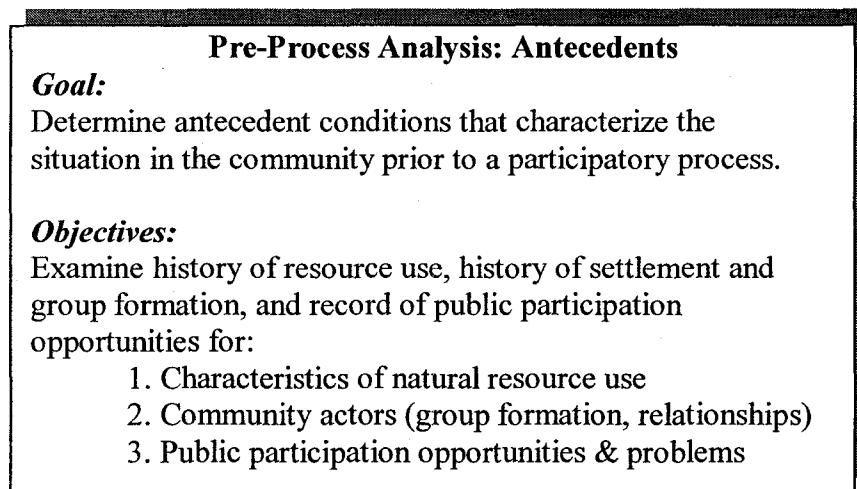
On the one hand, the Slocan Valley case represents the kind of natural and human landscape that is becoming endangered in the increasingly industrialized world; and, on the other hand, represent a microcosm of the problems modern-day industrial society confronts when faced with the dilemma of how to incorporate realistically the public in resource decisions and to put into practice the concept of sustainable development. The cauldron of provincial and local conflicts had been simmering for years, and in the early 1990s, it was about to boil over in the Slocan Valley. Chapter 5 examines the local antecedents to the CORE process.

CHAPTER 5
PRE-PROCESS ANALYSIS:
Public participation *prior to* the Slocan Valley CORE project

5.1 Introduction

The previous chapter (Chapter 4) described the Slocan Valley community's biophysical and socio-economic characteristics and the larger contexts (provincial and agency) for public participation in land use and resource management decisions. The conceptual framework for evaluating public participation in resource communities (Figure 3.1) calls for examination of the local antecedent conditions that existed in the community prior to the participation process – the pre-process analysis (Figure 5.1).

Figure 5.1



The need to understand local antecedents is based on the assumption that a participatory decision-making process, such as the Slocan Valley CORE project, cannot be considered a discrete entity, entirely isolated from the history of resource use, people, participation opportunities, and problems that preceded it. Evaluation of public participation in the Slocan Valley CORE Project (see Chapters 6 and 7) must therefore be predicated and informed by an understanding of these local antecedent conditions.

In this chapter, the inter-related local histories of forest use (section 5.2.1), settlement and group formation (section 5.2.2), and record of public participation in resource decision-making (section 5.2.3) are examined. Section 5.3 presents the antecedents arising from these interrelated histories. These antecedents are derived from answering the following research questions:

Research Question 1: Forest Use

What can be learned from the history of forest use in the Slocan Valley about the structure that existed for the use of local forests, prior to the CORE project?

Research Question 2: Community Actors

What can be learned from the history of settlement in the Slocan Valley about who the community actors were, and how they were involved in decisions about local forest use, prior to the CORE project?

Research Question 3: Public Participation in Resource Decisions

What can be learned from the record of public participation about the local public involvement in local forest use decisions, prior to the CORE project?

5.2 Findings

5.2.1 History of Forest Use in the Slocan Valley

The local history of forest use, before the establishment of the *Slocan Valley CORE Project*, can be summarized into four eras: pre-1900; 1900-1938; 1939-1978; and 1978-1992. The first three eras demonstrate the evolution of the concentration of logging rights into a corporate monopoly, while the fourth era describes the tension that existed between the logging company and a coalition of local residents over access to the timber supply on Crown land in the valley.

1st Era (pre-1900): Unregulated Forest Clearing

The first logging era includes the native peoples' and miners' uses of the forest. There is some evidence that the local natives burned small openings in the forests to create forage for ungulates, but nothing more is known (SVCFP, 1975). By the 1890s, miners searching for mineral outcrops were instrumental in burning areas of the valley's

forests. Likewise, however, little is known about the extent of the burnt areas.

Commercial logging ventures of small scale were established to provide structural timber for the mine properties, but the volumes were very low by present standards. During this period, no controls or constraints on harvesting of forests were in place.

2nd Era (1900-1938): Commercial Logging Begins

In the years between 1900 and 1938, commercial logging began to take shape. It was a period of settlement and development in much of British Columbia. Selected parts of the Slocan Valley forests were used for construction materials. Several small independently owned operations and mills sprung up in the valley. The largest of these was the Slocan Valley Lumber Company, which was owned by the Doukhabour community (see section 5.3). White pine and western cedar logs were particularly valuable for use as poles and shingles. Throughout the 1920s and 1930s, much timber logged in the Slocan Valley was also shipped by rail to be milled elsewhere. It was not until the late 1920s that the first form of tenure to Crown lands, called Timber Sales, were introduced in the Slocan Valley. Timber Sales is the earliest form of land tenure in British Columbia (see Chapter 4). Anyone who wished to harvest timber of Crown lands would notify the forest ranger in the area, and certain terms as to stumpages, length of time to accomplish the cutting, volume of cut, and precautions were laid out (SVCFMP, 1974).

When the Timber Sales began to be held as open public auctions at the local ranger office, by the mid-1930s, most of them were awarded to the bigger, more powerful companies that could afford a lower bid. This is the first indication that local small-scale private loggers were losing out to cutting rights on Crown land and which may have led to their eventual withdrawal from the private enterprise sector. The Timber Sales auctions had an immediate and major impact on the locally-owned operations. In 1938, the Doukhabour enterprise was liquidated, bringing an end to their commercial logging operation. But other companies had been operating in the valley. The most notable was Burns Building Supply, a Nelson retailer, which operated several small mills in the area, and obtained most of its wood supply the Slocan Valley (SVCFMP, 1974).

3rd Era (1930-1978): Forestry Modernization and Concentration of Harvesting Rights

With the collapse of the Doukhabour enterprise, the third logging era began, which was marked by increasing centralization of control over harvesting rights on Crown land. Gradually the pace of production increased, due in large part to the Burns-held Passmore Lumber company's "aggressive and ambitious operations" (*Slocan Valley Community Forest Management Plan – Final Report*, 1975, 2-28). In 1942, the Forest Service again tried to encourage intensification of harvesting, by placing the Slocan Forest under sustained yield management and specifying an annual allowable cut (AAC) (see Chapter 4).

To meet the AAC, milling capacity increased substantially. By 1950, the Passmore Lumber Company was awarded the 200,000 acre (81,000 hectares) Tree Farm License #3, which is still in use today. The Tree Farm License, or "Forest Management License" as it was then called, was designed to permit a single licensee, who was deemed by the Forest Service to have the sufficient capacity to manage it, the exclusive rights to the forested Crown land.

In the interest of bringing the rest of the Slocan Valley's forests under sustained yield management, the Forest Service needed a method of regulating harvest. In 1955, the Forest Service decided that the Slocan Valley's Crown forests would be part of a timber supply unit called *The Public Working Circle* (P.W.C). In creating the P.W.C, the Forest Service officially recognized the crown lands in the Slocan River watershed (the Slocan Valley) as a forest management unit. A total of 58% of the land base of the Slocan Valley was included in the P.W.C. An additional 23% comprised the Tree Farm License #3. Areas near the mineral claims comprised another 2% (Gill, 1995). The remaining 17% of the forested land base was, according to the Forest Service, "...immature classes on steep slopes which are at present unattractive to operators" (Gill, 1955).

At this time, the actual volume of wood cut was significantly lower than the annual allowable cut, since much of the timber harvesting was by means of small operations that used horse-logging equipment. With the new P.W.S. and sustained yield

management approach, the Forest Service aimed to increase harvesting efficiency by promoting the modernization of logging equipment and the conversion from horse-logging to larger motorized vehicles. The Forest Service also created a “Forest Development Fund” for this purpose. The funds came from the stumpage fees⁸ from small logging operators. This Fund was made available to logging companies to build logging roads that would allow access by larger mechanized equipment.

In an era of modernization and industrial growth, almost no thought was placed on studying or reducing the impacts of road building on the environment. According to a 1975 study of the logging roads built in the 1950s, “in many cases, the roads which resulted were poorly engineered, and have sloughed into nearby watercourses” (SVFM, 1975, 2-34).

In the mid-1950s, new expensive forest harvesting technology, such as gas-powered chainsaws, diesel caterpillar tractors and skidders, was becoming the industrial norm. At the same time, the competitive bidding for timber sales made small-scale logging impossible. In 1958, an even larger company bought out the Passmore Lumber Company. Under its new Swedish-born American owner, Axel Eriksen, the operation became Eriksen Lumber Company. With vast capital resources generated by holdings in the United States, Eriksen successfully out-bit local loggers and quickly monopolized the local forest industry.

By 1960, only five years after the Slocan Valley *Public Working Circle* forest management unit had been instituted, the Forest Service issued a report entitled *The Licensee Priority System as Applicable to the Slocan Public Working Circle* (Young, 1960) which described how fewer licenses had been awarded for the same volume, and how the annual cut had increased substantially in the late 1950s.

Throughout the 1960s, the volume of wood harvested increased, and the corporate control of logging operations passed on to even larger companies. In 1964, Eriksen sold his interests in the Slocan Valley forests to Pacific Logging Ltd. When this happened, the milling capacity was enlarged and moved to its present location in Slocan City, at the

⁸ A stumpage fee is a fee applied to the volume of wood harvested by the logging operator, and is paid to

southern end of Slocan Lake (see Map 4.2). In 1970, American-based Triangle Pacific Forest Products Ltd bought out Pacific Logging Ltd.

With this latest change in ownership came a major change in the timber management unit. The Slocan *Public Working Circle* became the Slocan *Public Sustained Yield Unit* (P.S.Y.U.), and a new form of tenure called the “Timber Sale Harvesting License (T.S.H.L.)” was put into place. The T.S.H.L. was a 10-year contract between a commercial logging company and the Forest Service in the which the latter guaranteed the former a specified yearly volume of timber for which the company is required to submit a Development Plan once every five years. The actual right to cut, is awarded on the basis of a cutting permit which pertains to a specific harvest area within the P.S.Y.U. and for which the licensee must submit a detailed logging plan and agree to specific silvicultural requirements. This type of tenure is now called a Forest License, and licensing agreement has not changed substantially since then.

In 1978, ownership of Triangle Pacific Forest Products Ltd. passed on to Slocan Forest Products. This marked the end of the third logging era.

4th Era (1978-1992): Slocan Forest Products & Public Opposition

In 1978, Slocan Forest Products (SFP) was formed when it bought out the American-owned mill in Slocan City. The fourth era is one in which SFP controlled forest harvesting on Crown land in the Slocan Valley. SFP is headquartered in Vancouver and owns a dozen mills all over the province, employing over 4,000 workers including 255 from the Slocan Valley) (Pearce *et al.*, 1999). With the 1999 sale of Canada’s largest forest company, MacMillan-Bloedel Ltd, to Washington State-based Weyerhaeuser Company, SFP became the largest BC-based forest company.

The same year that SFP was created, a new Forest Act came into effect (see Chapter 4). Although tenures authorizing the harvesting of timber in the Crown forests of the Slocan Valley remained largely unchanged, the Crown land within the valley boundaries was no longer administered as a forest management unit. Because of this,

the Crown (provincial government), according to the licensing agreement.

specific information about the forested Crown land base and timber harvest for the Slocan Valley is no longer readily available. The Slocan Public Sustained Yield Unit (P.S.Y.U.) fell into disuse, as most of the valley's forested Crown land became managed only as a component of a larger area called the Arrow Timber Supply Area (TSA), which is part of the Ministry of Forests (MoF) Arrow Forest District of the Nelson Forest Region. Consequently the MoF does not determine the allowable annual cut or administer harvesting levels for the Slocan Valley by itself. Except for the area-based Tree Farm License #3, the existing volume-based Forest Licenses extend beyond the valley boundaries.

With its Tree Farm License #3, and its Forest License, SFP currently has rights to 83% of the timber harvesting land base in the Slocan Valley. The remaining harvesting rights to Crown forests land is distributed to another licensee (13%), the Ministry of Forests' small business program (3%), and independent woodlot owners (1%) (Pearce *et al.*, 1999).

When SFP began operations in 1978, it faced a strong and vocal group of local residents who advanced a proposal for alternative options to the existing tenure structure and industrial forestry practices. A few years earlier, a locally-developed "community-based forest management plan" (see section 5.2.3) had called for radical reductions in the allowable cut, a devolution of control of the land base to local authorities, and a proposal to protect the 50 000 hectare Valhalla wilderness, on the west shore of Lake Slocan (see Map 4.2, Chapter 4). The entire main valley was prized for its clearcut-free visual quality, and, since many residents depend on streams for their drinking water, a particular emphasis was placed on protecting consumptive-use watersheds. Many who supported this alternative vision for the management of the forests in their valley objected to SPF's control of the Crown land base. Perhaps in response to this local opposition, which had not relented by the time the *Slocan Valley CORE Project* began some 14 years later, the company had obtained most of its wood harvest from the less contentious areas in the back and side valleys, and outside the Slocan Valley, straying from logging in the controversial main visual corridor and consumptive-use watersheds. But by the early

1990s the company was running out of larger, older, harvestable timber to meet its allowable cut obligations. Following a decade of multiple overlapping land use and forest development planning processes, each with some degree of public input (see section 5.2.3), SFP applied for cutting permits to several parts of its timber supply area in the main valley and the watersheds of the Slocan Valley. In 1991, the Ministry of Forests granted the cut permit for the first of the contentious watershed areas at Hasty Creek near the town of Silverton (see Map 4.2). The public outcry was enormous and 84 people were arrested for blockading SFP's access to the watershed. Operations were halted, and the *Slocan Valley CORE Project* negotiations soon followed.

5.2.2 History of Settlement of the Slocan Valley

Successive waves of migrants in the past century have left imprints on the human geography of the Slocan Valley: First Nations, miners, loggers, a sect of religious dissenters, interned Japanese-Canadians, and a large group of "back-to-the-landers". This section reveals that social conflict is not new in the Slocan Valley, as the diversity of people and their conflicting lifestyle choices have played a key role in shaping the cultural identity of the Slocan Valley.

The Siniixt First Nations

Little is known of pre-European settlement of the area. The Slocan Valley is just beyond the traditional territory of the Shuswap (or Secwepemc) First Nation of the Ktunaxa-Kinbaset Tribal Council. Rock paintings on both sides of Slocan Lake, and a few burial sites containing skeletal remains, have been attributed to settlements of the Siniixt community, a group not evidently related to either the Okanagan first peoples to the east, or the Kootenays people to the south (Bone, 2000). Research suggests they occupied the Slocan Valley for an estimated five to seven thousand years, living in at least four permanent villages and nine campsites (*SVCFMP*, 1974). The tribe was decimated with the arrival of Europeans in the late 1800s, with many of its survivors apparently migrating out of the area. Today, there are a few dozen people claiming to belong to the Siniixt community, although Indian and Northern Affairs Canada does not

officially recognize them. Despite the lack of official status with the Canadian government, a representative for the Siniixt people was invited to hold a seat at the *Slocan Valley CORE Project* negotiation table (see Chapter 6).

The Miners

In 1890, the discovery of rich silver-bearing ores brought an onslaught of some six thousand people into the area, creating a veritable “mining boom”, and the towns of New Denver, Silverton and Slocan City (see Map 4.2) grew almost overnight. Rail and ferry lines tied the Slocan Valley to the commercial centers of the world. During this period, settlers burned much of the Slocan Valley forested landscapes, often to expose the rock for prospecting purposes. At lower elevations, only small remnants of late successional (or old-growth) forests escaped these fires. These old-growth forested areas were usually very moist, and are now the contested headwater basins, from which flow the creeks that are the drinking water sources for the residents (see Chapter 4). By the end of the First World War, mining in the area had significantly diminished, and very little mining activity remains to this day. Mining was represented at the *Slocan Valley CORE Project* table (see Chapter 6).

The Doukhabours

The next wave of migrants to the Slocan Valley was a group of pioneering homesteaders called the Doukhabours. They were a small sect of Russian religious dissenters, having encountered serious persecution from the official state church and the government in late nineteenth century Czarist Russia. With the assistance of Count Leo Tolstoy and British and American Quakers, over 7,400 Doukhabours emigrated in 1898 to settle in what was to become Saskatchewan. Initially they received concessions regarding education and military service and were permitted to register for individual homesteads but to live communally. In 1905 when Saskatchewan became a province, the Doukhabour homestead entries were canceled when they refused to swear a mandatory oath of allegiance. In 1908 their spiritual leader Peter Verigin led about 100 Doukhabour

families to British Columbia to form a new community in the flat fertile valley bottom of the southern portion of the Slocan Valley (Mealing, 1975). Between the 1920 and 1950s, a radical sect of this group calling itself the Sons of Freedom (Svobodniki) demonstrated their abhorrence of the materialist doctrines that they felt were corrupting the Doukhabour spiritual life by performing political acts of defiance, such as the burning of houses, and bombing of public utilities such as rail lines, highways, and bridges. Police intervened in the early 1950s, “interning the children of these people at a correctional school in New Denver, and arresting hundreds of adults” (*SVCFMP*, 1975, 2-21). Although peace was restored, scars from that period of hostility are still felt today among the third and fourth generation Doukhabours living in the Slocan Valley. Doukhabours were invited to the *Slocan Valley CORE Project* table, but the group did not send a representative.

The Interned Japanese-Canadians

After Canada declared war on Japan in 1941, 21,000 Canadians of Japanese descent were considered civilian prisoners of war and 7,500 of them were forcibly relocated from their homes on the west coast to internment camps in remote parts of the interior of the province. The largest village in the Slocan Valley, New Denver, was the site of one of the internment camps. A CBC full-length film entitled “*The War Between Us*” (1995), filmed in New Denver, documents this part of Canada history. When the camp was disbanded after the war, most of this population dispersed. However, there are still some of these formerly interned people alive today, as well as their descendants, who live in the Slocan Valley. A portion of the internment camp in New Denver, including many original buildings, has been preserved as the *Nikkei Internment Memorial Centre*, and attracts many summer tourists to the area.

The Loggers

Throughout the first half of the century, the ever-expanding commercial forest industry (see section 5.2) attracted loggers and sawmill workers to the area. By the early

1990s, most forestry workers were employed by Slocan Forest Products, although a handful were self-employed or working for the Small Business Enterprise Program (see section 5.2). Three sectors concerned with industrial forestry sat at the Slocan Valley CORE Project table: SFP, forest independents, and the forest industry labour union (see Chapter 6).

The “Back-to-the-Landers” and semi-retired professionals

In the late 1960s and early 1970s, a new wave of immigrants would have a significant impact on the cultural dynamic of the Slocan Valley. These were followed in the 1980s and early 1990s by semi-retired, financially independent professionals (see Chapter 4). After a period of unprecedented economic prosperity that marked the post-war era in much of the industrialized world, a new environmental consciousness had taken shape in reaction to the environmental degradation that had accompanied the economic growth. By this time, major issues such as pollution, the energy crisis, nuclear power, population growth, and resource depletion were receiving widespread media, public, and government attention. In what became known as the “back-to-the-land” movement, several young urban migrants migrated into rural areas of B.C., looking for freedom from the escalating costs and pollutions they found in the cities from which they came. For these alternative-minded people, the rugged and remote nature of the Slocan Valley was the “*Shangri-La*” they had been searching for. By 1974, approximately 600 of these new migrants had settled into the Slocan Valley (Pearce *et al.*, 1999). While these new residents consisted of only about 15% of the Valley’s total population at that time, their presence was clearly felt. A conflict of affective values between them and a segment of the resident population, particularly those whose employment depended on the forestry and mining industries, was marked (SVCFMP, 1975). The group advocated local control of natural resources, and the preservation of wilderness areas. The impact of this alternative ideology on the Slocan Valley landscape by the back-to-the-land movement has been the focus of a few research projects (Shadrack, 1981; Gardner, 1987; Gower, 1990). But no study has ventured to evaluate public participation in local land

use planning and resource decision-making. The next section focuses on the record of participation from this group in local land use and resource management decisions.

5.2.3 Public Participation in Local Resource Decisions

Little is known about formal participation of the public in local resource decision prior to the 1970s when environmental consciousness increased and the participation movement took hold. Before 1938, when modernization of forestry practices and concentration of harvesting rights came into full force, it can be said that the local public had direct participation in resource decisions, since ownership and use of the Crown lands remained in the hands of the local public only. The public's direct participation in forest use decisions was progressively diminished and decreased altogether with the changes to the province's Crown use policies that encouraged economic competition and industrialization of the forest sector during the mid-century period. While the valley had seen a number of conflicts over social issues (see section 5.2.2), industrial forestry activity remained uncontested until the influx of "back-to-landers" in the early 1970s. At that time, the main corridor of the Slocan Valley watershed was largely untouched by the one industrial logging company operating in the area, and many new residents were determined to keep it that way. The record of public participation revolves around a series of overlapping resource use decision-making processes that have seen the formation of local groups with strong voices of opposition regarding the allocation of land use and management of forest resources in the valley. Each of these resource decision processes is described, followed by their outcomes.

The Slocan Valley Community Forest Management Project (1974)

In 1973, a group of local residents who were dissatisfied with the way the government was allocating Crown land resources in the valley decided to craft an alternative vision of forest management that would transfer authority for managing the area's resources to a local resource committee, made up of representatives from both the public and government resource agencies. The residents gathered together to form the

“Slocan Valley Resource Society”, and undertook a one-year study in which they aimed to “conduct a feasibility study into several areas of forest use that we believe could create new sources of employment without hazard to the Valley environment” (SVCFMP, 1974, iii). The 10-member unpaid steering committee spent many months gathering existing information from government-commissioned local studies, ranging from geophysical reports to socio-economic surveys, and hiring consulting experts to perform additional studies. The purpose of their study was to suggest how to restructure forestry in the Slocan Valley away from high-volume corporate tenures to new alternative forms of tenures and forest uses. The group emphasized a vision for a management approach for the entire Slocan River drainage basin that considered the ecological inter-relationships between all the forest components. This vision stood in contrast to the government’s traditional crown land management approach that almost exclusively aimed at supplying timber to the corporation who held by the forest license. Their report “*The Slocan Valley Community Forest Management Project*” was published on January 1, 1974. It suggested assessing the economics of timber extraction in relation to scientific studies on soil erosion, water, critical fish and wildlife habitat, recreation, and other values derived from the forests. It also contained a strong connection between the environmental protection and resource use, and called for collaboration between government officials and local residents and overall increased local control of the Valley’s resources.

The Report was so much in demand by other community groups, native bands, conservationists, and rural municipalities across the province that also wished to have more control over their local natural resources that it went into several printings. At time of its first printing, several copies of the Report were forwarded to “every government bureaucrat, politician, and university forester who might be influential enough to help us implement our recommendations” (SVCFMP, 1974, page i).

The Outcomes of the Slocan Valley Community Forest Management Project

The response from government officials was discouraging for the group. According to the preface to the second edition: “They told us we had done a good job, but

were ‘pretty naïve’ if we thought that we could control our own destiny” (page i). The Minister of Forests at the time, Bob Williams, appeared sympathetic toward the Slocan Valley Resource Society’s efforts, and “set up a vaguely defined advisory committee of local residents and civil servants” (Wilson, 1998, 139). Some of the Report’s recommendations were negotiated, but none bore any fruit, and the project was soon abandoned. According to Wilson (1998, 140), the process “failed miserably, leaving a number of Slocan Valley residents feeling badly let down by Williams”.

Williams is quoted as saying the following about the Report and the Slocan Valley residents who produced it:

I still think it is probably the finest social economic analysis in modern history in British Columbia... There is nothing that comes near it. It was a monumental piece of work. So I was impressed. But I was still a pragmatic politician, saying, “How far can we go?” We were talking about the Crown jewels and all those ragamuffins up in this nowhere, beatnik valley want the jewels (Wilson, 1998, 140).

Between acknowledging the strength and uniqueness of the Report, and revealing his opinion of the Slocan Valley and its inhabitants, Williams admitted a central problem the government faced at the time: How far could the government go in letting the local public decide on what happened to the Crown forests? He apparently answered his question by organizing and allowing the “vaguely defined advisory committee of local residents and civil servants” to meet, as was recommended by the Report. The advisory committee was the earliest form of formal public input in the Slocan Valley.

Specific evidence relating to the substance of the advisory committee meetings, and the reasons for abandoning the Project was not found in any written documentation. It can only be implied, from both Williams statement and the breakdown in negotiations, that any eventual recommendation by the advisory committee that called for substantial changes to the forest tenure system would be ignored. As a result, the underlying aim of the community project – community control of Crown forests land management – could not be achieved.

In a personal interview with a resident who had been involved in the Project, I asked for reasons the project was abandoned. The respondent replied:

Community-based management was unheard of in those days. It wasn't going to happen. The government wasn't about to change their ways. So, really, what was the point of the committee? We had good ideas but I think they [government officials] were not ready for them.

The idea of inviting the public in resource management decisions was in its infancy in the 1970s, and the *Slocan Valley Community Forest Management Project* was perhaps ahead of its time. It is said to be the first of its kind in British Columbia, and perhaps in all of Canada. It has been referred to by a host of BC-centered academic research publications on community forests development (see for example: M'Gonigle, 1997; Wilson, 1998; Owen, 1995). According to Jeremy Wilson, a political scientist and expert on British Columbia forest policy, "the 1974 report of the *Slocan Valley Community Forest Management Project* remains the most powerful manifesto for community control ever developed in BC." (Wilson, 1998, 143).

Another possible reason for the abandonment of the *Slocan Valley Community Forest Management Project* revolves around a controversial proposal for the establishing a 50,000 hectare protected area in the Valhalla Mountains wilderness on the west shore of Lake Slocan (see Map 4.2). The Valhalla wilderness comprised about 15% of the Crown land base in the Slocan Valley. The Valhalla Proposal pre-dated the Report, but was included in the latter. This controversy dominated the debate over resource use in the Slocan Valley for the next 9 years, and its decision outcome impacted all subsequent negotiations over forest land use planning in the Slocan Valley that took place leading up to the crisis in the 1990s.

The Battle for Valhalla Provincial Park (1974-1983)

The idea of preserving the wilderness area in the rugged Valhalla Mountains, which extended from the western shore of Slocan Lake, was first brought to the attention of the minister of recreation and conservation in March 1970, in a brief by a prominent member of the Kootenay Mountaineering Club (Kenyon, 1970). However, the issue sat

dormant until Ave Eweson, a government biologist who had lived in the area, presented another brief to the same minister again urging the preservation of the Valhalla Wilderness area (Eweson, 1974). Eweson's death in a plane crash almost immediately after his submission attracted province-wide attention to the proposal. The Valhalla Wilderness Committee (now Society) was soon formed to raise public support and campaign for the implementation of the Valhalla Proposal. After looking at the proposal, the government declared a two-year moratorium on logging in the area and asked for studies from the Parks Branch and the Forest Service (Wilson, 1998) to determine the effect of the area's preservation on the timber supply.

The Forest Service study concluded in its 1975 report that "no reduction of timber commitments to industry would be necessary to meet the removal of forest land were the "Valhalla Proposal" successful" (BC Forest Service, 1975, 17). The Parks Branch study suggested that only the southern half of the area proposed by Eweson should be made a class A (full protection) provincial park. The Valhalla Wilderness Society did not agree with either of these reports, and scrambled on a "shoe-string budget" (Wilson, 1998) to gather evidence to support to reinforce the original proposal. At the same time, the logging moratorium had infuriated the local logging company officials and enormous pressure was placed on government to justify the potential loss of the timber supply. The local residents' energies that had been earlier placed on trying to get government to implement some of the recommendations of the *Slocan Valley Community Forest Management Project*, were now focused on fighting the logging company's lobbying efforts which called for removing the logging moratorium and doing away with the Valhalla proposal altogether.

Led by Colleen McCrory, director of the New Denver-based Valhalla Wilderness Society, built up a vast list of bureaucratic and media contacts. Using Richard Caniell's "*Canada's Shangri-la*" multimedia show as the centerpiece of its emotional appeal, the society gained provincial recognition, and its membership grew to over 1,500 members. By the early 1980s, the group was told that the provincial cabinet had received more mail

with appeals for the preservation of the Valhalla than on any other park issue in the history of the province (Wilson, 1998).

Throughout the nine-year campaign over the Valhalla Proposal, the group had to continually joust with the local logging company to renew the annual logging moratorium while the proposal was being considered. In the process, the group's leaders had to overcome enormous opposition, enduring "considerable hostility from some of its neighbours" (Wilson, 1998, 205).

In an interview with one resident who was involved in the battle over Valhalla Park, I asked what the "considerable hostility" actually referred to, and the reasons for them. She replied:

We got called names, threats were made, and some of us were beaten up because we wanted the Park, it was nasty. The logging company had stated that protecting the Valhallas was going to force everybody out of work. It was a fear tactic. It split the community. Instead of thinking of long-term solutions, it pit us against each other. We had nothing against the employees, but now we were seen as the enemies, taking away their jobs.

Opposition to the Valhalla Proposal's proponents came mainly from the employees of Slocan Forest Products, the logging company that had taken over from Triangle Pacific in 1978. Although Slocan Forest Products (SFP) did not object to a high elevation alpine park in the Valhalla area, it had publicly and repeatedly declared that preservation of the proposed Park's watersheds and lower areas along Slocan Lake would force them to lay off some of their employees because of the timber shortage (Wilson, 1998, 140). Consequently, the forest industry workers feared their jobs would be reduced or lost if the Valhalla Park was established.

The logging company's argument that job losses would inevitably result from the removal of timber supply – either from the on-going moratorium or potential preservation of the Valhalla Wilderness was the focus of counter-arguments by the Valhalla Wilderness Society (VWS). The group began to gather information on timber waste, suspecting that job losses could be prevented if harvesting was more efficient. In late 1980, the VWS obtained a pivotal government report that became the center-piece of

their counter-argument. A Ministry of Forests survey of logging waste in Slocan Forest Product's Tree Farm License #3 area nearby stressed a conservative estimate of total waste in the cutblocks surveyed to be more than 17,000 cubic meters. This amounted to more than 75% of the calculated allowable cut for the Valhalla area (Robinson, 1983, 125). Further assessment in other areas managed by Slocan Forest Products would reveal large additional amounts of waste (Wilson, 1998). These findings supported a convincing argument that the waste of good timber, not the proposed preservation of the Valhallas, was the reason behind SFP's timber shortage and potential job losses. This new timber waste information prompted McCrory to write, in a 1981 letter to the Chief Forester:

How can anyone complain of timber shortage when such wasteful practices continue on and on? We believe that better utilization of the timber waste that is now left to rot in the bush, plus improved practices on the productive forest acreage, will allow all of us to have what we want. Industry can meet its timber needs, the small operators can have their areas to cut, the Valhallas can be made a park and given the protection it deserves, and watershed areas can have the constraints the public wants" (McCrory, 1981 as quoted in Wilson, 1998, 206).

Tourism analyses were also conducted which argued that the Valhalla wilderness was the Slocan Valley's greatest tourist asset. One study predicted that preservation would triple tourist visits to the area over the next decade, creating about 175 additional jobs and more than \$3 million of additional revenue. Although there were some doubts about how the figures were derived, these predictions showed that potential tourism-driven benefits of preservation would offset any potential losses from the resource extraction sector (Wilson, 1998).

By 1981, the Valhalla proposal had become the major matter under discussion in a \$300,000 government-sponsored valley-wide economic development planning study that would last three years.

The Slocan Valley Planning Program (1981-1984)

With the passing of the Forest Act (1978), the Ministry of Forests (MoF) resource planning efforts in the Arrow District revolved around timber supply allocations to the industrial corporations, with limited public consultation. The mechanism for inviting public input was relegated to a brief comment period at the end of the forest development planning effort. Acknowledging the public's vocal participation surrounding Crown land use issues, and the fact that the existing MoF planning structure was not designed to address the conflict that was brewing in the valley, the government decided that the Valhalla Park proposal and concerns about watershed logging in the area would be among the issues addressed in a study aimed at developing a regional land use and economic development plan for the entire Slocan Valley. The decision:

seems to indicate that some official and ministers remained skeptical about the narrow, Ministry of Forests-dominated concept of planning ascendant after 1976. Also, after watching Slocan Valley resident's long and determined efforts to gain more control over local resource use decisions, some key Victoria decision makers were prepared to accept that area's unique political culture warranted a different kind of planning process (Wilson, 1998, 207).

The *Slocan Valley Planning Program* was designed and carried by the Regional District of Central Kootenay (RDCK) and a group of regional officials from the provincial resource ministries. A multi-step process of analysis, issue identification, and option development would lead to a proposed valley-wide land use and economic development plan, simply referred to as "*The Slocan Valley Plan*". Extensive arguments for dissemination of information and for receiving public input were built into the approved terms of reference (Slocan Valley Planning Program, 1981). A committee of elected local representatives and another committee of regional resource officials and deputy ministers, made up a governing board. This governing board would make the final decision on an approved plan.

Based on resource analysis, settlement history and economic information collected and analyzed, as well as public input received, three general development scenarios for the future of the Slocan Valley were identified:

Scenario #1: Status quo – reliance on traditional resource extraction activities;

Scenario #2: Diversification of the traditional resource extraction base;

Scenario #3: Diversification of all sectors of the economic base.

The Valhalla Park proposal was just one of the matters addressed in the Slocan Valley Planning Program. Other issues included watersheds and water management issues, and diversification of the economy. The Valhalla park issue was the most contentious, and it was clear to all involved in it, that the choice of what kind of economic development scenario would be agreed upon would determine the fate of the Valhalla Park proposal. As a result, debates over the fate of the Valhallas dominated the first two years of the planning study.

These years were marked by a polarization of interests regarding the future of the local Crown land resources. Led by Slocan Forest Products, a coalition of forestry industry workers, miners, and some businesses supported the status quo development scenario (scenario #1) that included timber and mineral extraction in the lower elevations of the Valhallas. The Valhalla Wilderness Society (VWS) and the newly-formed Slocan Valley Watershed Alliance (SVWA) led a group of residents which held an uncompromising position for a Class A provincial park in the entire proposed wilderness area, and promoted the diversification of all sectors of the valley's economic base (scenario #3). The SVWA played a substantial role in advocating the protection of watersheds during this time and their formation and mandate merits elaboration before continuing with the progress of the Slocan Valley Plan.

The SVWA was formed in 1981. It was made up of eleven grass-roots watershed associations that had sprung up throughout the 1970s in the all areas of the valley. These watershed associations were made up of rural property owners who held water licenses to tap the creeks flowing on Crown land for household water supply. Concerned about how the future of industrial logging activities in their watersheds might impact their water supply, members of the SVWA aimed to work for the protection of the consumptive use

watersheds of the Slocan Valley. According to their mission statement: “The main goal of SVWA is the protection of water quantity, quality and timing of flow in the watersheds of the Slocan Valley. Other goals are to apply ecosystem-based planning to the Valley; ensure more value is derived from each tree cut; and diversify the Valley's economy”. Since its formation, the SVWA has represented licensed rural water users and their families (who are the majority of local residents – see Chapter 4) in local government-sponsored natural resource planning processes, including the *Slocan Valley CORE Project*.

By the end of 1982, both the regional officials' committee and the local committee indicated a preference for an economic diversification scenario that included full preservation of the Valhalla. This sent shock waves through the circles of proponents of industrial resource extraction locally and around the province, and there were some indications that the provincial cabinet was about to unilaterally reverse the Draft Plan recommendations and favor industrial logging and mineral extraction in the Valhalla Wilderness (Robinson, 1983, 124). McCrory immediately issued a strongly-worded call to arms:

Despite an unprecedented degree of support for the creation of a Valhalla Park in the Slocan Valley in an issue that has gained international prominence, the government had decided to ignore the findings of its own \$300, 000 planning study and the recommendations of the Regional District of Central Kootenay urging the creation of a Valhalla Park... For years the government refused to enact the park because it hadn't been shown an economic advantage to do so. Now, when the economics overwhelmingly demonstrate that the Valhallas should be preserved intact as a park, the government has thrown out its own study findings and insisted another, quite disastrous, economically ruinous, alternative be created, and this they decided to support (Valhalla Wilderness Society, 1982).

Within weeks, the Minister in charge of land use announced the creation of the Class A Valhalla Provincial Park encompassing the entire 50 000 hectares disputed Crown land. According to the Minister's statement, the decision was consistent with the government's policy of “informed multiple use” and “with the views of local residents and

organizations who have expressed their concerns about the future use of the area” (Wilson, 1998, 208). In the end, widespread public support and the intense lobbying efforts by the Valhalla Wilderness Society and Slocan Valley Watershed Alliance were the deciding factors in the government decision. The decision was received as substantial victory for the valley’s residents who supported an alternative to the industrial forest development scenario that Slocan Forest Products had been promoting.

After the fate of the Valhalla Proposal was decided, the Slocan Valley Planning Program proceeded to study the other issues raised, including the measures for contentious watershed planning. The Slocan Valley Watershed Alliance took a leadership role in presenting their concerns to the planning committee, “spending many hundreds of hours preparing briefs, making public statements, and educating members about ways to protect their watersheds” (SVWA newsletter, *n.d.*).

After another two years of study, the planning committee published their final report, *The Slocan Valley Development Guidelines*, in 1984. The report confirmed the planning committee’s choice of an economic diversification scenario (Scenario #3) for the valley. It acknowledged “it is the intent of these guidelines to enhance the local economy with the relatively unknown income possibilities presented by agricultural and tourism potential” (Slocan Valley Development Guidelines, 1984, 5). The understanding was that resource extraction activities, primarily logging, would be allowed to continue but only after careful consideration was placed on how they would affect the other resource values. The Guidelines were meant to provide “policy directions and implementation measures to guide the activities of the provincial and local government” on a wide range of Crown land use and resource management issues, including forestry, mining, agriculture, fisheries, water, tourism and recreation (Slocan Valley Development Guidelines, 1984, 1). Three zones of management were identified for the valley: 1) settlement area (the built environment); 2) regular resource management area (the majority of the forested land base and once in which there “exists relatively few reasons for major conflict between uses”); and 3) sensitive resource management area (including

“the Valley’s main corridor and adjoining watersheds, floodplains and numerous areas of priority wildlife habitat”).

The most contentious of these management zones was the “Sensitive Resource Management Area”. The planning committee agreed that

because of the coincidence of a number of resource values on the same land area, this is the most sensitive to disturbance, most likely to result in conflicts between actual or potential uses and accordingly is the area in greatest need of detailed planning and sensitive management practices (Slocan Valley Development Guidelines, 1984, 8)

The report stated that within this sensitive management area, “an integrated watershed planning process... will be followed prior to commencing logging in those water supply watersheds with high sensitivity to disturbance” (Slocan Valley Development Guidelines, 1984, 9).

Included as Appendix 4 to the report was the *Slocan Valley Integrated Watershed Planning Process*, which outlines the objectives, steps, and responsibilities in the preparation of management plans in contentious consumptive use watersheds. This process identified maintaining water quality as “the top priority over all other uses of the land”, and considered the involvement of water licensees at all stages of the planning process to be a necessary component. The document stated that

while final planning and decision-making authority in this watershed planning process lies with those agencies having statutory responsibilities, ...the planning process must involve all directly affected parties and as such provide the mechanism, for direct user input in plan preparation and decisions made by those agencies with statutory responsibilities (Slocan Valley Development Guidelines, 1984, Appendix 4).

An elaborate procedure outlined the steps to identifying the planning participants, setting the planning agenda, gathering and inventorying data, analyzing and evaluation data, making decisions, implementing and monitoring decisions. The Ministry of Forests and the Ministry of Environment were identified as the lead agencies, and held co-responsibility for initiating and executing the Slocan Valley Watershed Planning Process. The Ministry of Health and the Ministry of Energy, Mines and Petroleum

Resources were to advise the lead agencies and provide relevant information relating to government policies, legislation, and regulations in their jurisdictions. The affected participants considered to be integral to the decision process were determined to be forest licensee (Slocan Forest Products), and the water licensees (represented by the Slocan Valley Watershed Alliance).

The Outcomes of the Slocan Valley Planning Program

Valhalla Provincial Park was established under the jurisdiction of the Ministry of Parks, while the rest of the Slocan Valley watershed fell under the jurisdiction of the Ministry of Forests Regional District Office. The Slocan Valley Development Guidelines were regarded as the definitive plan for the future of Crown land for the Slocan Valley (Slocan Valley Development Guidelines, 1984). A March 1985 letter from the Chairman of ELUCO confirmed the adoption of the Slocan Valley Development Guidelines, as follows:

...These guidelines have been prepared to assist land use and resource development activities in the Slocan Valley. The Provincial Resource Ministries represented on the Environment and Land Use Committee will be referring to these development guidelines when undertaking their day-to-day activities in the Slocan Valley (Pelton, 1985).

Upon the publication of the report, the forest licensee, Slocan Forest Products, objected to the guidelines. The company's objection was based on the assumption that it would not benefit from an economic diversification scenario, because of the elaborate measures to ensure non-timber uses of the Crown forests in their forest license areas (Wilson, 1998). It had already lost the Crown forest land base in what became the Valhalla Provincial Park, and it stated that further losses to its timber supply would lead to a reduced workforce (Wilson, 1998). The perceived threat of extensive job losses to forest industry workers, resulting from the potential loss of timber supply if the Guidelines were implemented, prompted further animosity between those who supported the industry's position and those supporting the economic diversification position. A backlash resulted in which industry supporters mounted a campaign to discredit the

Guidelines, under the slogan “Can the Plan”. The hostility between industry supporters and the supporters of economic diversification that had marked the earlier battle for the Valhallas, now resumed again, for a time, as there was uncertainty about what implementation of the Development Guidelines would mean for the future of industry workers.

Although officially adopted by government, the Slocan Valley Development Guidelines were never implemented. When the SVWA tried to insist that the document be implemented, it was told that the Guidelines were not enforced by law and did not have to be applied (SVWA newsletter, 1997).

The End of Valley-Wide Planning and Extensive Public Participation

The end of the Slocan Valley Planning Program in 1984 marked the end of valley-wide Crown land use planning, and extensive public participation in resource decisions, until the *Slocan Valley CORE Project* nearly a decade later. Except for a failed intra-valley watershed planning effort which saw some limited involvement by water users, public participation in Crown land planning between 1984 and 1992 was relegated to a 60-day “public review and comment” period that followed the logging industry’s site-specific, timber harvest-focused, Forest Development Plans.

The Slocan Valley residents who had successfully lobbied for an economic diversification scenario for the entire valley, and had seen their input incorporated into a proposed new planning guidelines, were now confined to trying to make their voices heard within the much narrower structure for public input in the Forest Development Plan process.

Public Input in Forest Development Plans

According to the operational planning regulations of the *Forest Act* (1978), the proponent of a forest development plan must publish a notice of the plan, and allow the public opportunity to review it and make comments about it before the Ministry of Forests can approve it. The conditions under which the public is allowed opportunity for

public review and comment varies according to the applicable conditions in forest regulations, and are at the discretion of the Ministry of Forests' District Manager. A person who reviews a forest development plan may submit comments in writing only during the period allowed for review, and the scope of what can be considered acceptable is also limited according to the specific conditions of the regulations. Furthermore, when the public comments are deemed to fall within the scope of what is acceptable, neither the proponent nor the Ministry of Forests is obliged to make revisions to the proposed plan that would incorporate the public comments. The forest development plan proponent is simply required to submit a copy of each written comment along with the forest development plan. In the Slocan Valley, Slocan Forest Products' plan to log a consumptive use watershed and the local residents opposition brought the conflict over Crown land use planning to a climax immediately prior to the CORE Slocan Valley project.

The Climax of a Conflict: Blockade at Hasty Creek Watershed (1991)

In 1984, before the *Slocan Valley Planning Program* was completed, Slocan Forest Products submitted a Forest Development Plan with road building and harvesting proposed in the Hasty Creek drainage area, located south of the village of Silverton, in the heart of the watershed for about forty families with water licenses to tap the streams for their household drinking water. These families had earlier formed an association, the Red Mountain Residents Association (RMRA), which was a member group of the larger Slocan Valley Watershed Alliance (SVWA).

The RMRA signed a petition indicating their opposition to any development in the area until a satisfactory watershed planning process was developed, following the recommendations in the Slocan Valley Planning Guidelines. A controversial component of the forest development plan involved the location of a proposed logging road that the company would have to build to access the timber. According to the RMRA's own field observations, the proposed road would traverse several watercourses, including unnamed rivulets creeks, that were not identified on the Slocan Forest Products' or Ministry of

Forests' maps. The RMRA's own maps, although crude, showed a different understanding of the hydrological system, sparking a debate about the validity of the technical information used to support resource decision-making⁹. Over the course of the following years, the local residents spent a substantial amount of time, energy and financial resources, attempting to demonstrate an alternative view of the impacts of the logging company's proposed development in the watershed with a series of hydrological and terrain assessment studies.

In 1988, when the logging company's development plans for Hasty Creek area remained unchanged, the RMRA filed a formal complaint with the provincial Office of the Ombudsman¹⁰. In their complaint, they stressed that objected to the way their input was handled. They requested that a watershed management plan be completed for the Hasty Creek watershed. A watershed management plan, they believed, would allow for more provisions to incorporate their technical concerns and expand the narrow scope of Slocan Forest Products' site-specific, timber-focused Forest Development Plan.

In early 1989, the Ombudsman's Office responded to the RMRA that the MoF and Ministry of Environment had agreed to complete the requested watershed management plan, and that the complaint was considered resolved (Gibbons, 1999). However, to the surprise of the RMRA, the contested road building and harvest cut proposal in Hasty Creek were included, unchanged, in SFP's 1989 Forest Development Plan. In anger, the water users boycotted the watershed management study. According to the RMRA's parent group the SVWA, the watershed planning process did not meet their expectations:

after more than three years of frustrating participation that saw the technical input of water users ignored and often ridiculed, the SVWA and its member groups withdrew because the process refused to incorporate their concerns (SVWA newsletter, 1997).

⁹ The debate over technical information needed to provide decision support in the Hasty Creek planning effort intensified throughout the *Slocan Valley CORE Project* in the mid-1990s, and is discussed in Chapter 6.

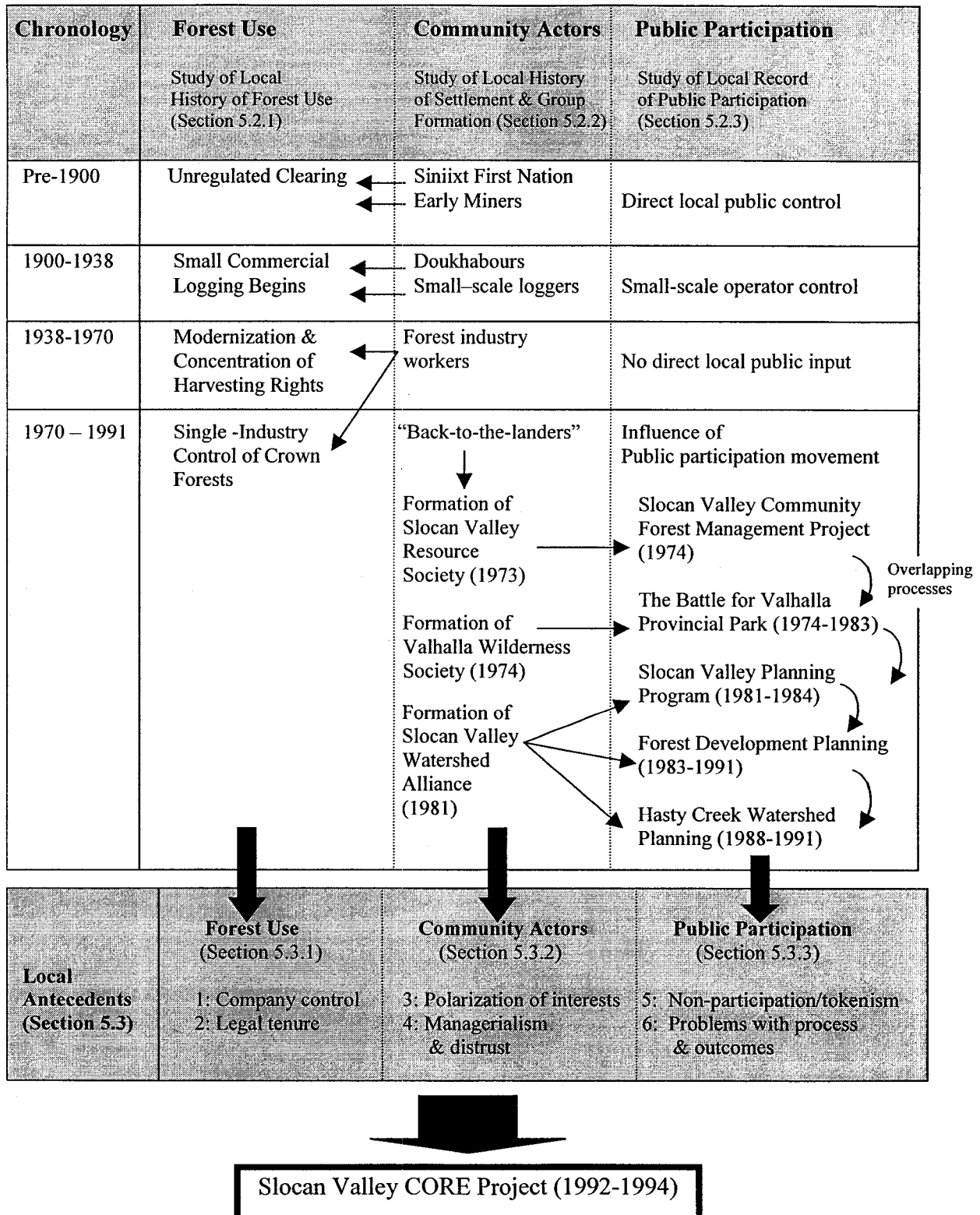
¹⁰ The Ombudsman was Stephen Owen, who, in 1992, became the Commissioner of the new Commission on Resources and Environment (CORE). The controversy over Slocan Forest Products plans to log in the Hasty Creek Watershed, and the RMRA's perceived lack of meaningful participation, was an important factor in the establishment of the *Slocan Valley CORE Project* (see Chapter 6).

The watershed management plan was completed in November 1990. The Hasty Creek forest development plans remained intact and there was not any evidence that the process had considered the technical concerns of the water users regarding the hydrological conditions in the area. Two weeks later, the Ministry of Forests approved the road permit in Hasty Creek watershed. Road building was scheduled to begin the following year.

In the fall of 1991, SFP attempted to commence road construction but was met by over a hundred protestors on site. The “war in the woods” (see Chapter 4) had come to the Slocan Valley. Eighty-three people were arrested for refusing to abide by an enforcement order attained by SFP. This marked the largest act of civil disobedience in the history of British Columbia, and gained international attention (Brotten,2000). Forest development plans were eventually halted pending the outcome of the Slocan Valley CORE Project (1992-1994) (See Chapter 6).

5.3 The Local Antecedents: Answers to the Research Questions

The examination of the inter-related histories of forest use (section 5.2.1), settlement and community group formation (section 5.2.2), and public participation in resource decision-making (section 5.2.3), paint a complex picture of a community heading toward crisis in the early 1990s. The chronological analysis of the pre-process situation provides six local antecedents that characterized the situation prior to the *Slocan Valley CORE Project* (Figure 5.2). Each of these antecedents is described, along with its implications for the evaluation of public participation in general, and for the Slocan Valley CORE project.

Figure 5.2 Pre-Process Analysis: Chronology & Local Antecedents

5.3.1 Answer to Research Question 1: Forest Use

What can be learned from the history of forest use in the Slocan Valley about the structure that existed for the use of local forests and its effect on public participation in resource decisions, prior to the CORE project?

The history of forest use in the Slocan Valley pre-dates the record of public participation by about 70 years. Nonetheless, the implications of the decisions made about forest uses in the early part of the century were still felt in the early 1990s despite nearly 30 years of public participation initiatives. Two antecedents were determined to have implications that are relevant for the evaluation of public participation in general, and for the Slocan Valley CORE project in particular. They are:

Antecedent 1: Forest company control over the Crown land base; and,

Antecedent 2: Tenure arrangements are unfavourable to public participation.

(Figure 5.2 bottom, left).

Antecedent 1: Forest company control of the Crown land base

Crown land use in the Slocan Valley is dominated by a single forest company. This situation has resulted from provincial government forest policy changes throughout the mid-century (*ca.* 1938-1970) that promoted expansion of industrial forestry operations and the concentration of harvesting rights.

Before the 1930s when logging in the Slocan Valley was virtually unrestricted, a few small-scale operators using non-mechanized harvesting techniques had only small and localized impacts on the Crown land base. Because of the small local population base and seemingly endless supply of timber to be harvested, little attention was placed on issues of Crown local land use planning and conservation.

With the institution of the first type of land tenure in the Slocan Valley, the *Timber Sale*, the monopolization of control over the Crown land base began. Competition for these licenses meant that larger and wealthier companies displaced the original small-scale loggers and Doukhabour-owned milling operations. Other policy changes at the provincial level (see Chapter 4) promoted corporatization of control and helped fund the automation and industrialization of the forest industry throughout the mid-century period. Although

sustained yield management and AAC levels were initiated at the provincial level in the 1940s, they were not applied in the Slocan Valley until 1955 when the *Slocan Valley Public Working Circle* forest management unit was specifically created to determine local AAC levels. Following this change, the forest industry operating in the Slocan Valley radically increased wood production, and tenure rights were awarded to fewer, larger companies, because of the competition involved in meeting the elevated AAC levels. The fact that the AAC level quadrupled in 20 years, with only one forest company remaining in operation by 1970. This suggests that the primary purpose of applying sustained yield management locally was to increase industrial production in the previously considered under-productive forests. By 1992, Crown forests in the Slocan Valley was still under the management of a single forest company, despite numerous proposals for change. The small-scale, multi-operator, unplanned, minimally-managed, liquidation of forests in the 1920s evolved into a large-scale, single operator, planned and tightly-managed development of forests by the 1970s.

The implications for local public participation of this evolution of the Crown forest use are that the perceived value of the Crown lands had already been determined prior to any record of public participation. Considering Zimmermann's (1933) functional definition of natural resources ("*resources are not, they become*", see Chapter 2), the Slocan Valley's forested Crown land "*had become*" a valued resource for sole purpose of industrial wood production. The perceived importance of wood production had resulted in a system of land tenure arrangements which essentially gave legal rights of access to the resources to industrial forest company, as well as legal obligations to meet AAC levels. Other forest values beyond wood production, if they existed prior to the 1970s, were not accounted for, and certainly did not affect the allocation of legal rights to the forests. It was not until the widespread changes in environmental consciousness that marked the growth in the participation movement that other forest values began to be considered (see sections 5.3.2 and 5.3.3). Resource decisions which led to the single-industry control of the local Crown land base were far less complex than Mitchell's (1989) mix of dimensions suggest is the case today (Figure 2.2, Chapter 2).

The spatial change to the local forest management unit, after 1978, also has implications for public participation. Since ACC levels are determined for the forest management unit that extend beyond the borders of the Slocan Valley, those water-users residing within the Slocan Valley watershed have more difficulty suggesting alternative plans for the valley alone, since spatial boundaries do not correspond to jurisdictional ones. Likewise, in meeting its obligations regarding AAC levels that calculated for the larger area, the forest company may have difficulty incorporating public input into planning and management of the forested land base which addresses only a portion of its forest license area.

Antecedent 2: Land tenure arrangements unfavourable to public participation

Despite increased opportunities for public participation opportunities, since the 1970s, the legal arrangements for land tenure in the Slocan Valley, outside Valhalla Park, have not changed. Decisions made about land allocation prior to the 1970s continue to confound opportunities for public participation, as demonstrated from the outcomes of the successive planning processes. This situation effectively limits the scope of possible implementation of the results of the public participation exercise. If the public makes recommendations that go against the legal rights of the tenure holder, these can be effectively ignored. This makes most of the forest issue non-negotiable. Because of these harvesting rights to tenure holders, public input is limited to questions of “how to log”, rather than “where to log”, or “how much to log”. The legal right of access to the timber on Crown land take precedence over the public wishes and desires, no matter how much or how little the forest company invites public input. This presented a formidable problem for those groups who advocate greater public participation within the decision-making processes and outcomes of these processes (see section 5.3.2).

5.3.2 Answer to Research Question 2: Community Actors

What can be learned from the history of settlement in the Slocan Valley about who the community actors were, and how they were involved in decisions about local forest use, prior to the CORE project?

From the study of the local history of settlement and group formation, two antecedents were determined to have implications that are relevant for the evaluation of public participation in general, and for the Slocan Valley CORE project in particular.

They are:

Antecedent 3: Polarization of interests; and,

Antecedent 4: Managerialism and distrust.

(Figure 5.2 bottom centre).

Antecedent 3: Polarization of interests

Natural amenities have attracted people to the Slocan Valley. Over time, a polarization of interests was created between those favouring continued large-scale industrial extractive uses of the Crown forests and those favouring new models of smaller-scale extractive uses and an emphasis on biological conservation. This polarization of interest finds its roots in the post-colonial settlement and cultural evolution of the rural community. The local history settlement has resulted in a divided community that is not unfamiliar with conflict. For most of the past century, miners and foresters came seeking to exploit these resources forming the dominant social group. Since then, the valley has been the host of several waves of culturally different minority groups, including the Doukhabours in the 1910s, interned Japanese-Canadians in the 1940s, and “back-to-the-landers” who arrived after 1970¹¹. With the exception of the Japanese-Canadians who were forcibly interned in the valley, the minority groups have come to the Slocan Valley in search of some form of refuge, only to find their “different” identities were the focus of conflict in their new home. Whether the conflict resulted from a religious belief (Doukhabour), ethnic origin (Japanese-Canadians), or environmental ideology (the “back-to-the-landers”), the majority population in Slocan Valley has felt the impact of these groups. Although the political acts of defiance on the part of some Doukhabours, and WWII internment of Japanese–Canadians were not related to the local management of natural resources, the histories of these minority groups and their resistance to government

intervention suggests the Slocan Valley has always been a “different” kind of place. It is a community that has lived with the scars of various forms of social conflict.

This history of hostilities continued with the influx of “back-to-the-landers” that came with strong opinions about the government’s Crown land use resource management policies and practices, particularly the high-volume corporate tenures (see section 5.3.1). These new migrants became the local voice of opposition to the government’s system of industrial forest allocation and management. They were action-oriented, continuing the long tradition of spirited resistance to government by local minority groups. The presence of this group of environmental advocates has made the Slocan Valley one of the oldest “hot-spots” of conflicting interests over the future use of local crown forests.

The impact of this new group was immediately felt (Figure 5.2, centre column). In 1973, the Slocan Valley Resource Society was created to launch the *Slocan Valley Forest Community Management Project* (1974). In 1974, the Valhalla Wilderness Society was formed to promote the preservation of the Valhalla Wilderness. In 1981, the Slocan Valley Watershed Alliance was formed to promote watershed protection in the *Slocan Valley Planning Program* and subsequent land use planning efforts. Their common interest was their promotion of more public involvement in the decision-making process over forest use. Throughout the 1970s, the back-to-the-land minority, and its sub-groups, was instrumental in vocalizing an environmental interest in the Slocan Valley that had not been addressed by the local majority population, the local forest company and its employees, or recognized by the government in any concrete manner. Out of this vocalization began a polarization of interests in the Slocan Valley community that would persist into the 1990s.

The Community Forest Management Project (Figure 5.2 right column) had called for radical changes to the tenure arrangement that encouraged increased local control, but it was met with resistance from the pro-industry proponents in the valley, and the government in Victoria, and subsequently came to naught, except for the debate over the Valhalla Wilderness. This debate also pitted pro-industry supporters with wilderness

¹¹ According Gower’s (1990) study of the “back-to-the land” movement in the Slocan Valley, these new

advocates, particularly the newly-formed Valhalla Wilderness Society. In the span of 10 years, a proposal to devolve the whole existing land tenure arrangement in the entire valley had produced a heated, and, at times, violent battle over the preservation of about 15% of the valley's land base which eventually became the Valhalla Provincial Park.

These tensions had created a strong polarization between pro-industry supporters who lobbied against the Park and those environmental groups who lobbied for its preservation. The fact that full preservation of the entire proposed Valhalla Wilderness was decided by the provincial Cabinet, exactly as the Valhalla Wilderness Society has proposed and lobbied for, meant that the wilderness advocates won the battle, and consequently, that the pro-industry supporters lost it. Resultingly, the tensions became even more entrenched and the Valhalla decision may be the primary reason why environmental advocates have not made any subsequent gains since then.

The polarization of interests in the community remained evident through all subsequent planning initiatives. The *Slocan Valley Planning Program*, which had officially recognized the need for increase local public participation in resource planning, had concluded with a call for an economic diversification scenario, rather than a continuation of the industrial-forestry dominated scenario that already existed since the late 1930s. The Slocan Valley Plan's well-defined guidelines for bringing about a change in future uses and the local crown resources, included special zoning of the visual corridor and domestic watersheds. Both the traditional pro-industry interests and environmental interests in the valley were represented in the final plan guidelines. Although the compromise gained the support of the government, it was met with intense opposition from the pro-industry supporters, who with their "*Can the Plan*" campaign, argued that the plan's economic diversification scenario would result in extensive job losses for the forest industry. Despite these fears that later proved to be unwarranted, the guidelines were never implemented and the project was abandoned. Once again, the polarization of interests over the future of the local resources had flared into conflict, and this time, the pro-industry supporters won.

migrants formed a unique and separate cultural group because of their alternative ideology.

The polarization of interests appears to be related to the prevailing climate of managerialism and distrust, two problems for public participation in resource management (Chapter 2, sections 2.2.3 and 2.2.4) that have characterized decisions over Crown forest use in the Slocan Valley (Antecedent 4).

Antecedent 4: Managerialism and distrust

Recalling the definition of managerialism as a situation where the “common man (*sic*) was well removed from the corpus of powerful and influential individuals and organizations, and kept generally uninformed” (O’Riordan, 1977, 70), decisions over forest uses in the Slocan Valley were prone to such a situation in the mid-century period. Discussions leading to such decisions remained within the circles of the local forest company and the government’s Forest Service. Once the new environmentally-conscious migrants arrived in the early 1970s, this prevailing climate of managerialism came under attack. The relationship between the forest company and the government has remained under constant criticism ever since, despite significant policy changes to invite public input.

Early attempts by locals at promoting substantial change of forest use in the Slocan Valley were met with managerialism. This is evidenced by the government’s response to the *Slocan Valley Community Forest Management Project (1974)*. While acknowledging it as “a monumental piece of work” and “the finest social economic analysis in modern history”, the former Minister of Forests also questioned the government’s ability to adhere to the wishes of “all those ragamuffins up in this nowhere, beatnik valley who want the (Crown) jewels” (Wilson, 1998, 140). Token steps were made to attempt to placate the local public (discussed as Antecedent 5, section 5.3.3) through a powerless and short-lived advisory committee. Hence, despite its popularity among public participation proponents in other resource communities, the “most powerful manifesto for community control ever developed in BC” (Wilson, 1998, 143) had only limited immediate government validation.

However, the government's initial managerialistic response to the locally-developed plan was tempered somewhat by its willingness to entertain the plan's Valhalla Park proposal. The lengthy battle for the park's establishment in the late 1970s, which included the granting of yearly logging moratoriums contested by the forest company, might be understood, in retrospect, as a progressive dismantling of the predominance of managerialism in the Slocan Valley. However, the evidence suggests that policy changes at the provincial level favouring more public input may have been contested by lower-levels of government, particularly the regional district office of the Ministry of Forests whose responsibility it was to oversee the Slocan Valley forest use. This office had consistently sided with the forest company's opposition to the park's establishment, using the argumentation that the removal of timber supply would lead to economic impacts on the forest company.

The lobbying efforts of the Valhalla Wilderness Society on the provincial cabinet were numerous and effective. The grass-roots environmental group gained public support for the proposed Valhalla Provincial Park, increasing the visibility of the Slocan Valley conflict to a much wider audience, and put political pressure on the government in Victoria. The group also made sound economic arguments about the impacts of timber loss that had been purported, by both the Ministry of Forests and the local forest company, to ensue from the removal of the timber base with the establishment of the provincial park. According to the evidence listed in section 5.2.2, these efforts appeared to have influenced the provincial Cabinet's decision to establish the *Slocan Valley Planning Project* in 1981, and the eventual establishment of the Valhalla Provincial Park, in 1983.

In less than 10 years, the managerialistic climate that had characterized the government's response to the locally-developed community forest use plan of 1974 had evolved into substantial recognition of the Slocan Valley "unique political culture", its residents "long and determined efforts to gain more control over local resource use decisions", and a skepticism "about the narrow, Ministry of Forest-dominated concept of planning" (Wilson, 1998, 207). By 1983, the common person was no longer "well

removed from the corpus of powerful and influential individuals and organizations, and kept generally uninformed” (O’Riordan, 1977). By then, the Valhalla Wilderness Society, and the newly-formed Slocan Valley Watershed Alliance together had become influential organizations in their own right, creating a significant voice for local water users and wilderness advocates, and influencing a change in the dominant climate of managerialism in resource management. The locus of control, for a time, appeared to be with the local environmental groups.

But since the establishment of the Valhalla Park, the locus of control has been firmly in the hands of the industrial supporters, despite numerous opportunities for public input. In fact two significant advances made by the local environmental groups had been pulled back in the years prior to the establishment of CORE. The Slocan Valley watershed was no longer considered as a planning unit (see section 5.2.1), and special considerations for the contentious visual corridor and consumptive use watersheds that had been included in the Slocan Valley Plan Guidelines were ignored. Subsequent planning efforts included the company’s forest development plans and the government’s Hasty Creek Watershed Plan. Special considerations that had been debated in the 1984 Slocan Valley Plan were not taken into account. Instead, the contested watershed was consistently targeted for harvesting by the logging company, and subsequently given approval by the Ministry of Forests in 1991.

Although managerialism, in the strictest sense, no longer dominated the decision process, the climate of distrust between supporters of the local forest company and supporters of the local environmental groups remained prevalent in the years leading up to CORE in 1992.

5.3.3 Answer to Research Question 3: Public Participation in Resource Decisions

What can be learned from the record of public participation about local public involvement in local forest use decisions, prior to the CORE project?

Applying existing evaluation models to the record of public participation reveals two antecedents were determined to have implications that are relevant for the evaluation

public participation in general, and for the Slocan Valley CORE project in particular.

They are:

Antecedent 5: Non-participation & tokenism; and,

Antecedent 6: Problems with processes and outcomes.

(Figure 5.2, bottom right).

Antecedent 5: Non-Participation & Tokenism

Analysis of public participation in local resource management decision, in the years prior to 1938, according to Arnstein's (1969) ladder of citizen participation (Figure 2.3), can be characterized by the top two rungs. At rung 8 (*Citizen Control*), the citizen has full access in all aspects of the decision process. This characterizes the era prior to 1900, and includes Sinnixt first nations and early miners use of the Slocan Valley forests (Figure 5.2). After the creation of the Forest Service in 1912 (see Chapter 4, section 4.3.2), public participation slipped to rung 7 (*Delegated Power*), where the local citizens had executive control of the decisions while the formal administrative authority remained with the Forest Service as statutory decision-maker. With the increased bureaucratization of the Forest Service, concentration of harvesting rights, and modernization and industrialization of the forest sector that marked the period between 1938 to 1970, local citizen control of forest use was lost. Arnstein's ladder, which is best intended to critique the post-modernization period (or, after 1970 in British Columbia), has no rung so low. Public participation, during the mid-century period, figuratively "fell off the ladder". With the changes in public policy that came about in the 1970s and 1980s, Arnstein's analytic tool serves to illustrate the slow progress of public participation back up the ladder.

Following the reception of the *Slocan Valley Community Forest Management Project* (1974), the government named some of the Slocan Valley Resource Society's members to the "vaguely defined advisory committee of local residents and civil servants" (Wilson, 1998, 140) which soon became defunct when it became clear that it was powerless to implement any of the project's recommendations. According to Arnstein's model, this is a classic case of *manipulation*, the bottom rung of public participation,

where at best the goal is civility, and at worst it is nothing more than a public relations game (see also Warriner, 1997, 188). Even if manipulation was not the intention of the government in this first of the Slocan Valley's many participatory decision-making processes, the reality is that it remained a form of *non-participation* in Arnstein framework. Using Eidsvik's (1978) analytic grid (Figure 2.4), the balance of decision-making power rested squarely with the government, not reaching beyond the first category of *information*.

The nine-year battle for Valhalla Provincial Park, described in section 5.2.3, was not a formal public participation process. It is difficult to apply Arnstein's ladder, or any other analytic typology intended to analyze formal participation processes. Nonetheless, the efforts and sheer dedication of the Valhalla Wilderness Society, with their substantive economic analyses of timber supply, their emotional public appeals for wilderness preservation, and other successful tactics had made a significant impact on the decision-making process and its eventual outcome. While these local citizens did not gain control (in the Arnstein sense) of the decision-making process, they clearly played a major role in it. In doing so, they managed to overturn the influence that the local industrial forest company had held since the beginning of industrialized forestry.

The three subsequent forest use planning processes (*Slocan Valley Planning Project (1981-1984)*, *Forest Development Planning (1983-1991)*, and *Hasty Creek Watershed Planning (1988-1991)* – see Figure 5.2 right column) all had substantially more public input than the previous ones. By then, there was widespread normative expectation in all sectors of resource management to invite some form of public participation in the decision process (see section 4.3.3). The degree of public participation, in these processes, moved up a few rungs on Arnstein's ladder, into the realm of *tokenism*, including rung 3 (*Informing*) and rung 4 (*Consultation*). Tokenism, to Arnstein (1969) is defined by a commitment to communication without any redistribution of power. Before 1992, public participation in the Slocan Valley, after nearly twenty years of active local involvement, had not reached past rung 4, *Consultation*, which allows for two-way of information between citizens and government, but without any guarantee that the public's voice will be

heeded. The environmentally-minded local groups had been calling for at least some form of *Partnership* (rung 6), and were not satisfied with the tokenistic treatment it had received.

Eidsvik's (1978) analytic grid (Figure 2.4) presents a different assessment. The balance point of *Consultation* had been reached by 1992, through these various processes, since the problem (in this case protection of watersheds) had been submitted, opinions (from the public) were collected, and the decision was made (allow logging to proceed in watersheds).

Both Arnstein's and Eidsvik's analytic models use the word *Consultation* in the same sense, and both place it in the middle of the process toward citizen empowerment. But Eidsvik's model suggests the consultation is the optimal level that satisfies all parties, while Arnstein suggests that it merely appears to satisfy, while the real problems remain.

The Slocan valley case suggests that Arnstein's suggestion was the correct one. *Consultation*, even through the innovative *Slocan Valley Planning Program* did not satisfy all parties. It angered the pro-industry supporters who lobbied against any changes to the status quo to satisfy non-timber interests, while it left the pro-environment interest supporters disillusioned that their participation in various so-called "public" processes was not resulting in more local control over the local forest uses. The Forest Development Planning process and the Watershed Planning process included even less public input (see Antecedent 4), resulting in more disillusionment for those advocating change.

The discovery of Antecedent 5 in the Slocan Valley case confirms the suggestion in the Literature Review (Chapter 2) that evaluation of public participation must rely on more than the satisfaction of the public. Arnstein's ladder, and Eidsvik's grid serve to help understand the kind of public participation that takes place, but do not address how to make public participation work better. To achieve this, the literature review suggested, examination of both processes and outcomes is necessary (Antecedent 6).

Antecedent 6: Problems with Process and Outcomes

The record of public participation in the Slokan Valley prior to 1992 demonstrates that there were several overlapping processes, involving multiple jurisdictions, government ministries, community actors, mandates, spatial boundaries, and resulting outcomes. Because of this, comparison across them is problematic, but not impossible. The Literature Review (Chapter 2, section 2.3.4) presented a typology of common public participation mechanisms along with the advantages and disadvantages of each.

Standing out above the rest, it appears that attempts at direct democracy, such as “petitions and protests”, press releases, events that garner media attention, and other lobbying efforts, have characterized the efforts of the Slokan Valley public to enter into the dialogue about local resource management. These were referred to by Langton (1978) as “citizen action”, and are commonly referred to as “bottom-up” approaches to public participation (see section 2.3.1). The *Slokan Valley Community Forest Management Project* (1974), the battle for *Valhalla Provincial Park* (1974-1983), and the demonstrations and road blockades at *Hasty Creek Watershed* (1991), each involved citizen action attempts at direct democracy. The main purpose of citizen action is to influence decisions of government officials, while dominant concerns for those involved involve organizing effectively, obtaining appropriate information, developing support, raising funds, and making the maximum political and public impact (Langton, 1978). Problems associated with these ‘bottom-up’ approaches is that they had been met with considerable resistance from the pro-industry interest group, and added to the polarization of interests and climate of distrust among the community actors (Antecedents 3 and 4).

The citizen action efforts have proved to be quite successful in reaching desired outcomes. The *Slokan Valley Community Forest Management Project* (1974), though it did not lead to community control of all local Crown forest use as anticipated by its promoters, did bring to the attention of government (and the world) the unique political culture of the Slokan Valley, and opened the debate about the preservation of the Valhalla Wilderness area. The decision to preserve Valhalla Provincial Park can be interpreted as resulting, in part at least, from local citizen action. The citizen action efforts following the

government's decision to log the *Hasty Creek Watershed (1991)* were substantial enough to attract the attention of the provincial government which eventually halted development in the watershed, pending the outcome of the new CORE process.

On the other hand, the "top-down" approaches to participatory democracy - that is, those government-initiated public participation opportunities - have consistently been marked by problems in both process and outcomes. The citizen advisory committee that followed the *Slocan Valley Community Forest Management Project (1974)* was abandoned because it had no power to implement its recommendations. The *Slocan Valley Planning Program (1981-1984)* that produced the set of planning guidelines, as well as a commitment by government to ensure their implementation, were not implemented, perhaps in part, because of the "*Can the Plan*" direct action efforts from the pro-industry supporters.

Finally, the two most recent formal processes, the *Forest Development Planning (1983-1991)*, and the *Hasty Creek Watershed Planning (1988-1991)*, involved substantially less opportunity for public input than previous ones (see Antecedent 5), providing no commitment to heed public input. Objections to this limited input prompted local residents to boycott these processes. Their outcomes resulted in no changes to the development agenda.

The evidence from the study of the record of public participation in the Slocan Valley, prior to 1992, suggest that the local citizens who supported the environmental interest appeared to have had more success in getting their way through citizen action (bottom-up) than through formal (top-down) mechanisms for public participation. Formal mechanisms, after the creation of the Valhalla Provincial Park (1983), have tended to favour the position of the pro-industry supporters, as they did not appear to challenge the status quo which supported continued industrial control of forest use and existing government planning mechanisms that limit public input. Overall, the pro-industry supporters are much less vocal and visible than the pro-environment supporters, except when counterbalancing the citizen action efforts of the latter group, especially if it appears

that the status quo will be affected in some way. The pro-industry supporters also tend to get their way more easily through direct lobbying efforts outside these formal processes.

As a result, the formal mechanisms for public participation have been plagued by problems in both procedural aspects and implementation of outcomes. The implications, for the evaluation of public participation in general, points to the importance of understanding contextual factors (things going on outside the formal processes, like citizen action) and their influence on both process and outcomes. The implications of these past problems with local public participation, for the evaluation of the *Slocan Valley CORE Project*, are that those entering into the new Crown forest use planning process are doing so with this history of problems. These contextual problems may need to be addressed and overcome within the new process for there to be any successful resolution of the long-standing conflict over local Crown forest use. If these contextual problems are not addressed and overcome, the problems with process and outcomes may perpetuate.

5.4 Summary

The purpose of this chapter was to determine local antecedent conditions that characterized the situation in the community prior to a participatory process, according to the conceptual model for evaluation of public participation in resource communities (Figure 3.1). From the examination of three inter-related histories of local forest use, history of settlement and group formation, and public participation in resource decision-making, six local antecedents were determined. These were:

Antecedent 1: Forest company control of forest use

Antecedent 2: Legal tenure arrangement unfavorable to public participation

Antecedent 3: Polarization of interests

Antecedent 4: Managerialism and distrust

Antecedent 5: Non-participation and tokenism

Antecedent 6: Problems with processes and outcomes

These local antecedents represent the results of an examination into the contextual factors that might otherwise be missed by process-based, or outcome-based evaluations alone. Based on the assumption that a participatory decision-making process, such as the Slocan Valley CORE project, cannot be considered a discrete entity, entirely isolated from the history of resource use, people, and participation opportunities and problems that preceded it, examining local antecedents not only provides insights into the local conditions prior to the process under investigation, but also serve in the interpretation of the process (Chapters 6 and 7) and post-process analysis results (Chapter 8).

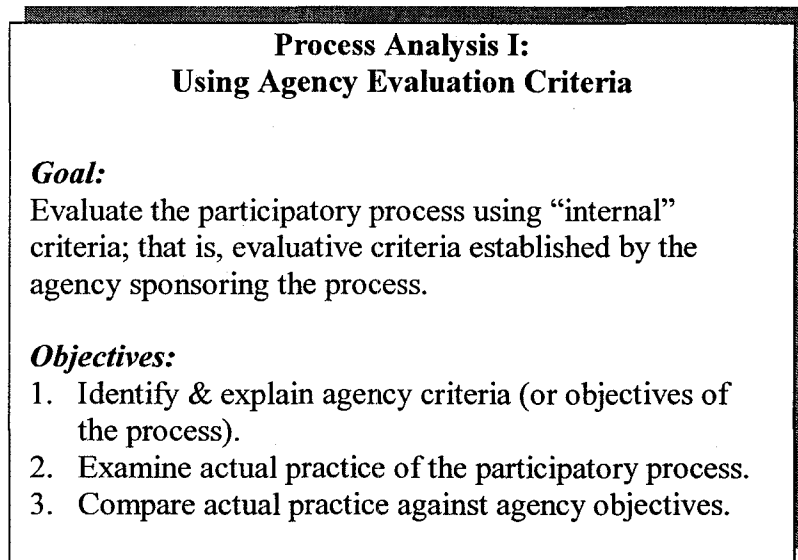
CHAPTER 6

PROCESS ANALYSIS I: Project Objectives & Actual Practice

6.1 Introduction

The previous chapter (Chapter 5) examined the local antecedents to public participation in resource decision-making in the community prior to the creation of the provincial Commission on Resources and Environment (CORE). The conceptual framework for evaluating public participation in resource communities (Figure 3.1) calls for examination of the participation process using Agency's own evaluation criteria, - the Process Analysis I (Figure 6.1).

Figure 6.1



Chapter 6 presents the results of the Process Analysis I. The questions addressed in this chapter are the following:

1. *What were CORE's objectives for the public participation process it convened?*
2. *What happened during the Slocan Valley CORE project?*

3. *Did the Slocan Valley project meet CORE's objectives?*

6.2 Procedures

Information gathered to address these questions was obtained from three sources of documentation:

1. Letters of correspondence between the CORE Commissioner and Slocan Valley residents about the possibility of establishing a community-based process in the valley;
2. Official minutes of each of the eighteen meetings of the Slocan Valley CORE Project's multi-stakeholder negotiation table (Slocan Table).
3. CORE's *Electronic Library Compact Disk (1995)*, which contains the comprehensive collection of the publications and support documents of the Commission.

Since the project was to be guided by CORE's objectives for reaching consensus agreements by multi-party negotiation tables, these agency objectives form a evaluation yardstick from which to describe and assess events that transpired in the Slocan Valley. CORE's objectives are detailed in the "*Framework for the Process*" section of its Provincial Land Use Strategy (CORE, 1992).

By means of document analysis, the details of the Slocan Valley CORE Project are described and assessed for their consistency with the objectives set by CORE. The structure used to present the results follows that of CORE's "*Framework for the Process*", which include the following five phases:

Prior to convening the participants in a negotiation table:

Phase 1: Preparation

Phase 2: Assessment

After convening the participants:

Phase 3: Process Design

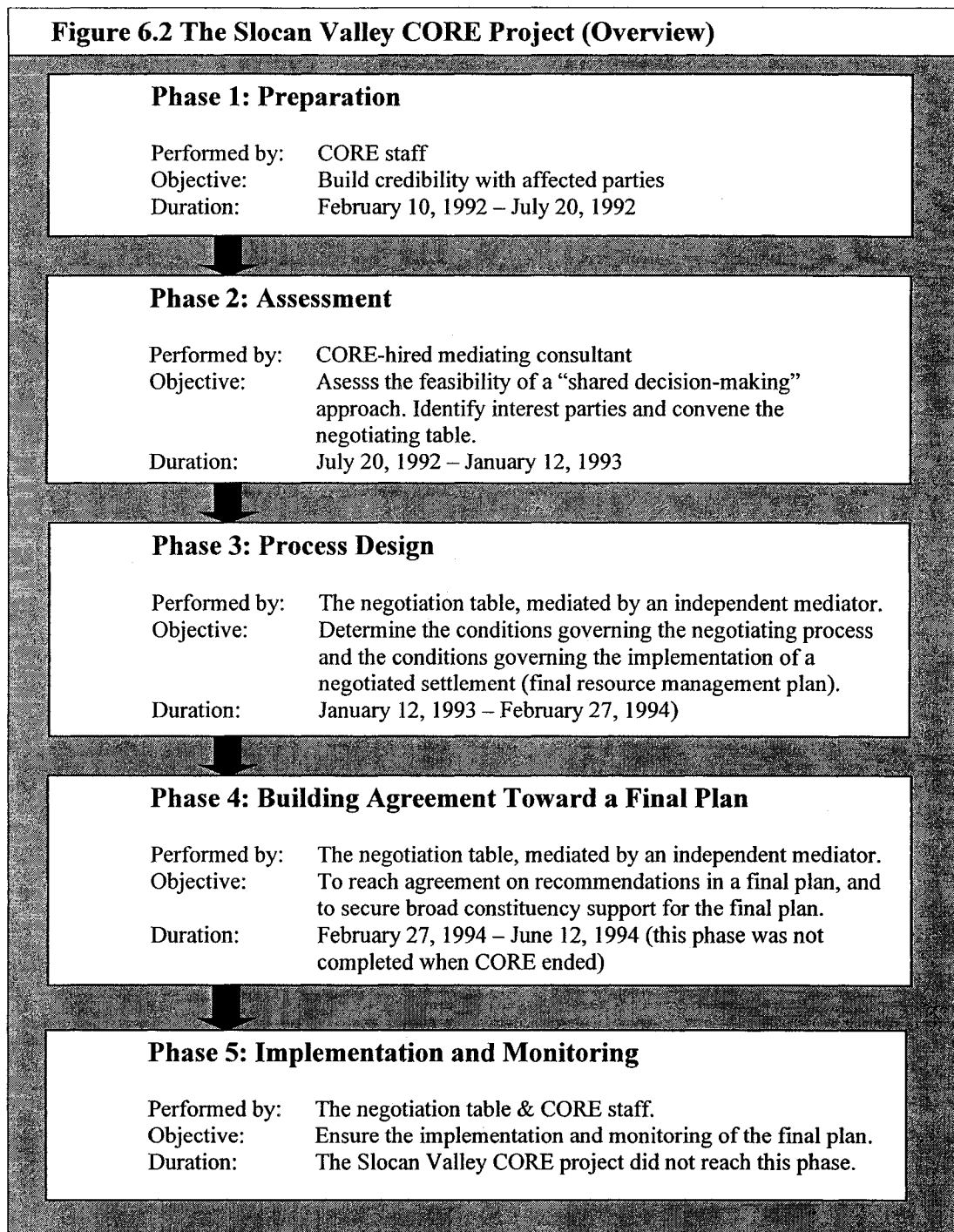
Phase 4: Building Agreement

After reaching an agreement:

Phase 5: Implementation and Monitoring

An overview of the Slocan Valley CORE project, including these five phases, respective objectives and duration for each phase, is provided in Figure 6.2.

Figure 6.2 The Slocan Valley CORE Project (Overview)



For each of the five phases, the investigation proceeds in three steps. First, the objectives set by CORE are outlined. Second, the actual practice of the CORE’s work in the Slocan Valley Project is presented. This demonstrates the degree to which actual

practice met, or failed to meet, CORE's objectives. Third, the significance and implications of these findings is discussed.

6.3 Findings & Discussion

6.3.1 Phase 1: Preparation Phase (February 10, 1992 – July 20, 1992)

Question 1: What were CORE's objectives?

Early in 1992, The Commission on Resources and Environment (CORE) had announced that it wanted to investigate options for developing what it called "community resource boards" at the sub-regional (or community) level, along with the formation of regional land use planning tables (see Chapter 4). CORE (1995) later defined a community resource board, as:

a group of people structured in such a way as to represent a full range of the resource interests and values in a community and who come together to develop advice and recommendations on land use and resource management issues... Community resource boards serve as a valuable touchstone for government agencies who are seeking advice on complex decisions. They provide a forum where community representatives can identify and develop objectives and strategies for resource management which balance environmental, social, and economic interests.

The first phase of CORE's planning process, "Preparation", was meant to lay the groundwork for the subsequent phases of the mediated planning process. It identified the work that CORE had to do before officially launching multi-party negotiation tables. The objectives of the preparation phase were to:

1. *Identify provincial policy requirements to support the decision-making process;*
2. *Begin to build personal, organizational and procedural credibility with the affected parties;*
3. *Establish the availability and means of acquiring information; and,*
4. *Assemble a process management team.*

(CORE, 1992, *Framework for the Process*, 27).

Objective 1 was intended to provide a provincial commitment to a balanced provincial policy framework regarding natural resource and socio-economic issues, along with key principles that would guide the process negotiations. This objective was met in CORE's publication of the provincial "Land Use Charter" (see Appendix IV). The government's commitment to the people of British Columbia, and specific "sustainability principles" were included in the Charter. These were based on principles that the government had already subscribed to in numerous previous public consultation processes at the international, national and provincial levels¹². The over-arching statement for these sustainability principles, was the following:

The Government of British Columbia is committed to protecting and restoring the quality and integrity of the environment, and securing a sound and prosperous economy for present and future generations
(CORE, 1992, Land Use Charter, 14).

In addition to the sustainability principles, specific goals were set forth for the participatory decision-making processes (Table 6.1).

¹² The processes referred to by CORE's Land Use Charter include Brundtland Commission, National and B.C. Round Tables on the Environment and the Economy, Canada's Green Plan, the Forest Resources Commission, the Old Growth Strategy, and the Parks and Wilderness for the 90's; all of which reveal "broad social agreement on the general principles that should form the foundation of a sustainable society" (CORE, 1992, Land Use Charter, 13).

Table 6.1 Seven Goals of CORE's Decision-Making Processes

Goal	Description
1. Comprehensive and Integrated	Land use planning shall be cross-sectoral, comprehensive and integrated. The processes will address the full range of environment, social and economic concerns and values.
2. Fair	The processes will adhere to the principles of administrative fairness, and shall provide full public access to relevant information.
3. Efficient and Effective	The processes will strive for efficient use of time and financial resources. Decision-making will be based on adequate information and assessment, so that wise and effective decisions can be made. The processes should effectively implement the principles of a sustainable society.
4. Accountable	Decision-makers must be accountable to all participants in the processes, as well as to the broader public. Lines of accountability should be established for participants in decision-making who represent others. Overall, the processes must be responsive to community aspirations while maintaining consistency with provincial principles, goals and policies.
5. Enforceable	The decisions made must be properly monitored and enforced.
6. Adaptive and Flexible	The processes shall be capable of modifying decisions in responses to technological innovations, field experience, shifts in social preferences, and new information. These modifications will be made in a manner that maintains social, environmental, and economic stability.
7. Respectful	The processes shall encourage respect for the diverse values, traditions, and aspirations of British Columbians and their communities.

Adapted from: CORE, 1992, Land Use Charter, pages 16-17.

These sustainability principles and goals for the participatory decision-making processes were meant to provide purpose and direction for subsequent government policies and actions, as well as provide “*guidance to the regional and community-based planning and management processes*” (CORE, 1992, Land use Charter, 18). All negotiation tables across the province, including the one in the Slocan Valley, adopted the Land Use Charter.

Objective 2 implied that CORE staff perceived the building and maintenance of personal, organizational and procedural credibility with the affected public to be critical to the negotiation. The preparation phase allowed CORE staff to build communication links with individuals and groups in the various regions and communities of the province, for the sharing of information aimed at anticipating the eventual convening of negotiation tables.

Objective 3 involved anticipating basic information needs that the participation tables would require for their negotiations. CORE expected that the negotiation tables would require baseline resource inventories, forest development plans, land use maps,

socio-economic analyses, and other related information. CORE's independent, over-arching agency role enabled it to coordinate this information from the various resource ministries. In the Slocan Valley, CORE facilitated the dissemination of this information via the table's governmental representative and the Technical Working Group (examined in Phase 3, Table 6.1).

Objective 4 required the Commissioner to build a staff to aid in administering the processes, given the size and complexity of the regional and community planning initiatives. The objective was met when the Commissioner announced his team of 19 assistants, who had expertise in the field of alternative dispute resolution and mediation/facilitation. These were to be distributed among the many regional and community processes. For the Slocan Valley Project, this meant two CORE staff people were employed to assist the process functions, once it was officially launched in July 1992. Staffing issues became a problem in the Slocan Valley, as some participants were dissatisfied with the mediator chosen by CORE, which eventually led to his resignation and the appointment of a new mediator. The assessment of staffing issues is presented in Phase 3 (Figure 6.1), and again in Chapter 7.

While all four objectives were acted on simultaneously in all of CORE's regional and community processes, Objective 2 is most salient element one, because of the local and specific implications it has had for public participation. It required CORE to communicate with affected residents in the various regions and communities of the province. Therefore, it is the only objective which was studied in detail, and upon which the analysis of Phase 1 rests.

Question 2: What happened in Slocan Valley?

Upon learning of CORE's intention to set up community resource boards, a number of residents in the Slocan Valley seized the opportunity to request that CORE investigate the feasibility of establishing a community resource board in their valley:

In 1992, a number of Slocan Valley residents approached CORE staff to discuss the possibility of being a pilot project for a community resource board. There was hope that a pilot would enable community members and

government to work together to resolve the long-standing disputes about forest and water resource use, and could also provide CORE with valuable experiential information” (CORE, 1995).

The Commissioner was already familiar with the valley’s long history of disputes over natural resources, when he received a letter, dated February 10, 1992, from the chairman of the Hasty Creek Watershed Committee, a member group of the Slocan Valley Watershed Alliance (SVWA). The letter reminds the Commissioner of the complaint he received from the SVWA while he was the provincial Ombudsman about the controversy and frustration felt by water users, stemming from the Ministry of Forests’ *Hasty Creek Watershed Planning Process (1988-1991)* (see Chapter 5). It states:

As you are aware, current planning, manifested in “Integrated Watershed Management Plans” is considered inadequate for protecting water by Slocan Valley residents, including those in the Hasty Creek area, for reasons thoroughly detailed in the Slocan Valley Watershed Alliance’s complaint to the Ombudsman’s Office... Last summer’s events in Hasty Creek, including the mass arrest of 83 people, are a symptom of government’s failure to meaningfully involve people in decision-making that seriously affects them. Rural people value their water highly and are profoundly frustrated with government’s apparent unwillingness to take the steps necessary to protect water. (Letter from J. Rutkowsky to S. Owen, February 10, 1992).

From the beginning, the water users hoped that the Commissioner’s influence could halt forest development in Hasty Creek, and other local contentious watersheds, while CORE carried out its functions. They saw CORE’s proposed community-based forum as an opportunity for the government to address their concerns in a more open, fair, and effective manner.

Faced with plans for logging and road building activities this spring and summer, residents in Hasty Creek and throughout the Slocan Valley feel an urgent need for a moratorium on resource extraction activities in all consumptive-use watersheds in order to give your commission time to adequately address the issues and propose a strategy... We urge you to

support the notion of a moratorium as an essential ingredient in a fair, effective planning process. Such a moratorium with reasonable time limits, coupled with the dedication of adequate government resources, will hopefully serve as a catalyst for efficient dispute resolution (Letter from J. Rutkowski to S. Owen, February 10, 1992).

The Commissioner took the Slocan Valley water-users request seriously. Within a few weeks a moratorium was granted for the Hasty Creek area, pending the preparation phase of the Slocan Valley CORE project¹³. In addition, the Commissioner held a meeting, on June 3, 1992, with the directors of the SVWA to discuss their participation in a potential community-based negotiation table. At the meeting, the SVWA further questioned the Commissioner about how the new process would differ from the Ministry of Forest's Integrated Watershed Management Process (IWMP). The SVWA stated

most of the [Slocan Valley] water users are not interested in participating in an IWMP as it exists right now due to it's problems... We do want to participate in something that will answer our needs... We have submitted reams of technical information and all we're told is there's a difference of opinion; we, on the other hand, are asked to defend our position, and have done so for 10 years with briefs and technical submissions that in our view have been largely ignored... We wish for you to know that we are not satisfied with the IWMP process, the roadbuilding as it exists, and the present logging plans. We do not see the Hasty Creek moratorium, although we are grateful for it, as an appeasement... we want [the dispute] resolved. We stood [on the road blockade] at Hasty Creek in hopes it would be an example to demonstrate how desperate we felt and that it would assist a change for the whole valley (Transcript of CORE-SVWA meeting, June 3, 1992).

The Commissioner emphasized that water users' concerns would be addressed by the negotiation table itself, as would all those of all the rest of the yet-to-be-determined

¹³ The issue of a logging moratorium – or deferrals on forest development operations in contentious areas while negotiations with the public were taking place – became significant not only in the Slocan Valley, but in many areas across the province during the CORE negotiation years (1992-1994), especially after March 1993, when the government allowed logging to proceed in the contentious Clayoquot Sound on the west coast of Vancouver Island. The government had made its decision despite the fact that CORE's Vancouver Island Regional Table was still not completed. The government Clayoquot Sound decision prompted all environmental sector interests at all CORE tables, including those in the Slocan Valley Project, to opt out of the process for about 6 weeks. This topic is explored in more detail in Phase 3: Process Design (Figure 6.2).

participants, within the flexible structure of CORE's shared decision-making framework.

Speaking on behalf of the CORE process facilitators, the Commissioner told the group:

We're not going to be recommending a certain view that a community should adopt, we're going to be recommending and supporting a framework process that people can then refine themselves as a process and then take the next step to define what the substantive issues should be and very much in the way you insisted, with a great deal of determination and principle over the years, of settling the process issues before engaging in the substantive issues. ...The parties themselves have to engage in defining a process they're comfortable with as a group as the first exercise in consensus building before you get into the substantive issues. So—I can't nod my head and say 'yeah, that's got to the principle that's the basis for all decisions', the group itself is going to have to define that" (Transcript of CORE-SVWA meeting, June 3,1992).

Concerned that, in the past, the statutory authorities in the governmental resource agencies had not been willing to share any of the decision-making with any of the public, one SVWA director asked the Commissioner:

How do you develop a level playing field through CORE? That's the basic problem for us right now, we're perfectly willing to get into the process but we have no share in the decision making so anything we put forward does not have to be considered – and its arrogantly not considered most of the time (Transcript of CORE-SVWA meeting, June 3,1992).

The Commissioner explained that "shared decision-making" as defined by CORE means:

Decision-making, where, on a certain set of issues for a defined period of time, those with authority to make a decision and those who will be affected by that decision are empowered to jointly seek an outcome that accommodates rather than compromises the interests of all concerned. The responsibility of decision-making shifts for the time being to a negotiating team and when consensus is reached, it is expected that the decision will be implemented (quoted from CORE, 1992, *Framework for the Process*, 25).

In this framework, the Commissioner explained, only one representative of the Ministry of Forest, Ministry of Environment, or any other governmental statutory decision makers, would be present at the negotiation table and that "*their statutory*

decision making is suspended during this process, and they're simply one legitimate interest at the table"(Transcript of CORE-SVWA meeting, June 3,1992).

Also discussed was the potential for the multi-party table's ability to reach consensus given the history of opposing interests in the Slocan Valley, especially around the issue of logging in contentious watersheds. The Commissioner stated that if there was an impasse or a failure to meet consensus, the framework of the negotiation table would ensure

an absolute obligation on those who are moving backwards from the consensus to articulate their reasons fully and relate it to the information that's available to the process and simply be convincing... it forces all of us around the table to be reasonable, to address our reactions or rejections to other information and articulate them, or stand up and defend them (Transcript of CORE-SVWA meeting, June 3,1992).

The Commissioner concluded the meeting saying that specific details relating to the table's composition, scope and duration would be forthcoming, during the assessment phase in which the SVWA would be consulted and kept informed of its progress. He emphasized that he thought the group should feel there was a "*fair degree of confidence in the potential for consensus building*" to take place with this new process. The meeting ended with the SVWA directors stating their intention to participate in the Slocan Valley CORE project. Seven weeks later, the Commissioner officially announced the assessment phase of the Slocan Valley Project (see Phase 2).

Question 3: Did the Slocan Valley project meet CORE's objectives?

As mentioned, the only salient component to this assessment of Phase 1 is Objective 2 (building and maintaining personal, organizational and procedural credibility with public). The Commissioner made it clear, in his report, that he was approached by local residents first. It so happened that the new Commissioner was the same person who, in his earlier function as provincial Ombudsman, had reviewed their complaint about how the Ministry of Forests had handled public consultation in the Integrated Watershed Management Process for Hasty Creek. Notwithstanding the fact that many

communities and regions across B.C. were facing similar problems as those in the Slocan Valley, the local dissatisfaction over the Ministry of Forests decision to allow logging in the watersheds, and the mass arrests that followed, must have stood out in the Commissioner's mind. The contentious area would make the process particularly important.

While the hopes of the water users were high for improved consultation through CORE, there were still procedural issues to be discussed. The substance of the SVWA's February 10 letter to the Commissioner, and of the discussions between the Commissioner and SVWA during the June 3 meeting indicated that two major issues were of major importance to the water users. These remained important throughout the entire Slocan Valley project. They are outlined here:

(1) Logging moratorium

The water users wanted the Commissioner to influence the issuing of a moratorium on logging in the Slocan Valley until adequate planning and public consultation had taken place. The CORE Land Use Strategy stated that, according to the shared decision-making framework, the negotiating processes were to go on to override the statutory authority of the Ministry of Forests, at least while negotiations took place. The Commissioner had also confirmed it in person to the SVWA at the June 3 meeting. The call for the moratorium was therefore based on the argument that the government would be acting in bad faith if it allowed logging to proceed as usual while at the same time convening multi-party negotiating tables which were empowered to decide on the fate of the forest resources. Convening a process aimed at deciding the fate of the local forests, while these very forests were being logged seemed illogical and unfair to the local residents. It would appear that the water users wanted some assurances that their participation would be more than the "non-participation and tokenism" (see Antecedent 5, Chapter 5) what had been offered in previous formal mechanisms for public participation.

Although the water user had called for a valley-wide moratorium on forest development, the fact that the Commissioner did manage to secure a temporary moratorium for Hasty Creek Watershed helped give CORE some legitimacy in the eyes of the water users. In this aspect, CORE's objective to "begin to build personal, organizational and procedural credibility with affected parties" was being met. The water users had made it clear that, if they were going to participate, it was because CORE was going to offer something better than what they had seen offered by the Ministry of Forests.

(2) Shared decision-making

Since the water users felt their voices were not heard despite some 15 years of participation in various formal planning initiatives, they had doubts about what "shared decision-making" actually meant in practice. Would they really have a share in the decision? The Commissioner assured them that shared decision-making, by its definition, meant table participants would decide all process design issues, as well build agreement on what went into the land use plan. The statutory authority of the government resource ministries would be suspended for the duration of the negotiations, and if a consensus was achieved, they could expect it to be implemented. This of course, was well beyond anything the Slocan Valley public had seen in previous planning and public consultation initiatives. This helped give CORE "organizational and procedural credibility" (objective 2). The fact that the water users agreed to participate in the local CORE process suggests that they believed the CORE process would provide a structure for more meaningful participation than had the *Hasty Creek Watershed Planning (1988-1991)*, or any previous Ministry of Forests-run process, which they perceived to be inadequate and unfair.

Considering the local history of conflict and controversy surrounding the planning and management of Crown forest resources (Chapter 5), the willingness of the local water users to enter into a formal public participation process is very significant. Perhaps the most salient evidence that CORE was truly interested in public participation was that the

Commissioner himself secured a temporary moratorium in a controversial watershed in response to the water users request, and that he addressed their two dominant concerns to their satisfaction. The success in reaching Object 2 of Phase 1 enabled CORE to proceed with Phase 2.

6.3.2 Phase 2: Assessment (July 20, 1992 to Jan 12, 1993)

Question 1: What were CORE's objectives?

According to CORE's (1992, 27) "Framework for the Process", the objectives of the assessment phase were to:

1. *Enable potential participants to assess the appropriateness and feasibility of using a shared decision-making approach, explore alternatives to a negotiated outcome, determine constituent support and help identify who must be involved;*
2. *Permit an objective, third party assessment of the appropriateness and feasibility of a shared decision-making approach, and;*
3. *Begin building constituencies and establishing communication links.*

Phase 2 objectives were intended to prepare for the table negotiations. By hiring a mediating consultant, CORE could assume objectivity in determining negotiation table composition.

Question 2: What happened in Slocan Valley?

The Commissioner announced the official launching of Phase 2 of the *Slocan Valley CORE Project*, in a letter to the SVWA dated July 20, 1992. In it, he confirmed what had been discussed at their June 3 meeting. The Slocan table, if agreed by all participants, will be guided by CORE's shared decision-making framework as outlined in CORE's Land Use Strategy document, and that all the details regarding process itself will be decided upon by the participants at the table:

The proposal for a pilot project in the Slocan Valley is one that the Commission would like to formally explore. There are significant land and water issues with a history of conflict between interests. However, in

meetings I have had with various organizations and interests in the valley, there is a clear desire to move beyond the current conflicts and a willingness to explore the nature of a shared decision making approach to see if this offers a better alternative... The terms of reference will be designed in detail by participants to the process. In general the focus is on local resource management planning with a particular emphasis on watershed management. The appropriate boundaries for the pilot project will be determined in consultation with the interested parties... The process will be time limited, with specific time frame to be mutually agreed upon by the participants (Letter from S. Owen to S. Hammond, July 20,1992).

The assessment phase proceeded through the late summer and fall of 1992. During this time, information about the work of the mediator was not readily available to other potential participants in the project, or to members of public. The Commissioner's letter identified Alice Shorett of Triangle Associates, Inc., a Seattle, Washington-based consulting firm, as the "*neutral facilitator/mediator hired by the Commission to work with groups in this assessment phase*" (Letter from S. Owen to S. Hammond, July 20,1992).

There is very little information about what went on during the assessment phase. The comprehensive collection of CORE documentation does not mention Ms. Shorett or Triangle Associates. The only mention of the assessment phase in the Slocan Valley is as follows:

Working with CORE staff members, an outside consultant interviewed representatives of stakeholder groups affected by land use decision in the area. The assessment indicated that there were deep divisions on how the forest and water resources should be managed, but that there was also a genuine desire to work together to negotiate a resource management plan for the Valley (CORE, 1995).

Although all subsequent evidence suggests this is probably a fair assessment of the situation in the Slocan Valley at the time, there are no details regarding the work of the mediator during this assessment phase. In a telephone interview in August 2001, Ms. Shorett, purportedly reading from a document, stated that she had conducted thirty interviews with a wide variety of individuals in the valley, including those from the private resource sectors, such as forestry and mining, local and regional governments,

and well as the governmental resource agencies, water users, Valhalla Wilderness Society, and local tourism-based operators. Despite several specific questions about the methodology used to identify and interview the stakeholders, as well as the content of the interviews, she did not provide specific answers. She merely replied that “*all the issues were identified and there was agreement to proceed with the process*”¹⁴.

Attempting to track down the Shorett report from another source, I contacted the former Commissioner, Stephen Owen, who referred me to the assistant deputy minister of the Resource Planning Division of the new provincial Ministry of Sustainable Resource Management, David Johns. This Division apparently kept all of the CORE documentation. Attempts by Mr. Johns at obtaining the Shorett report were also unsuccessful.

Information in such a public process was supposed to be made available to the public. This phase of the process was flawed because the information is not as available as it should have been. This situation begs the question about who did see the report, and whether the Shorett’s work had any bearing on the composition of the negotiation table. The lack of written evidence leaves an unclear picture of what transpired during the assessment phase.

By examining letters from the SVWA to CORE, it is possible to reconstruct some of the events that transpired and issues that were raised during that time. Two letters by the SVWA to CORE (dated Oct 1, and Oct 15, 1992) requested information about the progress of the assessment phase.

We are concerned about the length of time that has now elapsed between the beginning of the assessment phase and any attempt to have all the parties meet together with the services of a mediator (Letter from SVWA to CORE, October 15, 1992).

No knowledge about, or record of, a written response by CORE to these two letters was obtained. However, a meeting between CORE staff and the SVWA was set

¹⁴ She agreed to send me the report that she had written for CORE. However, I never received the report, despite repeated subsequent attempts at contacting her about it.

for November 1, 1992. By then, CORE staff had produced a “preliminary draft charter” (the “local charter”) for the local process that set out the purpose, scope and issues to be addressed, as well as a timeframe. The November 1 meeting was the first chance the SVWA had to view the local charter, about which they had major misgivings. In a November 16, 1992 letter to the Commissioner, the SVWA objected that the local charter contravened the “shared decision-making framework” that the Commissioner had discussed at their June 3 meeting, the July 20 letter, and what was written in CORE’s Land Use Strategy:

The assessment phase as carried out to date has gone well beyond that described on page 27 of CORE’s Land Use Strategy document. Specifically the [Slocan Valley] Preliminary Draft Charter lays out a “procedural framework” and a “negotiating agenda”, both of which are to be jointly developed by the parties at the negotiating table according to page 28, “Process Design” in the Land Use Strategy (emphasis in the original).

The SVWA also objected that, in their view, the content of the “local charter” was heavily weighted in favour of industrial resource interests, rather than truly reflective of the diversity of values from the Valley. The letter continues:

From our perspective, going beyond the Assessment Phase... has resulted in an unbalanced preliminary draft charter that represents the interests of the timber industry and the Ministry of Forests. The issues, stakeholders, and negotiating procedures have been developed by CORE without the benefit of convening a meeting between key interests involved in the dispute. We believe that a much more balanced charter will result from developing a procedural framework and negotiating agenda at the negotiating table after the parties are convened and with the help of a skilled facilitator.

CORE’s contentious preliminary local draft states: “*The issue for these discussions is how to carry out timber harvesting, not whether to carry out harvesting*” (page 2). The SVWA claimed this reflected a “timber bias” to the planning scope, and that it “*ignores the balance between environment and economy as described in the “Land Use Charter”*” (Letter from SVWA to CORE, November 16, 1992).

The local draft also contained a timeline that was a topic of dispute. It stated that the proposed completion of the project was to be June 30, 1993. Given the fact that the negotiating table had not even been convened yet, the six months deadline seemed to the SVWA:

far too short given the complexity of the issues; the need for data collection, analysis, and interpretation; the requirement to prepare scientific defenses and other briefs; the need for analysis of views by all parties; and the process of reaching consensus among parties with long-standing differences (Letter from SVWA to CORE, November 16, 1992).

As a result, the SVWA felt the work of the CORE staff during the assessment phase of the Slocan Valley Project was not in compliance with what they had expected from their earlier meeting with the Commissioner, nor with CORE's process documentation. They stated their hopes in CORE's original approach, and expressed their fear that, unless the local draft reflected more closely CORE's Land Use Strategy, the local CORE project would be unacceptable to them.

We feel there is a need for the Commissioner to make sure the CORE team is carrying out the mandate set forth in the Strategy. The legislation and approaches put forth in CORE's public report seems to clearly support the type of broad-based model for forest use planning envisioned by the SVWA. Without this type of model... the pilot project will become little more than a super Integrated Watershed Management Plan process as practiced by the Ministry of Forests. We have explained our view in the IWMP on numerous occasions. An IWMP type of process is unacceptable to the SVWA (Letter from SVWA to CORE, November 16, 1992, 6).

The fact that at least one group of residents in the Slocan Valley, the SVWA, felt that the assessment phase was not proceeding according CORE's objectives suggests that other groups may also have also objected. The veracity of the SVWA claims are examined in Question 3.

Question 3: Did the Slocan Valley project meet CORE's objectives?

Due to the lack of data on this phase, it is difficult to ascertain with certainty what actually transpired between July 20, 1992 and January 12, 1993. It is also difficult

to assess the degree to which CORE met its stated objectives for phase 2. The only solid evidence to suggest the first objective (*enable participants to assess appropriateness of shared decision-making, determine constituent support and identify who must be involved*) was met is the fact that the negotiation table eventually did convene.

The second objective (*permit an objective, third party assessment of the appropriateness of a shared decision-making approach*) was also met by virtue of the fact that an independent mediator was hired by CORE to do the work. Unfortunately the limited evidence about this work raises questions about the access to information in a process that is supposed to be transparent.

The third objective (*begin building constituencies and establishing communication links*) appears not to have been met, at least to the satisfaction of one of the potential parties, the SVWA. Communication links between parties appear to have been weak, based on the limited correspondence that was available during this stage. Communication between CORE and the public appears also to have been weak, based on the fact that primary documentation about this phase is unavailable.

Despite the notable lack of detailed data, some speculation can be made about the progress of the assessment phase. The fact that a “local charter” was written by CORE, outlining the scope, negotiation agenda and timeline, before the multi-party table convened is an indication that CORE staff might have proceeded too quickly to the negotiation phases (phase 3 and phase 4), in fact contravening the established sequence and principles set out by CORE ‘s own “Framework for the Process”.

In addition, a claim was made that the content of the local charter had been influenced by industrial interests in the valley. While the proposed scope of the negotiations was “*how to carry out timber harvesting, not whether to carry out harvesting*” (Slocan Valley Project Preliminary Draft Charter, page 2) was claimed to be considered too narrow by the water users, it does appear much narrower than the scope outlined in the principles of the Land Use Charter (Appendix IV), which states:

land use planning and management shall be comprehensive and integrated. The processes will address the full range of environmental, social and economic concerns and values.

Reducing the negotiations about Crown land use planning to *how* timber harvesting would proceed, instead of *whether* to carry out harvesting does appear to narrow the scope of the negotiations substantially, and contradict one of CORE's stated goals for the decision-making process (Table 6.1) of being "comprehensive and integrated". While this is subject to interpretation, it would seem that the draft local charter tended to emphasize timber extraction over all other uses, including watershed protection (which would inevitably raise the question of *whether* to log in contested watersheds). The claim that the local charter reflected a "timber bias" is therefore justified.

Since the forest company held the operating license to harvest the Crown land timber, and had completed a series of forest development plans that have already been approved by the Ministry of Forests, the CORE multi-party negotiations might have been seen, by those supporting the forest company, as a threat to their interests. From their perspective, negotiations over whether to log in some areas or not, would potentially mean reduced allocations to their timber base.

The possibility of a logging moratorium in the Slocan Valley, during CORE negotiations, also meant it was to the forest company's advantage to limit the duration of the negotiations. While no specific timeframe had been proposed in CORE's Framework, the Commissioner's July 20, 1992 letter announcing the official launching of the project had stated that the process would be time limited, but that details would be decided by the table participants. The water users' argument that the local draft's June 30, 1993 deadline (6 months) was too short seems justified. Since the table had not yet been convened when the local charter was written and no information was forthcoming on when the table would be convened, the likelihood that participants would be able to reach consensus on a long-standing conflict over local land use and resource management in the time limitations of the local charter seems rather impossible.

The criticism expressed by the SVWA in the November 16 letter to the Commissioner, about his local team's ability to carry out the mandate set forth in the

Land Use Strategy, seems justified in light of the evidence outlined above. However, their criticisms about the local charter may have been premature and over-anxious. While adequate communication appears to have been lacking, the local charter was, after all, a draft. The actual constitution of negotiation table, the process design, negotiating agenda, timeframe, and other specific details would have to be ratified by all participants at the table. Perhaps this explains CORE's silence in addressing the SVWA concerns during the assessment phase. In reality, the Slocan Valley process truly began to take shape only after the first meeting of the negotiation table on January 12, 1993.

6.3.3 Phase 3: Process Design (January 12, 1993 to February 27, 1994)

Question 1: What were CORE's objectives?

The objectives of this phase were:

1. *Create a forum and process for shared decision-making;*
2. *Promote understanding and develop working relationships;*
3. *Enable the parties to select a mediator or co-mediators; and,*
4. *Determine conditions governing the implementation of a negotiated settlement.*

(CORE, 1992. *Framework for the Process*, 28)

CORE stated "*the very process of negotiating procedural issues also facilitates the necessary change from competitive bargaining to a more cooperative problem solving way of thinking*". (p.28). While the primary objective was to create a forum and process and to establish procedural ground rules and terms of reference, agreement on process was meant to aid in building confidence, commitment and cooperation. The negotiation process was to be tailored by the parties to fit the circumstances. The parties had to agree on a procedural framework prior to negotiating substantive issues of a final plan.

Question 2: What happened in Slocan Valley?

The first multi-party meeting took place on January 12, 1993, with representatives of six interest sectors:

- Local Government
- Organized Labour/Forest Industry Workers
- Provincial Government
- Slocan Forest Products
- Slocan Valley Watershed Alliance
- Valhalla Wilderness Society

The Commissioner and two other CORE staff were in attendance, as well as the mediator. The purpose of the meeting was “*to assess the feasibility of initiating a CORE pilot process in the Slocan Valley*” (Meeting Summary Statement for January 12, 1993). Many of the interests in the Slocan valley were still not represented and it would be a few more months before the full negotiation table was convened. But these six participants represented the interests most affected and involved in the dispute, and these remained central throughout the process. If the group could decide on some basic elements and make a commitment to proceed, then the project would proceed.

Participants had a chance to make comments on the disputed local charter that CORE had produced. While there was some disagreement, it was made clear that the local draft would be subject to consensual approval only after all participants of the full negotiation table, once convened, had a chance examine it and add their suggestions for changes.

The disagreements over the local charter led to a discussion regarding proposed logging deferrals (moratorium) in the Valley while the project negotiations proceeded. It was suggested that deferral areas be considered which would include domestic consumptive user watersheds, visual corridors, and proposed wilderness areas. A subcommittee (made up of representatives from the provincial government (Ministry of Forests), Slocan Forest Products, Slocan Valley Watershed Association and Valhalla Wilderness Society) agreed to meet later with a mediator, to negotiate options for such deferrals areas. The “Deferral Subcommittee”, in effect, constituted an inner circle of

negotiators who were charged with deciding the fate of the highly controversial issue of deferrals areas.

After the topic of deferrals was relegated to a subcommittee, the larger group discussed the time frame for the project and participants described their interests in time frames varying from 6 months (provincial government & Slocan Forest Products) to 1.5 years (Valhalla Wilderness Society and SVWA). Ideas for the composition of the negotiation table were discussed. CORE proposed that the process be widely public, and the group agreed that additional representatives from forest independents (contract logger, truck loggers, contractors, silviculturalists, woodlot owners), mining, outdoor recreation enthusiasts, local businesses, and First Nations needed to be included. CORE staff was given the task to do outreach to all of the interest sectors prior to convening a first meeting of the negotiation table. The meeting concluded with an agreement to convene an initial meeting of the full negotiation table as soon as possible.

Composition of the full negotiation table

On March 1, 1993, the convening meeting of the full negotiation table was held. Twelve individuals agreed to sit at the negotiating table, representing a broad range of interests from within the community, including the following:

- Forest independents
- Forest industry labour union
- Local enterprise
- Local government
- Mining
- Outdoor recreation
- Slocan Forest Products
- Tourism
- Watersheds
- Wildcraft (*i.e.* cultivation of pine mushrooms, *Tricholoma magnivelare*)
- Wilderness
- First Nations (Opted to sit as observer only)

A provincial government representative also sat at the table and acted as a liaison person. Two months before the end of the CORE project, at the April 1994 meeting, a new sector, Agriculture, was granted a seat at the negotiation table¹⁵.

The work of the negotiating table

Initially, the participants received instructions from CORE on principled negotiations. At the same time, the table determined and agreed upon the range of interests that would be represented in the project, as well as the level of constituency support for each of the interest sectors. Table participants began their negotiations, guided by a professional mediator, according to the objectives for Phase 3: Process Design (Figure 6.2) set forth in CORE's *Framework for the Process*, by designing the process components. These included deciding on the purpose, planning boundary, time line, meeting logistics, interest sector representatives, responsibility to constituencies, funding issues, facilitation and mediation, planning procedure, working groups (sub-committees), developing an information base, the role of a Technical Working Group (TWG), the taking of minutes, the role of the media and general public, and decision-making authority (see Appendix V for a summary of the Slocan Valley CORE Table Process).

Building a consensus agreement on the process design was fundamental to the perceived success of the project. CORE's framework emphasized that the process would be designed from the "bottom up" by the participants, and that every decision made would have to be agreed upon by consensus. In the Slocan Valley project, the process components were formalized in specific, well-defined "Ground Rules" and "Terms of Reference" documents. These two documents are the official products of the negotiation table's process design phase. The majority of the negotiations revolved around formulating, modifying, and approving the contents of these two documents.

¹⁵ At that April 1994 meeting, there was clarification of how persons carrying out agricultural activities on private land might have an interest in the management of Crown land. The concern was that management of upland Crown forests might have an impact on private lowland farms. After some discussion, the Table members agreed Agriculture could join the Table as a sector.

Ground Rules Document

The Ground Rules included eighty five statements that the table had agreed would guide the negotiations: they included a code of ethics, definition of participant rights and responsibilities, definition of consensus process, negotiating principles to abide by, the establishment of periodic assessments (milestones), meeting procedures, formation of working groups, procedures for gathering technical and substantive information, rules governing absences, and new or changed representation, rules governing process to withdraw, rules governing procedures in the event of disagreements, and the role of the public and the media. The negotiation table consensually approved the Ground Rules on October 23, 1993.

Terms of Reference Document

The Terms of Reference detailed the purpose, objectives, scope, planning area, planning sequence, principles for participation, protocol for liaison with the Kootenay-Boundary Regional CORE process (which was happening in tandem with the community-based Slocan Valley project), the definition of shared decision-making, procedural items such as meetings logistics, funding, amendments to ground rules and terms of references, approval process, and interim measures regarding logging deferral areas. The negotiation table consensually approved the Terms of Reference on February 27, 1994.

Timeline and Delays

The process design phase (Phase 3) was a protracted one extended far beyond what had been anticipated, ended two months after the initial deadline for the project. Although the industrial interest sectors had, at the January 12, 1993 meeting, expressed their desire that the entire project be concluded at the latest June 1993, the convening meeting of the full negotiating table, held on March 1, had determined that the projected deadline for agreement on a final plan would be December 31, 1993. CORE staff, the mediator, and the negotiating table agreed to meet monthly for 2-day meetings (see

Meeting Logistics, Appendix V), and it was expected that the process design phase would be completed by the end of August 1993. However, since the process design phase was not completed until February 1994, the government allowed CORE to extend the Slocan Table by six months to June 1994 (see Timeline, Appendix V).

According to the Commissioner's report to Cabinet on the Slocan Valley project (CORE, 1995), "*initially there was a high degree of distrust; even tasks such as setting meeting agenda required lengthy discussions*". After over twenty years of bitter conflict (discussed in Chapter 5), the Slocan Valley project was the first open and public negotiating table in which the deeply opposing interests in the Crown land use and related resource and environmental management issues were discussed. Achieving a consensus agreement on the process design required more time than everyone had originally anticipated.

The progress of the negotiation table was hindered by the withdrawal, for six weeks, of the Watersheds and Wilderness sectors. Two months after the Table convened, the two sectors formally withdrew from the table in response to the provincial government's Clayoquot Sound Land Use Decision¹⁶. They submitted a list of needs that would have to be met before they would return, most of which were beyond the table's control.

¹⁶ Environmental interest sectors at several CORE Tables withdrew in opposition to the provincial government's Clayoquot Sound Land Use Decision. Announced in May 1993, while most CORE Tables were in full session, the Decision dedicated about 62% of the 262,000 hectares area of old-growth temperate rainforest on Vancouver Island to resource exploitation by industrial interests, and 33% to protected status. (The remaining 5% of the land area were excluded from the planning since it included municipality of Tofino, and native reserves). Although the Clayoquot Sound Decision had followed months of consultation with the public, it had been excluded from CORE's Vancouver Island negotiation Table. The Decision shocked the environmental community around the world, and eventually led to the largest act of civil disobedience in Canada history as over 10,000 protestors gathered to blockade logging roads and over 800 protestors were arrested during the summer of 1993. In the face of such public opposition, the provincial government announced, in October 1993, an independent Scientific Panel to investigate land use planning and practices in Clayoquot Sound and to make recommendations. Many environmental interest sectors applauded this action because they perceived it to be a model useful for land use planning in other regions of the province. The ecosystem management approach employed by the Scientific Panel in developing their report is also the template by which many other similar plans have been advanced by the environmental sector. In the Slocan Valley, the Silva Forest Foundation's (1996) *Ecosystem-based Landscape Plan for the Slocan River Watershed*, which began as part of the Slocan Table's work in 1993, is one such plan modeled after the Clayoquot Sound Scientific Panel's report.

According to the CORE report (1995):

while some of the remaining sectors wanted to proceed with the table's work, after extensive discussion there was recognition that the table could not develop an agreement, which had broad community support unless environmental as well as social and economic interests were included.

After the six week break, during which “members of different sectors worked informally to encourage the two departed sectors to return” (CORE, 1995), a meeting was held wherein the sectors still at the table reached agreement on some of the needs outlined by the environmental sectors. This led to the two departed sectors to rejoin the table. At that time process design negotiations proceeded. Since the reasons the two key environmental sectors withdrew temporarily from the CORE project had to do with contextual factors relating provincial government forest policy, rather than directly to do with the Slocan Valley project, they are not discussed in this chapter. However, the significance of this withdrawal, and the contextual factors that contributed to the withdrawal, is revisited in Chapter 8.

Question 3: Did the Slocan Valley project meet CORE's objectives?

The negotiation table successfully created a forum and process for shared decision-making thereby meeting CORE's Objective 1 for Phase 3. The negotiation table's extensive “Ground Rules” and “Terms of Reference” were created by the table itself, although it did take longer than expected and was not without periods of doubt as to whether the project could proceed.

The negotiations promoted understanding and developed working relationships between all participants (Objective 2). While distrust between some participants remained high, which ultimately contributed to the slow progress, the fact that the process design was agreed upon all is a testimony of the different interest sectors' commitment to cooperating toward building a final plan.

CORE's third objective for the design phase was to “enable the parties to select a mediator or co-mediators”(p.28). In the Slocan Valley project, mediators were selected by CORE and then approved by the table (see Process Manager & Mediator, Appendix

V). Three mediators were employed at different times. CORE replaced the first mediator, Alice Shorett, who had helped CORE conduct the assessment phase (Phase 2), by another when negotiations of the full table began in early 1993. There were some complaints expressed from some sectors about the second mediator's style, stemming from the way he facilitated the Deferrals Subcommittee meetings, and the convening meeting of the negotiation table. As a result, another mediator was selected by CORE and the table subsequently approved her. The subject of mediation style and process rule enforcement is examined in more detail in Chapter 7.

The fourth and final objective in CORE's framework, "*determine conditions governing the implementation of a negotiated settlement*" refers to creating a method by which the negotiations on process components could be agreed upon by the table and ensuring these agreement remain adhered to. The Slocan Valley project met this objective by verbally polling participants (see Decision-Making and Authority, Appendix V) on each component of the process design and formalizing their agreements in the Ground Rules and Terms of Reference documents.

The success of the negotiation table in meeting the objectives for the Process Design cannot be overstated. The overall goal of this phase was to assist the shift from "competitive bargaining to a more cooperative problem solving way of thinking (CORE, *Framework for the Process*, 28). It was intended to build commitment and to help participants share "ownership" of the process. The evidence suggested it succeeded in this endeavour. Though the negotiations had a rocky start, the agreement on a procedural framework helped the participants gain a better understanding of planning, of each other, as well as how to negotiate toward agreement on a final land use plan. The evidence from the record of the Slocan Valley project negotiations, as well as the results from the analysis of local antecedents (Chapter 5) suggests that nearly two decades of polarization of interests (Antecedent 3), managerialism and distrust (Antecedent 4), Non-participation and Tokenism (Antecedent 5), and the process problems (Antecedent 6) were substantially addressed in the CORE project at the end of the Process Design Phase.

The slow progress of Phase 3 is understandable given the immense hurdles that had to be overcome in shifting from competitive bargaining to cooperative problem-solving. It took time for the table to work through long-standing conflict and generate a dynamic where all table members could work together. This time, however, came at the expense of the rest of the negotiation table's work schedule. When the process design phase was completed, the earlier approved deadline had already been exceeded by a few months. CORE had already shown its willingness to have the table succeed by extending the original deadline by six months.

While the success in achieving agreement on the Process Design is significant, it is not a final plan. Rather, it is only a blueprint for the negotiations about what went into the final plan. The time taken for CORE to achieve success at helping Slocan Valley residents overcome some of the long-standing issues put in jeopardy the project's completion.

6.3.4 Phase 4: Building Agreement on a Final Plan (February 27 to June 12, 1994)

Question 1: What were CORE's objectives?

The two objectives of this phase were:

1. *To reach agreement on recommendations that accommodated rather than compromise the interests of all concerned; and*
2. *To secure broad constituency support for the agreement*
(CORE, 1992, Framework for the Process, 28)

Having laid the foundation and constructed a framework for shared decision-making in the assessment and process design phases, the negotiation table was now charged with the task of negotiating the substantive issues in dispute. According to the guidelines set out in CORE's *Framework for the Process*, this task involved:

- clearly identifying the issues they wished to resolve;
- converting their pre-formulated "positions" on the issues into more fundamental "needs and interests";
- creating a variety of options to satisfy all interests;

- building agreement based on objective criteria;
- formalizing the agreement; and,
- seeking ratification from their constituencies.

The specific details of each of these steps would have to be formulated and agreed upon by the negotiating table. The shared decision-making framework meant that consensus had to be forged for the final plan to be carried forward by CORE to the provincial Cabinet. Assuring that the plan had broad public support was therefore considered very important.

Question 2: What happened in the Slocan Valley?

Although CORE's objectives stipulated that the negotiation table should design the process first (Phase 3), then begin to build consensus on a final plan (Phase 4), the reality was that the two phases merged into each other to some degree. This is to be expected, since the purpose of the CORE project was not simply to design a negotiation process, but rather to create a final land use plan.

In converting CORE's suggested sequence for the task of building agreement (see above), the negotiation table agreed to an 8-step planning sequence aimed at producing a final plan and associated time line. Steps 1 and 2, related to the CORE's Process Design phase (Phase 3), while steps 3 to 8 related to the building agreement phase (Phase 4):

- 1) Preliminary organization including deciding on ground rules (March-July 1993);
- 2) Terms of reference (July-Aug 1993);
- 3) Information assembly (Aug-Sept 1993);
- 4) Dividing the area into planning zones in order to define specific objectives for each (Sept-Oct 1993);
- 5) Scenario development of specific management objectives for each planning zone (Sept-Oct 1993);
- 6) Scenario evaluation (Nov-Dec 1993);
- 7) Scenario selection for producing a consensus plan (no date);
- 8) Preparation of plan, implementation and monitoring (no date).

This procedure (see Procedure, Appendix V) was included in the Terms of Reference document (from Phase 3). However, the table did not follow its own planning timeline and sequence. The timeline, as was already discussed, was marked by delays. The “Ground Rules” were not finalized until October 1993, and the “Terms of Reference” were not ratified until February 27, 1994. The sequence was also not adhered to in the order the table originally agreed. Phase 4 negotiations had begun before Phase 3 was completed.

Already from the beginning of the process, sectors had requested technical information (Step 3 of the planning sequence) in data and mapped form about the valley’s biophysical characteristics and natural resources from various the government agencies via the government representative, and from the Slocan Forest Products representative. This happened at first primarily within the Deferrals Subcommittee, stemming from the January 1993 meeting, and later within the full negotiation table. Misunderstandings about availability, as well as problems in understanding the complex data created barriers to progress. Eventually the table agreed to develop a common information base of technical information from all sources from which to build the plan. The bulk of this information was provided by three sources: provincial government, the “industrial interest” (Slocan Forest Products, Mining and Forest Independents), and what became known as the “environmental interest” sectors (Watersheds, Wilderness, Outdoor recreation, Tourism, Agriculture, Wildcraft, and First Nations)¹⁷. Any participant could bring additional information to the table, subject to the table’s approval, that they deemed important to the table’s work.

The provincial government representative, and a team of government staff from the Ministry of Forests and the Ministry of Environment, Lands and Parks, formed a

¹⁷ The term “environmental interest” to define these sectors is not meant to exclude the fact that other sectors may have had environmental interests in the project, or to suggest that environmental considerations were the only interest of these sectors. The same applies to the sectors that formed the “industrial interest”. Rather, these terms were used by the table participants themselves, and by CORE staff. The Commissioner, in his report to Cabinet (1995), also uses the terms. The terms reflect the polarization of interests (Antecedent 4, Chapter 5) that characterized the community groups prior to the project. Despite CORE’s success in obtaining the cooperation of these two opposing groups in the Process Design Phase, it appears, by the language used, that the affiliations remained throughout the CORE project.

Technical Working Group (TWG). The TWG was charged with the task of providing assistance to the table in managing the collection, analysis, and dissemination of technical governmental information, and to identify areas where available information needs were to be shared and/or verified, and additional information and interpretation were needed (see Information Base, Appendix V). Technical information requests were addressed via the table's multi-stakeholder "Information Management Sub-Committee", composed of four people: a representative from government, Slocan Forest Products, water users and wilderness sectors.

The information assembly (Step 3 of the planning sequence) involved information collection, issues identification, development of sector interests statements, value mapping to link interests to mapped data, and the development of a compatibility matrix to consider what values or activities could take place in an area, with or without constraints. To aid in some of these tasks, the table had agreed in its "Terms of Reference" that it *"may jointly identify and engage the services of persons with the necessary expertise and experience to respond to information needs, subject to budgetary constraints"*. Two outside consulting firms, each working separately with the "environmental-interest" and Slocan Forest Products sectors, developed Geographic Information Systems (GIS) based landscape analysis maps to highlight areas of specific interests. The goal was that the table would examine the products from both consultants, and collectively decide what went into a final map. The Commissioner's report to Cabinet puts it this way: *"The landscape analysis intended to serve as a basic information layer on the map, on top of which the sectors were to map their interests"* (CORE, 1995).

The landscape analysis for the whole valley was not completed by the time the table concluded in June 1994. However, a subsection of the valley was completed by both consultants, so the table agreed to use it a "test planning zone" and attempt to accomplish steps 4 and 5 of the "Information Assembly" procedure. Step 4 involved dividing the area into planning zones in order to define specific objectives for each, while

Step 5 involved developing a scenario of specific management objectives for each planning zone.

The minutes of the meetings reveal that “it took more time than had been anticipated for the table participants to understand this work and for sectors to incorporate their interests into the map products” (Meeting Summary Statement for June 12, 1994). The table also lacked time developing resource objectives, guidelines and strategies for the planning area, together with policy recommendations. When the last meeting took place in June 1994, the table still needed more time to negotiate agreement on a final plan.

The last meeting of the negotiation table, under CORE, which took place on June 12, 1994, was marked by a discussion about the future of the Slocan Valley project after CORE. The Ministry of Forests representative proposed the participants continue to meet regularly to conclude the work it had started. The table agreed to this (see Chapter 8: Post-Process Analysis).

Question 3: Did the Slocan Valley project meet CORE's objectives?

The negotiation table did not meet CORE's first objective for Phase 4 (*reach agreement on a final plan*). As a result, meeting the second objective (*secure broad constituency support for the agreement*) became impossible. Likewise, Phase 5: Implementation and Monitoring (Figure 6.2) was not possible.

Reaching agreement on a final plan was considered the most important objective of all of CORE's objectives, since the overall goal of the project was a consensually agreed land use plan. Failure to reach this key objective had significant local repercussions that are explored and discussed in Chapter 8: Post-Process Analysis.

The evidence suggests that gathering baseline environmental data and producing maps for planning purposes, as well as enabling participants to understand these technical data, took longer than CORE was prepared to acknowledge. Building agreement toward a final plan was wholly contingent of the completion of these mapping efforts, since the “Terms of Reference” had made it clear that consensus had to be reached on a “total

package” of recommendations (a final plan), and not just on some parts of the plan. In the end, the time and energy the table spent designing the process rules, and the limitations it set for the final agreement in the Terms of Reference ended up hindering their progress toward a satisfactory conclusion to the project.

The fact the table did agree to some consensus recommendations on parts of the total package is another sign that full consensus might have been reached had the mapping work been completed. The willingness of the part of the table to continue the negotiations after CORE had concluded is also a sign that a consensus agreement might have been possible.

Using CORE objectives is insufficient, alone, to assess public participation in the Slocan Valley project. They are useful for providing the structure and content of negotiations, but their application reveal little about the reasons for CORE’s failure to achieve agreement on the final plan. To understand further details of the process, another set of evaluation criteria is needed, which is the topic of Chapter 7.

Summary

This chapter has presented the results of the analysis of the Slocan Valley CORE project, using the agency’s own objectives as process-related criteria. By means of document analysis of the process-related documentation, minutes of the meetings, and associated letters of correspondence between CORE staff and local residents, the analysis compared the actual practice in the Slocan Valley project with the agency’s objectives for it. These objectives are found in CORE’s *“Framework for the Process”*, which included five phases (Figure 6.2). The analysis revealed that the local residents, especially the water users, were instrumental in getting CORE to sponsor the community-level public participation process, following confrontations over the issue of logging in watersheds.

CORE’s Phase 1 key objective of building credibility with local residents was met. Lack of data about the assessment phase (Phase 2) made an objective assessment of some of the early issues surrounding negotiation table composition, and the local charter that would guide the negotiations, rather difficult. Analysis of one of the local participant

group's correspondence with CORE reveals some initial problems in the assessment phase. But these problems appear to have been dealt with by the full negotiation table after it convened.

Representatives from 12 interest sectors agreed to meet regularly and work together toward the design of the negotiation process (Phase 3). CORE met its objective for this phase when the consensually-approved "Ground Rules" and "Terms of Reference" documents were ratified. This marked a major breakthrough in the long-standing dispute between opposing "environmental interest" and "industrial interest" sectors. However, the process design phase took far too much time because of the initial mistrust between participants, and therefore, the table was unable to complete Phase 4 (Building Agreement Toward a Final Plan) in the time allotted. As a result CORE failed in the key objective of providing a consensus-based land use final plan for the Slocan Valley. Nonetheless, there was willingness on the part of the Slocan Valley project negotiation table members to agree to continue to meet, in a new, post-CORE, "issues forums" under the direction of the Ministry of Forests (explored in Chapter 8).

Despite its failure to produce a consensus plan, the CORE project assisted in the move toward cooperation between opposing interest groups. Considering these long-standing disputes over local resource management, and record of failed cooperation and distrust among community actors (Chapter 5), the progress toward cooperation that the community had achieved through CORE was a noticeable achievement.

But the process analysis remains incomplete. Factors explaining the failure to reach agreement in Phase 4 are not addressed by applying CORE's stated objectives. For this, we need a set of "external" evaluation criteria. Chapter 7 examines the same process, using a theory-based evaluation framework.

CHAPTER 7

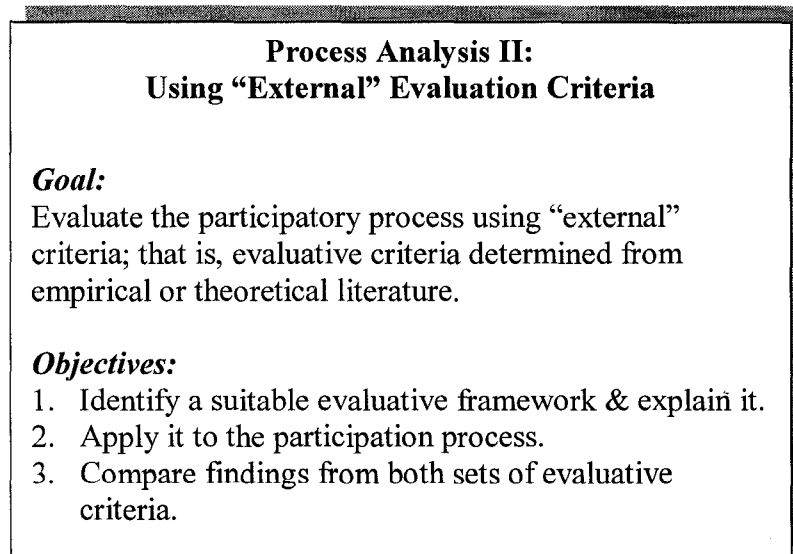
PROCESS ANALYSIS II: Multi-Criteria Evaluation

7.1 Introduction

The previous chapter (Chapter 6) described the phases of the Slocan Valley CORE project and assessed what happened in the project against CORE's stated objectives. CORE met the "internal" criteria of the first three phases, but failed in the key objective of building agreement toward a final land use plan (Phase 4). Although they revealed some of the procedural problems, these "internal" criteria were insufficient, alone, to reveal the reasons for failure. What can be learned about the reasons for failure by applying another evaluative yardstick using a set of "external" criteria?

The conceptual framework for evaluating public participation in resource communities (Figure 3.1) provides the rationale for examination of the process using a set of criteria that are "external" to the process. The term "external" is used to define a set of criteria not tied to the stated objectives of any of the participants or the sponsoring agency (Figure 7.1).

Figure 7.1



Chapter 7 presents the results of this second process analysis.

7.2 Multi-Criteria Evaluation Framework

The Literature Review (Chapter 2) explored empirical “factors of success” (section 2.5.2) and theoretical foundations (section 2.5.3) for use in the study of public participation evaluation. A multi-criteria evaluation framework (Webler, 1995), inspired by the work of critical theorist Jurgen Habermas’ (1970; 1984; 1987), was introduced. The assumption of Webler’s approach that getting the process “right”, by meeting a set of ideal conditions, is sufficient to lead to successful outcomes was questioned. Applying Webler’s model to the Slocan Valley CORE project serves to illuminate the reasons for failure, and the validity of the model’s assumptions.

Webler’s (1995) multi-evaluative evaluation framework stems from his normative theory of public participation which suggests that public participation in environmental decision-making should be evaluated on criteria that collectively depict the ideal to which society aspires. If the public process is open and the rules are clear and consistent, the element of mystery (which is an open door for abuse) can be eliminated. When the decision quality becomes a central aspect of the process design, decisions that are more favorable to the plurality of interests are more likely to be encouraged than if one interest group dominates the outcome (Renn, Webler, Wiederman, 1995, 10). Two meta-criteria, *Fairness* and *Competence*, are the central pillars of this normative evaluation. The Fairness criterion underlies an argument that the participation process should provide every individual an equal and fair chance to defend his or her interests and to contribute to the development of the collective will. The Competence criterion supports the argument that the process should allow for the construction of the most valid understandings and agreements possible given what is reasonably knowable at the time. In building an evaluation framework that rests on the two pillars of fairness and competence, it is important to examine what *activities* take place during a participation process, and what the *needs* are to ensure that the meta-criteria are defined for these activities.

First, the fairness criterion is examined. In any process where people come together to reach an understanding and make a decision about an environmental issue, Webler (1995, 62) maintains there are four fundamental actions or rights that every person must assume:

1. *Attend* (be a participant in the discourse);
2. *Initiate* discourse (make statements aimed at being heard by others);
3. *Discuss* (challenge and defend claims);
4. *Decide* (influence the collective consensus).

These are considered the four *needs* of a fair process. From this interest in fairness, three *activities* in any public participation process are important to distinguish:

1. *Agenda and rule making* (defining the problem and process rules);
2. *Moderation and rule enforcement* (ensuring the rules are kept by all);
3. *Discussion* (participating in deliberations).

These activities are explained in more detail later in this chapter alongside the results of the assessment.

The four needs and three activities provide a framework from which to examine specific fairness sub-criteria (see Figure 7.2 top). These sub-criteria, which Webler calls *discursive standard criteria*, are statements that correspond to the ideal conditions for that specific junction of process activity and fairness need. In the evaluation framework, they are represented by alphanumeric codes A1 to H2 (see Appendix VI for the complete list). For example, criterion A3 states:

"The model [the participation process] should make certain that everyone has equal chance to influence the final decision about the agenda and rules"

There are a total of 34 discursive standard criteria in the evaluation framework (Appendix VI). For each of the discursive standard criteria, Webler provides a few indicators that can be used to apply the criteria to a process. An indicator is simply the criteria converted into a question that depicts a part of the discursive standard criteria, aimed at helping the evaluator apply the particular criteria to the participation process. For example, criterion A3 (above) has two indicators:

Indicator A3-1: "Does the model provide a consensually-approved means to resolve conflicts about the agenda?"

Indicator A3-2: "Does the model provide a consensually-approved means to resolve conflicts over rules for discourse?"

In total, there are 86 indicators for the 34 discursive criteria. The number of indicators per criterion ranges from one to seven, depending on the complexity of the specific criterion (see Appendix VI).

Figure 7.2 Fairness and Competence Evaluation Framework				
This shows the relation between sub-criteria (letters A1-H2) in Appendix VI and the meta-criteria: Fairness and Competence. The numbers in the top-left corners are used as reference points in presenting and discussing the results of the evaluation.				
FAIRNESS		NEEDS		
Activities	Attend	Initiate	Debate	Decide
Agenda & Rule Making	¹ A1 A2 A3	² A1	³ A2	⁴ A3
Moderation & Rule Enforcement	⁵ B1	⁶ B2	⁷ B2	⁸ B3
Discussion	⁹ C1	¹⁰ C2	¹¹ C2	¹² C3
COMPETENCE		NEEDS		
Activities	Access to Knowledge		Best Procedures	
Explicative Discourse	¹³	D1	¹⁴	D2, D3, H1, H2
Theoretical Discourse	¹⁵	E1,E2,E3,E4	¹⁶	E4,E5,E6,E7,H1,H2
Practical Discourse	¹⁷	F1,F2,F3,F4	¹⁸	F5,F6,F7,F8,H1,H2
Therapeutic Discourse	¹⁹	G1,G2	²⁰	G3,G4,G5.H1.H2
Source: Webler, Thomas. 1995. "Right" discourse in citizen participation: An evaluative yardstick. Pg. 35-86 in Renn, Ortwin, Thomas Webler, and Peter Wiedemann. (eds). 1995. <i>Fairness and Competence in Citizen Participation: Evaluating Models for Environmental Discourse</i> . Boston: Kluwer Academic Publishers.				

The other meta-criteria, *Competence*, refers to the ability of the public participation process to provide the participants with the procedural tools and knowledge needed to make the best possible decisions. The needs of a competent participatory process are two-fold: participants must have access to information and its interpretation

(knowledge), and be able to use of the best available procedures for resolving disputes about this knowledge and interpretations.

Access to knowledge is more than access to information. Access to information is always a matter of time, effort and cost. While it is impossible to determine how accessible information for a particular process must be, the competence criteria, in this framework, does see unreasonable inaccessibility as grounds for criticizing the process. However, simply having access to information is not enough to provide competence. Experts and others who are capable of explaining the relevance of the facts need to be retained. Information must be interpreted to become knowledge. But this means we need procedures for knowledge selection.

Best procedures, then, refers to the evaluation and selection of knowledge by participants. Understandings of reality depend on the rules and procedures used to select and construct knowledge. Determining competence requires defining those procedures and characterizing their limitations. To do this participants should make use of time tested methods for gathering and information and constructing knowledge. Participants need ways to test the truthfulness of statements made during the discourse (or, rules for redeeming validity claims).

Some of these rules are *objective*, in the sense that systematic observation has verified their reliability and we can rely on them to select between different factual claims. Experts have a professional obligation to warrantee knowledge produced in this way and to make it available to the public. Participants in the process have an obligation to recognize the validity of knowledge that meets these objective standards, provided that the experts can defend their results in a peer review process (Webler, 1995, 66). Objective rules can and do change, but only in a manner consistent with scientific convention. Just because the participants might agree that the moon is made of blue cheese, does not mean it is. A competent process enables every participant to know what is fact and what is not.

Other rules are *socially constructed* and need to be imported into the participation process. These are partly reflected in the norms of society, some of which are expressed

in law, but more importantly, they represent the collective interests of the community or society to which the discourse belongs (Webler, 1995, 66). Since norms are always changing, and since there may not be consensus among all in society about these rules, the process participants have to decide which rules will be adopted. This decision must be made consensually, in consideration of the first goal of fairness, so that no one should be forced to compromise on his or her own values. For example, if two risk assessments for slope stability are done on the same area of slope (for citing the construction of a logging road, for example) by two different consultants, and one has stricter requirements for determining what is considered acceptable, then the determination of risk has to be made consensually by the participants. This may or may not agree with the governing agency's legal definition of acceptable risk under those conditions.

According to Webler's framework (Figure 7.1 bottom), there should be competence in all four types of discourse (activities) that occur:

1. *Explicative discourse*: references are made to language, terms, definitions, and grammar.
2. *Theoretical discourse*: references are made to the objectified world (nature or society).
3. *Practical discourse*: references are made to social needs and the appropriate forms of social interaction.
4. *Therapeutic discourse*: references are made to the subjectivity of the speaker.

All four types of discourse are explained in more detail alongside the results of the assessment.

7.3 Procedures

The multi-criteria evaluation framework (Figure 7.2, and described above), with its 34 discursive standard criteria and 86 indicators, is basis for the evaluation procedures. Using the same data collected to perform the analysis presented in Chapter 6, the multi-

criteria evaluation framework is applied to the process negotiations (Phases 3 and 4) of the Slocan Valley project. To do that, the procedure requires that each discursive standard criteria (A1 to H2 in Figure 7.2), are applied systematically to the process, using the associated indicators found in Appendix IV, and then a qualitative judgement is made and reported, with supporting evidence, in a narrative text.

Completing such a qualitative assessment requires interpretations and judgments (Webler, 1995). The interpretive approach is employed to document analysis in evaluating the process negotiations. Following the example of many who have performed similar assessments (see Renn *et al.*, 1995, for eight such examples), the researcher becomes a qualitative instrument of analysis (see also Silverman, 1993; Creswell, 1994; 1998). The Slocan Valley CORE project was assessed on how it performed on each indicator statement of the evaluation framework, using a qualitative rating of “high” (H), “moderate” (M), or “low” (L). A rating of “high” was given if the evidence from the process documentation suggested that the project satisfactorily met the criterion, so that little improvement was necessary for the project to meet the ideal conditions set forth by the theory. A rating of “low” was given if the evidence suggested that the project either completely failed to meet the criterion, or that it performed so poorly on it that much improvement is needed. A rating of “moderate” was given if the evidence suggested the project did not fully meet the criterion, nor did it fail to meet the criteria, but that some improvement could be made. The rationale behind the disaggregation, is that if the units are small enough, there is less scope for subjectivity in the analysis.

In performing this interpretive-evaluative exercise, the researcher was guided by a fundamental assumption about these Habermas-inspired, theoretically-based normative criteria. They are meant to portray a perfect, or “ideal” process, where everyone aspires to produce political actions without any hierarchy, and no one comes to the negotiations with any “hidden agendas”. However, Habermas (1979) himself admits that egalitarian discourse is nearly impossible to achieve, even in a functional democracy. Therefore, the main question is not so much whether the process perfectly met these ideal, perhaps

unrealistic, criteria, but rather how much deviation is possible without denying the elementary democratic principles¹⁸.

To ensure a degree of internal and external validity, the evaluation procedure does maintain a certain amount of transparency. Answering the evaluation framework's 86 indicator questions required multiple re-readings of the documentation about the process. This procedure offered many opportunities to verify and adjust the researcher's previous understanding of the process and ratings of its specific elements. To add further validity to the assessment, the researcher took systematic notes on the textual evidence, and included quotations from the process documentation, used in displaying, interpreting, and discussing the results. This enables a reviewer to reasonably retrace the steps taken to perform the assessment.

The results are presented sequentially in a narrative text, in seven sections corresponding to the seven activities outlined in the evaluation framework -- three activities for Fairness (agenda and rule making, moderation and rule enforcement), and discussion), and four activities for Competence (explicative, theoretical, practical, and therapeutic discourse types). An eighth section presents the findings related to Competence Criteria H that applies to the best procedures for all four categories of discourse types. For each activity, the results of the evaluation are presented in the following manner:

1. The activity under investigation and what its needs are for meeting the Fairness or Competence meta-criterion (*Activity*);
2. The discursive standard criteria, and indicators for these criteria, available in the framework. These are displayed in tabular form (*Criteria*);
3. The evidence, in the Slocan Valley process documentation, to make the evaluations (*What happened in the Slocan Valley CORE Project*);

¹⁸ This assumption was also used in Seiler, H-J. 1995. Review of "Planning Cells": Problems of Legitimation", pages 141-155 in Renn, O. Webler, T. P. Wiedemann. (eds). 1995. *Fairness and Competence in Citizen Participation: Evaluating Models for Environmental Discourse*. Boston: Kluwer Academic Publishers.

4. What rating was assigned to the criteria, in a table with summary comments, and discussion about its implications, regarding that activity (*Evaluation & Discussion*);

A summary table of overall findings and conclusions discuss the implications of the findings, in terms of what we can learn from the Slocan Valley project about public participation in environmental decision-making, follows the section-by-section presentation of results.

7.4 Findings & Discussion

7.4.1 The Fairness Meta-Criterion

7.4.1.1 Agenda and Rule Making / Criteria A (Boxes 1, 2, 3 and 4 in Figure 7.2)

1) Activity

Agenda and rules establish the framework for the discussion. Setting the agenda, in Webler's (1995) evaluative framework, is much the same as defining the problem in contemporary planning initiatives like the Slocan Valley CORE project. When people participate in setting the agenda, they can make sure their concerns will be addressed and can contribute to the shaping of the definition of the problem. However, the fairness criterion does not necessarily mean that everyone necessarily has to play an active role in making the agenda. A preliminary agenda could be composed by a sub-group, or the facilitator/moderator, but every participant should have a chance to approve it, or make changes to it. The agenda can unfairly influence the ensuing discourse by not allotting enough time, by framing a topic in a particular way, by scheduling a topic at an inopportune time, or it may omit a topic that a participant considers relevant.

Rules are made to manage interruptions, resolve stalemates, define appropriate behaviour, and so on. Some rules come from norms for conduct in everyday life (*e.g.* do not utter verbal threats to each other), while others need to be formalized (*e.g.* every speaker will be allotted four minutes). Codes of conduct and rules governing discussion provide a means to quell any attempts at manipulation, be they strategic, accidental, or

merely spontaneous. For a process to be fair, participants must have fair access to the process of formally establishing rules.

2) Criteria

The multi-criteria evaluation framework provides three discursive standard criteria and eight indicators used to evaluate the fairness of the agenda and rule making (Table 7.1a).

Table 7.1a Criteria A (Agenda and Rule Making)

Criteria	Indicators*
A1: The process should provide everyone opportunity with an equal chance to put their concerns on the agenda and to approve or propose rules for discourse.	A1-1: ...suggest items for the agenda? A1-2: ...suggest items for the rules?
A2: The process should provide everyone with an equal chance to debate and critique proposals for the agenda and the rules.	A2-1: ...debate proposals for agenda? A2-2: ...debate proposals for the rules? A2-3: ...enough time to accommodate all agenda items? A2-4: ...suggest changes to the agenda and rules?
A3: The process should make certain that everyone has an equal chance to influence the final decision about the agenda and the discourse rules.	A3-1: ...means to resolve conflict about agenda? A3-2: ...means to resolve conflicts about rules?

*Indicators were summarized to avoid repetition. See Appendix VI for the complete wording.

3) What happened in the Slocan Valley CORE Project?

Evidence relating to agenda setting and rule making are found in CORE's *Framework for Process* and table minutes confirming the participants adoption of the use of the consensus, or "shared decision-making", framework for its negotiation (See Chapter 6). Phase 2 (Assessment) of the framework enabled potential participants to assess for themselves the appropriateness of the shared decision-making framework, and help identify who must be involved at the table by applying CORE's "sector representation model". Sectors, in CORE terminology were, "made up of broadly based groups of participants sharing common concerns and values, were encouraged to organize steering committees and help select spokespersons" (BC CORE, 1995). The sector model provided a vehicle for ongoing communication throughout the constituency and

the means for determining representation at the negotiation table. CORE hired a third-party mediating consultant to oversee the assessment phase (see Chapter 6). Phase 3 (Process Design) of the framework enabled the participants to decide together, consensually, the composition of the full negotiation table, and the rules governing the negotiations. The consensus-based “Ground Rules” and “Terms of Reference” documents, are evidence that the table consensually-agreed to, and approved, the purpose, objectives, scope, planning area, and planning sequence, and principles governing the negotiations toward a final land use plan.

4) *Evaluation & Discussion*

Applying the indicators for the fairness criterion in agenda and rule-making to the Slocan Valley CORE project reveals a high score on nearly all accounts (Table 7.1b).

Table 7.1b Ratings for Criteria A (Agenda & Rule Making)

Criteria Indicators*	Rating**	Summary Comments
A1-1	M	Most agenda items were open, except for tenure rights
A1-2	H	Each participant aided Table developed own ground rules
A2-1	H	Within time constraints
A2-2	H	Within time constraints
A2-3	H	Agenda fairly quickly decided
A2-4	H	Much time spent on rules – ground rules accepted after 7 months...
A3-1	H	According to shared decision-making framework
A3-2	H	According to shared decision-making framework

* Refers to those in Table 7.1a. ** Refer to section 7.3 (Procedures).

The only exception indicator A1-1 (*does the model provide an opportunity for everyone to suggest items for the agenda?*). While any participant could bring their concerns to the table, it was also unclear what things were non-negotiable, like tenure rights. Nowhere in the CORE documentation is there any evidence to suggest that tenure rights were non-negotiable. The whole stated purpose of establishing CORE was to address the long-standing conflicts over land use in the province, and much of that conflict had revolved around the industrial forest sector’s control of the Crown land (see Chapter 5). CORE’s *Land Use Charter* (Appendix IV), which guided all CORE tables,

stated the government's commitment to a "fair distribution of costs and benefits of land use decisions" (p.16), and that the decision-making processes will address the full range of environmental, social and economic concerns and values" (p.16). Tenure reform was arguably central to the concerns of residents in the Slocan Valley, at least since the publication of the *Community Forest Management Project* in 1974 (see Chapter 5). The implications of not allowing tenure reform to be discussed at the table appeared, during the assessment phase, in the controversy over the wording of the draft local charter which had suggested that the table's mandate was limited to deciding "how to log", not "where to log" (See Phase 2, Chapter 6). The fact that the project met its own objectives for the Process Design Phase suggests, however, that this issue was eventually settled.

In enabling the participants to suggest, debate, and resolve conflicts about the agenda and process rules made the Slocan Valley CORE project a fair one, but the time it took participants to complete the design phase hindered the project's ability to complete a final plan. This suggests, according to Sewell and Phillips (1979) model (Chapter 2, Figure 2.5) that a trade-off was made between equity (or fairness) which the Slocan Valley project exhibited a high degree, and efficiency, which it compromised. The time constraints imposed upon the project by government are therefore suspect, as are the timber interests motivations for limiting the duration of the negotiation table (see Chapter 6). While the government cannot forever continue to commit resources toward supporting an inefficient participation process in the name of fairness, it is also unrealistic to expect that a conflict that had been brewing for over twenty years could be resolved, by consensual agreement of all interested parties, within an anticipated 12 months.

7.4.1.2 Moderation and Rule Enforcement / Criteria B

(Boxes 5, 6, 7, and 8 in Figure 7.2)

1) Activity

Process participants also must agree on a means to enforce rules. The most common way to do this is to appoint a facilitator or moderator who serves as a neutral party responsible for enforcing the rules fairly. Webler (1995) suggests that a facilitator

merely tries to catalyze the discussion without guiding, while a moderator exhibits more leadership. For example, a facilitator may encourage quieter people to contribute to avoid domination of the discussion by a few, but largely he or she merely keeps the group on its agenda and enforces rules for interaction. A moderator may make proposals and participate in the debate by presenting information and arguments which are missing from the discussion. Since a generic evaluative framework needs to be adapted for the specific context in which the process, there may be variations in the roles for facilitation and/or moderation. The key for meeting the fairness criterion is that the selection, role and behaviour of the facilitator or moderator should be subject to the scrutiny and approval of the participants.

2) Criteria

The multi-criteria evaluation framework provides three discursive standard criteria and six indicators used to evaluate the fairness of the moderation and rule enforcement (Table 7.2a).

Table 7.2a Criteria B (Moderation and Rule Enforcement)

Criteria	Indicators*
B1: The process should provide everyone opportunity with an equal chance to suggest a moderator and a method for facilitation.	B1-1: ...suggest a moderator? B1-2: ...comment on facilitation style?
B2: The process should provide everyone with an equal chance to challenge and support suggestions by others for a moderator and a method for facilitation.	B2-1: ...debate proposals for moderator? B2-2: ...debate proposals for facilitation style?
B3: The process should make certain that everyone has an equal chance to influence the final selection of moderator and facilitation method.	B3-1:...means to resolve conflict about moderator? B3-2:...means to resolve conflicts about facilitation?

*Indicators were summarized to avoid repetition. See Appendix VI for the complete wording.

3) What happened in the Slocan Valley CORE Project?

In the CORE process, the terms “facilitator” and “mediator” were used, but not “moderator”. The mediator was hired by CORE to facilitate meetings, as well as provide

the kind of leadership that Weblar attributes to the role of a moderator (Slocan Valley project *Terms of Reference*). Specific tasks of the mediator were to assist in the creation of the procedural framework for discussion, provide guidance with respect to interest-based negotiations, and assist in meeting the goals participants set out for itself. The CORE staff persons had the overall responsibility of the project, including liaison with outside government staff involved in the project, monitoring and administration of budget, including participant funding assistance, logistical coordination of meetings, information assembly, preparation of minutes, and “assistance with mediation and/or facilitation of the table as required” (p.13). The government representative at the table was to “serve as a conduit for information to and from the table to Cabinet”, and “act as a sounding board for Cabinet”. (p.13). The mediator, therefore, was responsible for the tasks that are evaluated with Criteria B, even though ultimate responsibility for the mediation services remained with CORE staff.

The professional mediator was selected by CORE staff with no input from the participants table, but the Table has the authority to approve or reject him/her. There were three different mediators employed at different stages of the project. The first, Alice Shorett, was employed for the Assessment Phase and helped mediate the first multi-stakeholder meeting on January 12, 1993 (see Chapter 6). At the convening meeting of the full negotiation table (March 1, 1993) CORE staff presented the table with a mediator, Glen Sigurdson, who then gave a presentation about his facilitation style. The minutes of that meeting state “During a break the sector representatives were individually canvassed and all agreed to accept Mr. Sigurdson as mediator”.

Two sectors had conditioned their acceptance on working out an acceptable schedule for the meeting, since the mediator was only available on weekends and they found it problematic. However, correspondence letters between the watershed sector representative and the CORE staff demonstrate that the issues of meetings days was only one of the concerns conditioning their acceptance of the mediator.

The letter from the watershed representative (dated March 16, 1993) states “we were disappointed in many of the approaches that Mr. Sigurdson employed, and his

apparent lack of understanding of the situation in the Slocan Valley”. The letter lists concerns that they had with the mediator, including claims that “at various points Mr. Sigurdson imposed his will on the table, as opposed to taking direction from the table” (p.2), as well as the mediator limitations for meeting times.

A responding letter from the CORE staff (dated April 1, 1993) to the watershed sector representative informs the latter that the mediator had resigned and a new mediator was appointed. She also presents the proper procedure for the Table’s acceptance of the mediator: “it may help if I set out here the protocol following by the Commission. Once a mediator has been endorsed by a table, it is up to the table and not the Commission to deal with the mediator directly”. The new mediator, Karen Hardigan, was subsequently accepted by the table and remained until completion of the project. The evidence suggests that there were no further complaints lodged about mediation.

4) Evaluation & Discussion

The evidence suggests that the first two mediators had caused some problems for the watershed sector. Since the first mediator’s tasks were completed at the end of the assessment phase, they are not evaluated here. The reasons for their second mediator’s rejection are not explored because he quit and CORE replaced him with another that garnered no further complaints. Applying the indicators for the fairness criterion in moderation and rule enforcement to the Slocan Valley CORE project reveals a high score on nearly all accounts (Table 7.2b).

Table 7.2b Ratings for Criteria B (Moderation & Rule Enforcement)

Criteria Indicators*	Rating**	Summary Comments
B1-1	M	Moderator was appointed by CORE, and approved/rejected by Table
B1-2	H	Some participants disapproved of moderator’s style
B2-1	H	The setting might have been there, but proposals were not discussed
B2-2	H	The setting was there, but participants chose to contact CORE directly
B3-1	H	Moderator was consensually-approved by Table, verification
B3-2	H	Style goes with moderator...

* Refers to those in Table 7.2a. ** Refer to section 7.3 (Procedures).

Because participants could not “suggest a moderator”, but rather only approve one, the project on merits a moderate (M) rating for the B1 indicator. The project scored high (H) on all other indicators, because participants could challenge (B2 criteria) and influence the final selection of the moderator (B3 criteria). This confirms that the fairness criterion was met in this process with respect to moderator and rule enforcement. However, one caveat should be mentioned. The criteria suggest that the moderator and the facilitating style are separate issues and that participants should be able to debate and decide on them separately. In the Slocan Valley project, the moderator and his/her facilitation style were inseparable. Rejection of the facilitation style of the second mediator, by at least one of the table representatives, inevitably resulted in his replacement. Had the facilitation and mediation been performed by different persons, the criteria might more easily be applied.

7.4.1.3 Discussion / Criteria C (Boxes 9, 10, 11, and 12 in Figure 7.2)

1) Activity

Discussion refers to the participants’ negotiations as they proceed through the items on the agenda. Fairness in the discussion demands that on any agenda item everyone potentially affected by the problem must have an opportunity to participate. For example, everyone should have a chance to participate in defining terms. In the discussion, however, fairness needs to be balanced with competence. For example, a fair discussion is one in which participants are able to make statements of fact, even if they are not grounded in formal scientific observations. Anecdotal knowledge about local conditions and personal experiences are also valuable and need to be included in a fair discussion. But, of course this is not without its complexity. If, for example, we examine a discussion about scientific results, access to verifying a participant’s claim made to the validity of a factual statement, through scientific methodologies, demands considerable expertise that not every participant will have. As Webler (1995, 64) states, “experts who have committed themselves to developing a competence in these methodologies are obviously more familiar with the requirements of redeeming factual validity claims about

systematic evidence”. The same is likely to be true of citizens who “specialize” in collecting anecdotal evidence. According to Habermas’ ideals, individuals must be free to argue for what they believe and to participate in making final judgments over matters discussed. At the same time it is in the group’s interest to detect strategic behaviours and errors in judgments. Some balance must be struck between giving everyone equal rights to participate and assigning higher credibility to certain speakers on the basis of experience or specialization - whether he or she be an expert in scientific methodology or in anecdotal knowledge (Webler, 1995, 64). There is not a universal prescription for how to make these choices. But, for the sake of fairness, the process must provide everyone an equal chance to be present, or represented, at the discussion, and to participate in consensually-approved ways in which any validity claims can be redeemed, and any dispute about them resolved.

2) *Criteria*

The multi-criteria evaluation framework provides three discursive standard criteria and eleven indicators used to evaluate the fairness of the discussion (Table 7.3a).

Table 7.3a Criteria C (Discussion)

Criteria	Indicators*
C1: The process should provide everyone who is potentially affected by the decision proposal (positively or negatively) an equal chance to be present or represented at the discourse.	C1-1: ...identify the potentially affected? C1-2: ...do they have equal change to participate? C1-3: ...all people who feel they are affected allowed to participate?
C2: The process should make certain that everyone has an equal chance to put forth and criticize validity claims about language, facts, norms and expressions.	C2-1: ...make communicative validity claims? C2-2: ...make cognitive validity claims? C2-3: ... make normative validity claims? C2-3: ... make expressive validity claims?
C3: The process should make certain that the method chosen to resolve validity claim redemption dispute be consensually chosen before the discourse began.	C3-1: ...means to resolve disputes over communicative validity claims? C3-2: ...means to resolve disputes over cognitive validity claims? C3-3: ...means to resolve disputes over normative validity claims? C3-4: ...means to resolve disputes over expressive validity claims?

*Indicators were summarized to avoid repetition. See Appendix VI for the complete wording.

3) What happened in the Slocan Valley CORE Project?

Since the meetings were not audio- or video-recorded, specific evidence for the details of the discussion is not easily obtained. Although less reliable than transcripts, the minutes of the meetings and documents produced by the table, provide a reasonable breakdown of the issues discussed, including specific comments from individual speakers.

CORE's sector representation model ensured that anybody who had an interest in advancing a claim could do so through one of the sectors represented at the table (see Criteria A). Although proper procedure had to be followed, this ensured that anybody could effectively participate in the discussion. The process also allowed for sectors to consider the representativeness of all interests at the table, and demonstrated willingness to ensure inclusivity toward anyone from the greater population who felt affected, but unrepresented, by allowing a new sector, Agriculture, to join when a resident farmer expressed a wish to do so (see Chapter 6).

The majority of the time which participant spent in the meetings was spent initiating and debating claims on a host of topics in both the process design phase and the building agreement on substantive issues phase (see Phase 3 and 4 in Chapter 6, and "Procedure" in Appendix V). At first, CORE's Land Use Charter (Appendix IV) served as a reference to guide the discussions. Later, after the Ground Rules and Terms of Reference were approved, these served as guides. Although the Table spent a great deal of time designing the process itself, it failed to include in the design how to resolve disputes about differences of opinion with respect to various claims about language (communication claims), facts (cognitive claims), norms (normative claims) and expressions of sincerity (expressive claims). The competence of these claims is not evaluated here (see Competence criterion below), only the degree to which everyone had a fair opportunity to advance, challenge, and resolve disputes about them.

4) Evaluation & Discussion

The lack of detailed evidence (from transcripts, for example) and subtle nuances about the types of claims made, whether about language (communicative), facts (cognitive), norms (normative), or subjective expressions (expressive), make applying the discussion criteria to the Slocan Valley project particularly challenging. For this reason, the ratings for this criteria are tentative (Table 7.3b).

Table 7.3b Ratings for Criteria C (Discussion)

Criteria Indicators*	Rating**	Summary Comments
C1-1	H	Table agreed that sectors represented all interests
C1-2	H	Must fit into one of the interest sectors at Table
C1-3	H	Sector representation model – Agriculture joined later
C2-1	H	Discussions ensued around terms, definitions, etc
C2-2	H	Allowed for cognitive validity claims to be made and discussed
C2-3	H	This was prevalent in the discussion on values
C2-4	H	Expressive claims about fears surrounding watershed logging were discussed
C3-1	M	Limited way to resolve disputes about communicative validity claims
C3-2	L	No way to resolve disputes about cognitive validity claims
C3-3	L	No way to resolve disputes about normative validity claims
C3-4	M	Limited way to resolve disputes about expressive validity claims

* Refers to those in Table 7.3a. ** Refer to section 7.3 (Procedures).

Regarding Criteria C1 (representation of all affected persons) was met to a high degree because of the design of the sector representation model that CORE used. Concerning the C2 Criteria (put forth and criticize claims about language, facts, norms and expressions), the evidence suggests that every participant had an equal chance to initiate and debate any kind of claim, whether they about the language of a text, a fact, a norm, or an expression of sincerity. As such, the process met this part of the criterion to high (H) degree.

Resolving disputes about communicative and expressive claims (Criteria indicators C3-1 and C3-4) appeared to be less problematic to resolve than cognitive and normative ones. The Ground Rules contained a “code of ethics” that guided the manner in which people could speak, the language they could use (no offensive language, etc), and encouraged respect (expressive sincerity) in the discussion. For this reason these indicators are rated with a moderate score (M)

Evidence could not be found about methods used to resolve cognitive and normative validity claim disputes. However, at the sixteenth meeting of the table - less than one month before CORE concluded the project - there was still no progress in the debate over some factual information:

there was discussion about technical information and decisions where certain sector representatives felt out of their depth, whereas other representatives felt that the challenge was to present good information in a way that enable people to make good decisions” (Minutes of the Meetings, May 15, 1994).

This suggests two things. First, there appeared to be limitations to the cognitive understanding of some sector representatives due to the nature of the information being discussed, thereby inhibiting their effective participation in the discussion. Meredith (1997) discusses that public participation mechanisms need to overcome such barriers to information flow as “data too complex” for the true participation to occur. Webler (1995) includes, in the evaluative framework, criteria related to this topic in the “theoretical discourse” section (see Criteria D). Second, the project appears to not have agreed to a pre-approved method to resolve disputes over cognitive claims. Therefore, a low (L) score is given using the fairness indicator relating to the cognitive aspect (C3-2).

Information could not be found directly relating to disputes arising over normative claims (C3-3). However, the overall purpose of the project was to resolve a conflict about what the future of land use in the valley *should look like*. As such, the whole process was a dispute over normative claims, since competing interests had opposing normative expectations for the future land uses. It is scored low (L) using the indicator relating to the normative aspect of the fairness criterion (C3-3).

The implications of failure to meet criteria C3 in a dispute resolution process involving many different interests - albeit represented in a fair manner – are that negotiations over substantive issues (that is, not just procedural aspects) risk failing, or being subject to endless debates, with each side attempting to “force” their claims on the group. Some people may be quite unprepared to be “forced upon” with information (cognitive claims), while others may deem it very important to the progress of the table.

The evidence from the Slocan Valley case suggests that failure to meet this criterion tends to prolong discussion to the point of inefficiency, putting in jeopardy the table's ability to reach consensus on time. A pre-approved consensus method for validity claim disputes resolution is mandatory not just for procedural fairness to be achieved, but for effective functioning of the discussion.

7.4.2 The Competence Meta-Criterion

7.4.2.1 Explicative Discourse / Criteria D (Boxes 13 and 14 in Figure 7.2)

1) Activity

In an explicative discourse, the comprehensibility of assertions is discussed. Comprehensibility includes pronunciation, style, grammatical correctness, spelling and using the proper definitions of words. According to Webler (1995), the first four items are rarely a problem for a person whose mother tongue is used in the process, and when they are, the matter is resolved quite easily. These speakers have an immediate access to the validity source of comprehensive speech via their socialization (*e.g.* What is written here, as it concerns style, grammatical correctness and spelling, is comprehended by the reader who has been socialized in the use of the English language). For those participants whose mother tongue is not the same as the one used in the participatory process, the use of an interpreter usually resolves the issue. Therefore, these first four issues of comprehensibility (pronunciation, style, grammar, and spelling) are usually resolved quite easily. Definitions are more problematic. Confusion over definitions is a comprehensibility problem because people end up not understanding one another, or worse, they assume different definitions for the same words. This can lead to disputes over definitions. As Webler (1995) contends, disputes over definitions can also be normative disputes in disguise. For example, in a dispute about drinking water quality, the specific definition of "safe" is neither a linguistic problem nor a technical problem, it is a normative one. Only issues of comprehension are discussed in explicative discourse. A competent explicative discourse is one in which every participant has access to the sources that provide commonly accepted definitions to terms. The authority of the

reference is clarified and consensually agreed upon by those participating. Disputes are resolved by appealing to the validity of these sources. Examples include textbooks and dictionaries.

2) Criteria

The multi-criteria evaluation framework provides three discursive standard criteria and five indicators used to evaluate the competence of the explicative discourse and associated rules for redeeming comprehensibility validity claims (Table 7.4a).

Table 7.4a Criteria D (Explicative Discourse)

Criteria	Indicators*
D1: The process should provide everyone equal access to the sources for commonly-agreed upon standards and definitions.	D1-1: ...equal access to commonly-agreed-upon sources for definitions of terms that are relevant? D1-2: ...flexibility in time that is needed to resolve comprehensibility problems?
D2: The process should confirm that everyone has an understanding of each other's terms, definitions and concepts.	D2-1: ...make certain that all terms, definitions, and concepts are made explicit? D2-2: ...make certain that all participants acknowledge that they understand the agree-upon definitions?
D3: The process should make certain that disputes about definitions, terms, and concepts take advantage of preestablished reference standards.	D3-1: ...encourage the resolution of disputes through appealing to commonly-agree-upon standards (such as a dictionary, or a textbook)?

*Indicators were summarized to avoid repetition. See Appendix VI for the complete wording.

3) What happened in the Slocan Valley CORE Project?

The English language was used in the Slocan Valley project, and all participants were fluent in the use of it. Confusion over definitions, or interpretations of concepts like “sustainable”, inevitably arose during the Assessment Phase (as evidenced by the conflicts over the wording of the local charter – see Chapter 6), and early in the meetings (January 1993 and March 1993). The table had a number of sources to use to aid in defining these concepts. CORE’s Land Use Charter and “*Framework for the Process*” initially served as reference points for the explicative discourse. After the participants had received training in principled negotiations, and began defining the Terms of Reference, there was an opportunity for all to present, discuss and challenge difference of opinions

about the definitions. CORE staff encouraged all sectors at the table to produce an “interest statement” which defined not only their interests in the project, but specific terms and concepts. All interest statements were made available to the other sectors so that everyone had the opportunity to ask for clarification or challenge the definitions used.

4) *Evaluation & Discussion*

Comprehensibility, and use of language, did not appear to be a problem for the Slocan Valley project. Having CORE material to initially guide them, they all had a common framework from which to begin the discussions. Where there was disagreement, early on in the project, it appeared to be adequately resolved in the “Interest Statements”, and the consensually-approved “Ground Rules” and Terms of Reference”. Every participant was encouraged to ask questions in order to understand the meaning of comprehensibility (about language) claims. In addition, the shared decision-making model meant that consensus had to be achieved on everything the table produced for it to stand. As a result the project is rated high (H) on most indicators (Table 7.4b).

Table 7.4b Ratings for Criteria D (Explicative Discourse)

Criteria Indicators*	Rating**	Summary Comments
D1-1	H	Land Use Charter to guide proceedings
D1-2	H	Flexibility takes time: CORE extended the Table by 6 months
D2-1	H	Discuss specific terms, definitions, and concepts
D2-2	H	Agreement had to be reached on these definitions for it to stand
D3-1	L	Definitions rooted in dif. standards from different disciplines

* Refers to those in Table 7.4a. ** Refer to section 7.3 (Procedures).

There is only one exception. Criteria indicator D3-1 calls for the process to encourage the resolution of disputes about comprehensibility (about language, not facts) through appealing to commonly-agreed upon standards (such as a dictionary, or a textbook). For the most part, pre-established reference standards (like the Land Use Charter) were provided, however, there were still disputes over wording (*i.e.* the local charter) that could not be resolved using these standards. Interest statements, produced

by the sectors themselves, provided some more help to providing definitions, but consensus did not have to be reached of all points of definitions on all of the interest statements, only on what when into the Ground Rules and Terms of Reference. Therefore, though the evidence is rather weak on this point, an inference can be made that commonly-agreed-upon standards for all definitions was not available to the group. For example, even the term “forest” might be defined differently by people with opposing interests in it. One sees it as wood fibre, another sees it as a habitat for wildlife, and a third sees it for its recreational, or spiritual aspects. Even if a commonly-agreed-upon definition is provided which includes all the components, some may, if only in their own minds, stress some of the components more than others. For this reason, the project is scored low (L) on this indicator.

It is important to note that Webler’s (1995) framework depicts the “ideal” situation for the participation process. However, it may be too idealistic, given the complexity of definitions, to expect a participation process to be able to define all possible terms that may cause disputes. The Slocan Valley case evidence suggests that even when many attempts are made to accommodate for any possible confusion in language, having definitions readily-available may not encourage the resolution of disputes. People will still see a forest differently, even if they agree on a definition for it.

7.4.2.2 Theoretical Discourse / Criteria E (Boxes 15 and 16 in Figure 7.2)

1) Activity

Theoretical discourse addresses truths of the objectified word (nature and society). Facts are gathered through scientific methodologies (quantitative and qualitative), as well as through daily life experience (Webler, 1995). Natural and social sciences seek to reveal causal relationships by systematic observation and analysis. Rules and procedures for selecting from among validity claims (for example: the rule of experiment repeatability) have been established by the scientific community, and of course, are subject to revisions according to conventions developed in that domain. Experts have an important role to play in making systematic evidence and interpretations

available to everyone in the theoretical discourse (here is where competence and fairness meet). Every participant, including those without scientific expertise, must be able to access the information that he or she feels may be relevant. Effective access usually means hiring consultants who can gather the evidence (whether new or already available data and knowledge), and explain it. Webler suggests that the participation process should recognize that citizens have a right, and often an interest in exercising that right, to delegate some determinations of validity to groups or people (usually hired consultants) whom they consider to be more expert than themselves. This delegation can only be legitimately done when the consent is unanimous. Without the protection of unanimity, individuals in the discourse may have their interest subjugated by the will of the majority, which could select an expert review panel that supports a particular interest position.

Formal scientific inquiry, however, is not the only way to produce accurate information and knowledge about nature and society. The concept of *local knowledge systems* (also called *traditional*, or *indigenous knowledge*) is based on the experiential knowledge of people who live and work in an area (Mitchell, 1997), and is used to differentiate it from the knowledge based upon science of formal study. Understandings about nature and society can take the form of anecdotal observations (“He knows five people who got sick after eating fish from that lake”), idiosyncratic observations – especially about local conditions (“the wetland is dry in August”), or it may be traditional knowledge passed down over the generations (“the full moon brings the first frost”). Just as scientific experts are hired to enhance access to, and use of, scientific knowledge, “local knowledge experts” can be sought out as consultants. Additionally, participants may be encouraged to develop and improve upon their own local knowledge by gaining more personal experience. This might include visits to a specific site, and a walk around may help to give people a feeling for the site, thereby providing valuable knowledge that is not available through blueprints or maps¹⁹.

¹⁹ The researcher acquired and made use of this kind of experiential local knowledge by attending public demonstrations and walking around in several of the contested watersheds, during the four summers he spent in the Slocan Valley following the CORE project (see Chapter 8: Post-Project Analysis).

No matter how the information is gathered, depictions of existing states of affairs are evaluated according to their consistency with what is already known. People must choose among conflicting versions of reality (or truth validity claims) by deciding which provides the better description of reality. Webler (1995) suggests that, in a participation process, decisions to reject or adopt truth validity claims should be based on the consensual opinion of the expert community (Is the data valid?) and the common-sense opinion of the lay participants (Does it seem likely?). Local knowledge can also be “peer-reviewed” by other people in the area. When this is not possible, the reputation of the source can be investigated as a clue to reliability.

2) Criteria

The multi-criteria evaluation framework provides seven discursive standard criteria and sixteen indicators used to evaluate the competence of the theoretical discourse and associated rules for redeeming truth validity claims (Table 7.5a).

Table 7.5a Criteria E (Theoretical Discourse)

Criteria	Indicators*
E1: The process should provide everyone equal access to the available and relevant systematic knowledge about the objective world.	E1-1: If expert advice is brought into the process, is agreement to do so consensual? E1-2: If consensus on how to bring expert expertise into the process cannot be achieved, does the process provide the financial means for every participant to hire their own expert help? E1-3: ...flexible enough to allocate time to consult with experts and to have experts collect data? E1-4: If there is an educational component, is the material reviewed by independent experts and/or stakeholder groups?
E2: The process should provide everyone equal access to the available and relevant anecdotal and intuitive knowledge about the objective world.	E2-1: ... promote consideration of anecdotal and intuitive knowledge? E2-2: ... promote ways for people to improve their own anecdotal and intuitive knowledge by being exposed to relevant experiences (field trips, lectures, site visits, etc)?
E3: The process should make certain that the uncertainty of factual information is considered along with content.	E3-1: ...provide a means for the uncertainty of factual information to be considered?
E4: The process should include a mechanism to check if factual claims are consistent with the prevailing opinion in the expert community or consistent with the anecdotal knowledge of other people not involved in the discourse.	E4-1: ...promote peer review and independent verification of scientific data and knowledge? E4-2: ...promote "peer review" and independent verification of anecdotal knowledge? E4-3: ...provide enough time for participants to collect the scientific data and anecdotal experience they feel is relevant and to discuss it thoroughly?
E5: The process should provide a means to separate cognitive claims from normative claims.	E5-1: ...provide a means to translate claims into their cognitive and normative constituent parts? E5-2: Does the translation require verification by the speaker?
E6: The process should provide the participants with the option to delegate determination of factual truth to an outside expert panel.	E6-1: ...permit the participants to select an expert panel consensually and ask for its recommendations? E6-2: ...ensure that the decision to rely on expert advice is consensual? E6-3: ...provide information about the range of expert opinions and positions in that particular subject?
E7: The process should make sure that cognitive legal claims are examined by legal experts.	E7-1: ...ensure that legal experts will verify how well the decision outcome conforms to the technical definitions in the law?

*Indicators were summarized to avoid repetition. See Appendix VI for the complete wording.

3) What happened in the Slocan Valley CORE Project?

The theoretical discourse occupied much of the project negotiations. It began as soon as the table convened and continued throughout the project. According to the minutes of the meetings, each of the thirty-four days of meetings included some discussion on factual claims regarding the objective world. The most prevalent surrounded the mapped data related to the so-called "interim

measures” on logging deferrals²⁰ requested by some of the sectors at the Table of the Slocan Forest Products and government representative. For example, the minutes of March 2, 1993 state:

The table agreed more information was required to address interim measures, and arrangements were made for a meeting to be attended by interested sectors where Slocan Forest Products and the Ministry of Forests could show and explain maps outlining planned harvesting, so that at the next meeting sectors could identify to the Table areas of low, possible or high concern, together with options.

Ensuing from the disagreements over which areas should be included in the “interim measures”, the table agreed to build a common information database and established a Technical Working Group (TWG) (see “Information Base”, Appendix V) to assist in this endeavour. The government representative agreed to provide all information requested of them except if covered by Cabinet confidentiality, within the limits of government budget and staffing power” (Item 54, “Ground Rules”, p.6). At the request of the Slocan Forest Products sector, the table also agreed to a specific confidentiality of information clause enabling “information which is both proprietary and confidential to be withheld where its disclosure would significantly harm a competitive position or result in undue financial or cultural loss or a conflict of interest” (Item 55, p.7). Also included were clauses that “claims of confidentiality will not be asserted lightly”, that good cause must be established to make such claims (Item 56, p.7); and that “information will not be withheld from the table for tactical advantage” (Item 58, p.7).

A number of “field trips” were provided so that participants, and any other interested persons, could personally experience areas under discussion. Since all participants were residents of the Slocan Valley and were interested enough in the project to become sector representatives, it can be inferred that many had substantial anecdotal and intuitive knowledge about the area.

²⁰ “Interim measures” on logging deferrals refer to the temporary moratoria placed on controversial areas in the Slocan Valley, like watersheds, while the project negotiations proceeded. Throughout CORE, it aggravated the environmental interest sectors that both the government and the industrial interests were proceeding with the logging agenda, while at the same time negotiating about the fate of the forests. Many

The table agreed that it “may jointly identify and engage the services of persons with the necessary expertise and experience to respond to information needs, subject to budgetary constraints” (Item 53, p.6). Two outside consulting firms, each working separately with the “environmental interest” coalition and the “industrial interest” coalition (see Chapter 6), developed GIS-based landscape analysis maps to highlight areas of specific interests. The table had agreed to examine all the information and to use it in the final decision. However, their final products were completed after the table disbanded, so the table was unable time to negotiate agreement about them on time.

4) Evaluation & Discussion

The creation of a “common information base” and the enlistment of the TWG to coordinate this information demonstrated the project’s emphasis on promoting a degree of competence. Several technical presentations were made by the TWG and outside experts to explain the relevance of the information to the participants. Enabling the table to bring in their own hired “expert advice” is also indicative of the project’s high degree of competence (Criteria E1) (Table 7.5b). The “interest statements” and fields trips promoted the exploration of anecdotal and intuitive knowledge, deemed in Weblor’s (1995) framework to promote the ideal in competence (Criteria E2). Since consensus was achieved to bring in expert advice, Criteria indicators E1-2 and E1-3 are not applicable. Criteria E3 (factual information considered with content) is difficult to evaluate with the evidence available. The project did not provide an independent body that could assess all the information brought into and discussed by the table. But it is assumed that, given professional expertise of the presenters, false information was not consciously propagated. The project is given a moderate (M) rating on Criteria E3, since the factual verifications could have been made more explicit.

Table 7.5b Ratings for Criteria E (Theoretical Discourse)

Criteria Indicators*	Rating**	Summary Comments
E1-1	H	Table agreed to let TWG administer the information base
E1-2	N/A	Consensus was achieved on bringing in experts
E1-3	N/A	Consensus was achieved on bringing in experts
E1-4	H	Information explored by stakeholder groups
E2-1	H	Interests statements acknowledged anecdotal knowledge
E2-2	H	Site visits and guest presentations were encouraged
E3-1	M	If a participant questioned it
E4-1	L	What constitutes independent verification?
E4-2	L	Squashed by debates about scientific data and knowledge
E4-3	L	CORE ended before data collection effort was completed
E5-1	L	No means provided
E5-2	L	No means provided
E6-1	L	Not an expert panel, but two opposing expert consulting firms
E6-2	L	Both firms were consulted with Table consensus
E6-3	L	CORE let participants provide info, or get it, remained neutral
E7-1	L	Beyond table... Outcome plan must conform to the Forest Practices Code

*Refers to those in Table 7.5a. **Refer to section 7.3 (Procedures).

The project is difficult to rate on the remaining theoretical discourse criteria (E4, E5, E6, and E7) from the available evidence, and should be considered tentative. A strict application of the criteria reveals that the project did not include any mechanisms to:

- check if factual claims were consistent with the prevailing opinion in the expert community, or consistent with the anecdotal knowledge of other people not involved in the discourse (E4);
- separate cognitive claims from normative claims (E5);
- provide participants with the option to delegate determinations of factual truth to an outside expert panel (E6); or,
- to make sure that cognitive claims were examine by legal experts (E7).

Therefore, the project receives a low (L) rating on all those criteria (Table 7.5b). However, it can be surmised that failure to meet these criteria, strictly, does not mean these activities were not performed in some form or another. The trouble is finding specific evidence for the “ideal” criteria in a “real-world” process. The theoretical discourse was probably the most contentious of all four types of discourse. Although the

process rules ensured that each participant had equal access to relevant knowledge about the objective world, in practice, this was not the case. Table participants needed access to relevant information, usually technically-oriented types of data found in mapped data, such as forest cover maps, forest development plans, and hydrological maps, to deliberate about substantial issues related to land use planning. The Slocan Forest Products (SFP) sector had some of this information necessary to perform its operations, and the Wilderness and Watershed sectors had some information (having been involved in land use issues for over 20 years), while other sectors had no such additional information. Thus, even though the table created a common information base, some sectors depended solely on that base, while others, particularly the SFP sector did not depend on it at all. This unequal access to information is not really addressed by criteria E which measures competence, not fairness. Despite the project's creation of a common information base, and the help of the TWG, the reality is that negotiations were probably based from information obtained in individual's larger "information base", not just the table's common base. People negotiate with information obtained from more than a common information base that is available to others. This inequality in data access, therefore, can provide an unequal level of competence. The table, as a whole, might have had a certain degree of competence to make relevant decisions, but it was clear from the minutes of the meetings that some sectors had more competence than others. The framework's E4, E5, E6, and E7 criteria are meant to ensure the table is making the most competent decisions possible. While these ideals are to be commended, they are somewhat impractical to apply.

Ideally a process should allow for expert advice to be brought into the group, and the decision to do so should be consensual. The Slocan Valley table allowed expert advice to be brought in, and the decision to do so was consensual. On the surface, the process appears to have performed highly. However, two sources of expert advice were brought in came at the request of two opposing sectors. The table agreed to examine all the information and to use it in the final decision. But there was no pre-approved mechanism to ensure how the competing versions would be integrated. Perhaps the

hiring of experts was with the intention of promoting the interests of the sector who did the hiring. It thus degenerated into a “my scientist versus your scientist” war, rather than a genuine cooperative effort to address the interests of the Table. The fact that the time ran out before they reached that stage means it is not possible to know with certainty if the table would have resolved that problem had they been allowed more time to negotiate an agreement. Because each sector had vastly different financial means to hire such experts, the table was powerless to stop this problem.

Ideally, according to Webler’s framework, when confronted with a situation like this, the process should promote independent verification of these data from both sources to check if factual claims were consistent with the prevailing opinion in the expert community (criteria E4 and E6). But in the Slocan Valley project, what constitutes independent verification of scientific data? The criteria itself assumes the possibility of objectivity, through a consensually-agreed-upon independent verification mechanism. And it assumes disputes over factual claims can be resolved in this way. If the Table can agree on a mechanism, does that make it independent? In reality, the possibility of reaching agreement over a mechanism of independent verification may be just as difficult to reach as an agreement over the factual claims themselves. Ideally, a neutral party who has no interest in the process outcome should perform the “independent verification” of data. But who fits that criteria in a situation like what happened in the Slocan Valley? Do the registered professional foresters (RPF) of the province who work for the Ministry of Forest or the timber companies constitute the neutral party? (The forest industry sector would probably agree). Or are academics or consultants with expertise in the forestry-related issues, but do not have any affiliation with the government or industry? (The environmental sectors would probably agree). There is no easy answer. That is why Webler’s framework suggests that cognitive claims (what is truth) be separated from normative ones (what should be truth) (E5). But again, this ideal is difficult to achieve and more difficult to evaluate.

Finally making sure that cognitive claims are examined by legal experts (E7) was beyond the scope of the Slocan Valley project and therefore difficult to evaluate. Since

final authority for the decision remained with the provincial Cabinet, it was understood that the implications of any recommendations would be verified for their conformity with applicable laws. As it happens, the law that would have a major impact on implementation of many recommendations (see Chapter 8), the Forest Practices Code, was being written at the same time as the CORE tables were in negotiations. The Code was not enacted until 1995, after the table's recommendations were forwarded to government. Again, Webler's ideal criteria are difficult to apply in the real-world context studied in this research.

7.4.2.3 Practical Discourse / Criteria F (Boxes 17 and 18 in Figure 7.2)

1) Activity

Practical discourse involves disputes over claims about the appropriateness of social relations (norms) (Webler, 1995). Practical discourse requires broad-based participation of all affected people. Deciding who is affected is always a difficult part of public participation, as is the issues of their representation in the discourse (see Chapter 2, section 2.5.2). Jackson (1997) had determined to "early stakeholder identification" to be one of the critical factors of success for public participation. While the fairness criterion addresses the question of access to the discourse, the competence criterion, here, addresses the methodology employed to identify who gets that access. Webler (1995) suggests that the safest approach to take is to employ both objective methods (which uncover possible causal pathways and inform unsuspecting people of their potential affectedness), and subjective methods (which allows people to decide for themselves whether or not they are affected). When every single person cannot be accommodated, a surrogate way to restrict access that does not disadvantage any particular interest must be developed. Some interests, or some people, will be disadvantaged by a selection routine, that is unavoidable in any practical setting. However, the participation process must ensure that no one person or interest group is strategically or systematically disallowed to participate. Even after the selection of participants is determined, the process must

ensure that some people are not strategically or systematically disadvantaged by the “practical” issues of location of the meetings, timing, costs involved, etc.

Beyond the issues of people’s physical access to the discourse, the process must include the ability to hear and question individuals and groups in the population regarding their normative claims (“We should not trade the loss of an endangered species for jobs”), as well as receive information about the factual implications of their normative choices. Regarding the former, the discourse participants may decide to organize, or agree to participate in, some mechanism for public participation (hearings, surveys, open houses, mediated negotiations, etc)²¹. Regarding the latter, they may ask experts panels to prepare scenario analysis of what might happen were a certain decision made. Normative choices must not only be preferable, but also possible and this requires information about the objectified worlds (see Criteria E - Theoretical Discourse).

Because there is a likelihood of disagreement about normative claims, rules for redeeming the validity of the claims is necessary. This is one of the most sensitive parts of any participation program indeed one of the reasons for this is that there is no explicit consensus on how to make normative choices (Webler, 1995). But there are common sense rules that encourage an open discussion about shared preferences.

Webler (1995) suggests a basic requirement of normative choice is that conform to already established norms of the society. Established norms may be common sense (“We should not spend any more time than is necessary on this), or they may be formalized in law. Laws appear as objective conditions within which norms must operate²². Unlike cognitive aspects of the law, which are straightforward (“Is this chemical on the list of banned substances?”), normative aspects of law often call for interpretation (“Is this equipment considered environmentally-safe?”). One way to test is to have legal experts review the proposed normative choices.

²¹ Webler (1995) assumes that discourse participation extends beyond mere participation in a formal mechanism. While this assumption may hold true, the evaluation of the discourse is restricted to the formal mechanism.

²² Webler’s (1995) assumption that law is an objective condition may be contested by discourse participants who claim their norms to be higher than the law. For example, to some people the decision to clone animals may be legal, but not “right” or just. This is why normative claim conflicts are so problematic.

2) Criteria

The evaluation framework provides eight discursive standard criteria and twenty five indicators used to evaluate the competence of the practical discourse and associated rules for redeeming normative validity claims (Table 7.6a).

3) What happened in the Slocan Valley CORE Project?

Much of the evidence for evaluating the practical discourse has already been presented and discussed in the evaluation of other activities, in Chapter 6, and in Appendix V. Although ratings are included for all the criteria indicators (Table 7.6b), only new evidence is discussed below.

4) Evaluation & Discussion

With respect to removing implicit barriers that might bias the distribution of interests that participate (Criteria F1), CORE advertised the meetings to the community, and the table formulated its own rules regarding the taking of minutes, the role of the media and the general public (see “Minutes, Public and Media” in Appendix V). Meetings were held in all parts of the valley and the location was agreed upon by the table. CORE tried to remove the economic barriers to participation by allowing sector representatives to claim their travel expenses. However, this participant funding was considered inadequate, as it revealed in the minutes of the September 1, 1993 meeting:

David Greer [CORE staff] described the process by which participants could apply to CORE for reimbursement of expenses. He noted that the Commission had suggested a \$5 limit on gas expenses for travelling to meetings. Some participants expressed the viewpoint that this figure was far below the actual gas expense incurred by participants coming from as far away as Nelson [100 km away], or even for travel within the valley itself [about 100 km long].

Table 7.6a Criteria F (Practical Discourse)

Criteria	Indicators*
F1: The process should not contain any implicit barriers that will bias the distribution of interests that participate.	F1-1: ...provide adequate notice of all activities? F1-2: ...purpose made clear beforehand? F1-3: ...phys, soc, econ, and symb.barriers removed? F1-4: ...make a connection between purpose, process, and outcome? F1-5: ...include an effort to achieve representation of formal interest group organizations in the discourse? F1-6: ...include an effort to achieve representation of ad hoc interest group organizations in the discourse? F1-7: ...include an effort to randomly select participants for the discourse?
F2: The process should determine the affected population using objective criteria but also allow the people in the general region to make subjective determinations.	F2-1: ...employ an objective method to determine who makes up the potentially affected population? F2-2: ...permit citizens to make their own personal determination of whether or not they are a member of the affected population? F2-3: ...attempt to inform the greater population about the potential impacts so that they can make informed judgments of whether or not they feel affected?
F3: The process should promote both the discovery and the development of mutual understandings of values among all the participants.	F3-1: ...promote the elicitation of values from the community, its government, and the stakeholder groups? F3-2: ...inform everyone of each others values and interests? F3-3: ...promote introspective reflection among individuals or groups into currently existing values and interests of the community through techniques such as small group discussions? F3-4: ...provide a mechanism by which the impacts of the proposed decision options on the generalized will can be characterized relative to the definitions of the generalized will?
F4: The process should make certain that the factual implications of normative choices are considered in practical discourse.	F4-1: ...provide a mechanism to evaluate the cognitive implications of proposed normative choices? F4-2: ... make sure that all participants know the anticipated physical and social consequences of their normative preferences before making a decision?
F5: The process should promote, through rational and formal discourse procedures that build compromises, the discovery and the development of a mutual understanding of values in order to formulate a generalized will.	F5-1: ...provide flexibility in terms of the time available? F5-2: ...provide information or training to the participants on how to build compromise and resolve disagreements? F5-3: ...promote the use of small group discussions? F5-4: ...discourage people for prejudging the moral beliefs of others?
F6: The process should make certain that normative choices are not inconsistent with themselves or with the general will.	F6-1: ...provide a systematic structuring of values? F6-2: ...encourage the participants to pay attention to the consistency and contradictions among norms and to use these standards in judging others' claims?
F7: The process should make certain that normative choices are not incompatible with laws.	F7-1: ...provide a means to check that the decision choice is consistent with the intent of legal provisions?
F8: The process should make certain that normative choices are compatible with present expectations.	F8-1: ...provide a means to check that the decision choice does not violate a higher norm in pursuit of a lower one? F8-2: ...promote reciprocal validation of values and their interpretations between those who promote them and those who have to live with the consequences?

*Indicators were summarized to avoid repetition. See Appendix VI for the complete wording..

While the restriction on funding may not have reduced participation, it did place a financial burden on participants, especially those with less financial means (Criteria indicator F1-3). More importantly, however, funding limitations played a part in determining the duration of the table and the acquisition of data and information needed for negotiations. The budget for the Slocan Valley CORE pilot project was \$100,000. CORE told the Table that it could continue to meet as long as funding lasted, or until December 31, 1993. In the minutes of the July 25, 1993 meeting, the CORE staff person states:

If we assume modest expenses, one meeting per month, and that technical information needed is restricted somewhat and done by Ministry of Forests as opposed to contracting out, and that mapping domestic watershed is not in great detail, then the pilot project could have money until March 31, 1994.

The explicit trade-off between the duration of the project and data acquisition, as a consequence of limited funding, is made in this statement. The comment about the level of detailed mapping in domestic watersheds is somewhat suspect, given the controversial nature of these areas and their significance in the resolution of the conflict. All other evidence suggests, however, that the CORE staff did not purposefully intend to limit mapping of these areas, only that funding needs could be compromised. While it is understandable that funding must be limited, an ideal process would have allocated an amount for data acquisition beforehand, and not made the duration of the project contingent upon it. Therefore, the project score low (L) on criteria indicator F1-3, while the other F1 indicators received a high (H) score (Table 7.6b).

The project performed very well with respect to promoting the discovery and development of mutual understanding of values among all participants (F2 and F3). Although the term “values” is not found in the list of objectives, from the Terms of Reference, the words “interests”, “needs, and “goals” are. The “shared decision-making” framework explicitly promotes the discovery and development of such mutual understandings. The “Interest Statement”, required by all sectors, fulfilled this criteria. The table’s collective goal was to produce a final land use plan that would incorporate

every sector's interests to the best of its ability. Criteria indicator F3-4 was non-applicable because of lack of evidence. It is suspected that the entire project was aimed at meeting this indicator, but the lack of a consensus decision means it cannot be applied.

Finally, on the question of whether the process made certain that the factual implications of normative choices were considered consistent with themselves or the general will, and compatible with laws and present expectations (Criteria F5, F6, F7, and F8), it is important to note that the Slocan Valley table participants never actually had enough time to make a decision on a final plan. However, some indicators can be applied to the consensus agreements which produced the "Ground Rules" and "Terms of Reference". Their factual implications were considered insofar as each participant was held accountable to these ground rules and terms of reference.

Table 7.6b Ratings for Criteria F (Practical Discourse)

Criteria Indicators*	Rating**	Summary Comments
F1-1	H	Meetings were well advertised, information table accessible to public
F1-2	H	Goal was to make a plan, purpose, objectives and strategies
F1-3	L	Participant funding was insufficient Overall funding insufficient
F1-4	H	In the terms of reference
F1-5	H	Sector representation model
F1-6	H	All interests were represented by sector representation model
F1-7	N/A	Sector representation model doesn't randomly select
F2-1	H	Third-party mediator during Assessment phase
F2-2	H	Participants from the greater public could be part of any Table sector
F2-3	H	The table was advertised, anyone was invited
F3-1	H	Encouraged to develop "interest statement" encompassing values
F3-2	H	In each sector's interest statements
F3-3	H	Each sector discussed their and each others interest statements
F3-4	N/A	What is the generalized will? No consensus decision made.
F4-1	H	Process rules stipulated it
F4-2	H	Process rules stipulated it
F5-1	M	CORE extended it, but it still wasn't enough to reach agreement
F5-2	H	CORE arranged a professional mediator to train participants in neg.
F5-3	H	Working groups (sub-committees)
F5-4	H	Code of ethics in Ground rules
F6-1	N/A	How do you systematically structure values? Interests were
F6-2	N/A	Despite the Land Use Charter, little agreement
F7-1	N/A	Beyond the scope of table: Forest Practices Code was not written yet
F8-1	N/A	No final decision made
F8-2	N/A	No final decision made

*Refers to those in Table 7.6a. **Refer to section 7.3 (Procedures).

N/A (non applicable): Indicator could not be applied for reasons present in discussion.

Although the practical limitations of not reaching a final agreement complicated the evaluation of the practical discourse of Slocan Valley project, the evidence suggests that there were few problems, other than perhaps securing adequate funding for table to complete its tasks. CORE's ability to extend the duration of the project from the original twelve months to eighteen months demonstrated a commitment to seeing the table succeed. But still more time was needed, and CORE could no longer support it. Again, Sewell and Phillips' (1979) heuristic (Figure 2.5, Chapter 2) model explaining the trade-offs between cost, fairness, and involvement apply. In the Slocan Valley case, the trade-offs were also between the time and financial costs of obtaining necessary information

and the knowledge dependent on this information that was needed to complete the project.

7.4.2.4 Therapeutic Discourse / Criteria G (Boxes 19 and 20 in Figure 7.2)

1) Activity

Therapeutic discourse does *not* refer to empty pacification of legitimate citizen concerns, in the way Arnstein (1969) used the term *therapy* for the second rung of her “Ladder of Citizen Participation” (Figure 2.3, Chapter 2). It refers to the subjectivity of the speaker. When a speaker makes a claim, two aspects affect its validity in the therapeutic discourse: authenticity (is this truly what the speaker feels, thinks, has experienced, etc?), and sincerity. Weblar (1995, 70) provides the following illustration:

Suppose in a discussion about permitting logging in a new region, a man asserts that he is afraid the state will soon loosen restriction on logging near streams, thereby increasing the potential to harm fish. He is not making a cognitive or normative statement, but expressing a fear or apprehension. The listeners are now charged the responsibility of redeeming or not redeeming his claim. They must ask themselves if he is speaking authentically and sincerely. Of course another person might choose to challenge the cognitive claims implicit in this concern, that logging near streams can increase silt runoff into streams, or that increased siltation will hurt fish. This shift in the discussion to theoretical discourse is an example of how translation of expressive claims might occur, but that is not the point of therapeutic discourse either.

Therapeutic discourse is likened to a conversation between a psychotherapist and a patient in which the patient is encouraged to explore the authenticity of his or her subjectivity. By asking for clarifications and suggesting specific investigations, the participation process should encourage authentic understandings of each speaker’s own subjectivity.

There is no way for participants to directly verify the speaker’s subjective experience or to guess at his or her motivations, but there are ways to promote authentic expression and to expose aspects of truthfulness. Promoting small group discussions and allowing time for personal reflection gives people the opportunity and incentive to

inquire into their true subjectivities. Second, a person's reputation and association may help listeners to critically judge what a speaker reveals about him- or herself. This requires information about past promises and behaviour. Honesty and integrity of the speaker provide a basis for making a judgement about the likelihood that the speaker is truthful. In addition, motivations for lying such as conflict of interest must be examined.

Participants gain insights into the sincerity of others' subjective experiences, Webler (1995) contends, through empathizing, by helping that person to explain the cognitive or normative basis behind the expression, or by examining his or her reputation. Obviously, to empathize, people need an open mind and sensitivity to others. A participation process cannot force people to be sensitive or promote empathy, but it can encourage it by adopting at the onset a list of commitments that state the shared interests in empathizing with another.

2) Criteria

The multi-criteria evaluation framework provides five discursive standard criteria and eleven indicators used to evaluate the competence of the therapeutic discourse and associated rules for redeeming truthfulness validity claims (Table 7.7a).

Table 7.7a Criteria G (Therapeutic Discourse)

Criteria	Indicators*
G1: The process should promote discussion about the authenticity of the speaker's expressive claims.	G1-1: ...promote personal reflection? G1-2: ...provide participants with the opportunity to informally discuss their feelings with their friends and colleagues? G1-3: ...encourage the participants to try and empathize with the speaker?
G2: The process should promote an examination into the speaker's sincerity.	G2-1: ...promote a discussion about the commitment of the participants to cooperation? G2-2: ...promote a discussion about the promises, past behaviour, and future performance of the participants?
G3: The process should promote an examination into the qualities of the situation.	G3-1: ...promote a discussion about the organizational limitations that may impact on the project? G3-2: ...promote a discussion about the capability of the actors? G3-3: ...promote a discussion about or provide information about the availability and uncertainty of factual information when discussing expressive claims?
G4: The process should provide individuals time enough to accurately state and defend their expressive claims.	G4-1: ... provide speakers with the time they need to discuss expressive claims?
G5: The process should use a translation scheme that is acceptable to everyone.	G5-1: ...promote the use and development of a method to translate expressive claims into cognitive or normative bases? G5-2: Is translation verified by the person expressing the claim?

*Indicators were summarized to avoid repetition. See Appendix VI for the complete wording.

3) What happened in the Slocan Valley CORE Project?

The minutes of the meetings do not provide any explicit references to particular discussions about the authenticity of expressive claims, or references to speaker's sincerity. However, a number of documents to which the table agreed does. CORE's "shared decision-making" framework promoted "authentic" and "sincere" negotiations toward a consensus decisions. It meant that participants were "empowered jointly to seek an outcome that accommodates rather than compromises the interests of all concerned" (BC CORE, 1995). CORE provided participants with training on principles negotiations, as opposing to positional bargaining, which promoted the search for common interests and mutual understandings. CORE's Land Use Charter (Appendix IV), which outlined the principles to guide the tables, states that the process "shall encourage respect for the

diverse values, traditions, and aspirations of British Columbians and their communities”. It also contained a section entitled “shared responsibility” which stressed that “achieving a sustainable society is everyone’s responsibility – from individuals, businesses, and non-governmental organizations, to all levels of government.... Our success depends upon the independent and cooperative initiatives of all British Columbians”. The sector representation model ensured that representatives were not to be speaking on behalf of his/her sector without some degree of authenticity and accountability.

The Slocan Valley project table added a number of items relating to therapeutic discourse in the Ground Rules:

- Participants agree to act in good faith in all aspects of the process (Item 24);
- Participants accept the concerns and goals of other as legitimate and will listen carefully, ask questions and educate themselves regarding the interests of others whether they agree with them or not (Item 25);
- The focus of the negotiations is on interests and concerns rather than positions and demands (Item 26);
- Participants commit to ... search for solutions in a problem,-solving manner (Item 27);
- Participants agree to make a good faith attempt to share information in matters related to the process (Item 28);
- Participants are obliged to explain their interests and avoid “stonewalling” (Item 31); and,
- Spokespersons will raise with the table any matter they perceive to be in violation of these ground rules or of good faith negotiations (Item 33).

The table also produced a “Code of Ethics”, that contained twelve items that helped promote respect, empathizing, and cooperation. There was a four-minute time limit on speaking, unless otherwise agreed to by the table.

4) Evaluation & Discussion

It is difficult to evaluate speaker's subjective experiences or to guess at his or her motivations, yet the framework suggests that participants should be able to promote authentic expression and to expose aspects of truthfulness. Even with every speaker's verbatim comments (transcripts), as evidence the task would be challenging. Nonetheless, there is ample evidence to suggest that the project promoted sincerity and authenticity. It appears that one of the major strengths of the Slocan Valley project was its emphasis on cooperation, mutual respect and principled negotiations. The framework was well established in advanced by CORE, and the table appeared truly committed to its principles. The wording of the Ground Rules, as well as their application and monitoring demonstrate the strengths of the therapeutic discourse that took place. The project is therefore rated high (H) on all applicable criteria (Table 7.7b).

Table 7.7b Ratings for Criteria G (Therapeutic Discourse)

Criteria Indicators*	Rating**	Summary Comments
G1-1	H	Encouraged to communicate Table proceedings with their constituents
G1-2	N/A	Not applicable. No data.
G1-3	H	Code of Ethics encompassed it, ground rules
G2-1	H	In statement of interests, ground rules
G2-2	H	Not applicable. No data.
G3-1	H	The organizational limitations discussed
G3-2	H	Sector representation model and interest statement
G3-3	H	Interest statement, ground rules
G4-1	N/A	Speaker time restricted to 4 mins
G5-1	H	Ground rules were enforced, speakers encouraged to clarify
G5-2	H	Ground rules were enforced, speakers encouraged to clarify

*Refers to those in Table 7.7a. **Refer to section 7.3 (Procedures).

Two indicators were not rated for lack of specific evidence. Criteria indicator G1-2 suggests that the participation process "provide participants with the opportunity to informally discuss their feelings with friends and colleagues". Other than the requirement of explaining their interests in the project (which probably involves a degree of subjectivity), there is no evidence relating directly to whether the project specifically provided participants with the opportunity to discuss their feelings. There were certainly

no restrictions on them doing so. One would suspect that people would do so anyway, regardless of any promotion, if they felt so inclined.

Criteria indicator G4-1 suggests the model should provide speakers with the time they need to discuss expressive claims. The Ground Rules stipulated that each speaker must restrict his/her comments to four minutes. The evidence (minutes of the meetings) does not contain anything to the effect that this length was not appropriate, thereby suggesting that there was indeed enough time for each speaker to discuss expressive claims. However, given the overall time restriction that the project was under throughout its duration, this evidence (of no complaints on time restrictions) is not strong enough to permit an evaluation.

Even when all indicators suggest the project performed well, it is still possible to be suspicious about a participant's sincerity or truthfulness. Sometimes the evidence only comes much later to suggest that a participant was not acting in good faith, or was not sincere about the things to which he/she agreed. Lawyers have cross-questioning routines that help to verify truthfulness sincerity in the court of law, but these are hardly suitable to be included in a public participation process. Checking the truthfulness of someone claim remains a challenging task in many areas, not the least of which is the participation process. As a result, promoting every possible way to encourage therapeutic discourse is important, despite being undervalued. Promoting the expression of feelings can aid in creating a close dynamic within the group that, aided by ground rules and codes of conduct, as well as an emphasis on principled negotiations rather than positional bargaining, can lead to empathizing, and the promoting of mutual understandings. Because it is difficult to evaluate does not mean it is not vital to public participation.

7.4.2.5 All Categories of Discourse / Criteria H (Boxes 14, 16, 18, and 20 in Figure 7.2)

1) Activity

Criteria H are used for evaluating whether the process provided the best procedures (explained in section 7.2) for all four categories of discourse (explicative,

theoretical, practical, and therapeutic), each of which has already been explained in previous sections. It acts as a summary for the competence criterion.

2) *Criteria*

The evaluation framework provides two discursive standard criteria and four indicators used to evaluate the competence of all four categories of discourse, regarding best procedures for building knowledge and reaching agreement (Table 7.8a).

Table 7.8a Criteria H (All Categories – Best procedures)

Criteria	Indicators*
H1: The process should reduce the misunderstanding before reaching for agreement.	H1-1:.. encourage participants to reach compromise on redeeming validity claims only after they have been clarified? H1-2: ..attempt to clearly state the existing consensus of the group? H1-3: ...feedback the final statement for verification?
H2: The decision as to which validity claims are redeemed by the group should be made using a technique that was consensually pre-approved.	H2-1:.. use a technique to resolve disagreement about validity claims that was pre-approved?

*Indicators were summarized to avoid repetition. See Appendix VI for the complete wording.

3) *What happened in the Slocan Valley CORE Project?*

Since Criteria H apply to all four competence discourses, the evidence to perform the evaluation has already been presented in previous sections.

4) *Evaluation & Discussion*

CORE's Framework for the Process, and the project's Process Design phase both promoted the reduction of misunderstanding before reaching agreement. The participants spent the majority of their 34 full-day meetings discussing ways to reduce misunderstandings, by setting out very detailed procedural rules, stating the consensus of the group (H1-2), and feeding back the final statement for verification (H1-3). The project scored high (H) on both (Table 7.8b).

Table 7.8b Ratings for Criteria H (All Categories – Best procedures)

Criteria Indicators*	Rating**	Summary Comments
H1-1	M	In Terms of reference
H1-2	H	It is the basis for Shared decision-making framework
H1-3	H	All agreements were fed back for verification
H2-1	M	For Phase 3: high. For Phase 4:low

*Refers to those in Table 7.8a. **Refer to section 7.3 (Procedures).

The project received a moderate (M) ratings on H1-1 and H2 because of participants inability to reach compromise on the substantive (that is, non-procedural) negotiations, despite the success – albeit too late – with the process design phase, or because some claims (cognitive and normative claims) would have benefited from some method to pre-approved what standards would be used to verify the claims (discussed earlier as Criteria E and F respectively).

7.5 Overall Assessment and Conclusion

Eighty-six indicators were provided in Webler's (1995) multi-criteria evaluation framework (Figure 7.2) for evaluating the Slocan Valley project. The project scored high (H) on fifty-six of the indicators, moderate (M) on six, and low (L) on thirteen. Another eleven indicators could not be applied (N/A). When aggregate ratings²³ are provided for each of the discursive standard criteria, divided into their respective *Fairness* and *Competence* meta-criterion categories, the areas of strengths and weaknesses appear (Figure 7.3).

On twenty of the available twenty-five indicators used to evaluate *Fairness*, the project was rated high (H), on three it rated moderate (M), and on two it rated low (L). The project ensured that anyone could participate, and have equal opportunity to putting concerns on the agenda and rules, as well as initiate debate (A1), debate (A2) and decide (A3) on them – in fact, they spent most of the time creating the process rules. The independent mediator, approved by the table, ensured that rules were enforced (B1, B2, B3). The discussion was open (C1) and everyone had an equal chance to put forth and

criticize (C2) anyone else's claims about everything under discussion. The only area that appeared to need improvement was on the need for a pre-approved method to resolve disputes surrounding which claims would be considered valid (C3).

On thirty-seven of the available fifty-one indicators used to evaluate *Competence*, the project was rated high (H), on three it rated moderate (M), on eleven it rated low (L), and a further eleven could not be applied (N/A). The project ensured that rules for redeeming comprehensibility claims were discussed and that everyone had a good understanding of each other's terms, definitions (D1, D2). Everyone spoke English, and had a common set of references (the Land Use Charter, the Ground rules, etc) to use to resolve any disputes about comprehensibility (D3, H1, H2).

The project did not perform as well on the indicators used for evaluating the theoretical discourse (Criteria E). This was the weakest part of the project, and the only component receiving an aggregate low (L) score. While the project ensured that everyone had equal access to the available and relevant systematic (E1) and anecdotal (E2) knowledge about the objective world, evidenced by the creation of a "common information base" that the table would use, it was obvious that some sectors had more access to outside information than others. This was not the project's weakness, since many provisions were made to address the information needs, as well as create a fair access to the information. The uncertainty of factual information was considered along with the content (E3). But the project score low (L) on the remaining theoretical discourse criteria, demonstrating a weakness in its ability to include a mechanisms to check if factual claims are consistent with prevailing opinion (the problem of "independent verification" in this case study) (E4 and E6), its ability to promote the separation of cognitive claims from normative ones (E5 and E7).

The Slocan Valley project performed highly (H) on the indicators used for evaluating the practical discourse (Criteria F). CORE attempted to remove all implicit barriers that could bias the distribution of interests that participated (F1), by provide notice of all activities, making the purpose clear beforehand, and trying to remove any

²³ Aggregate ratings for each of the 34 discursive standard criteria (A1 to H2) were produced by counting

physical, and economic barriers, although there were some complaints about funding to participants, and overall funding support for the project. The project employed a third-party mediator to perform the assessment phase, and allowed community residents themselves to determine who should participate. This demonstrated a degree of objectivity deemed necessary in the framework (F2). The project's shared decision-making framework promoted the clarification of interests and mutual understanding of values among the participants (F3). CORE provided training in principled negotiations that attempted to promote through rational and formal discourse, procedures that build compromises, and the discovery and development of mutual understanding of values (F4, F5). This was probably the strongest element of the process and resulted in the group's ability to overcome long-standing disputes enough to reach consensus agreement about process design (Phase 3) issues. Unfortunately, the project did not have time to come to agreement on substantive issues (Phase 4), and as a result the remaining criteria are difficult to evaluate (F6, F7, and F8) for reasons explained in the respective sections. Because of this, the notation "N/A" is added to the overall score for this component (Figure 7.3).

Finally, the Slocan Valley project performed highly (H) on the indicators used for evaluating the therapeutic discourse (Criteria G). Although finding evidence needed to evaluate the truthfulness of participants, CORE's shared decision-making framework, and the Ground Rules, developed by the table, certainty promoted the discussion about the authenticity of the participants' expressive claims (G1). The requirement to provide and explain the "interest statements, promoted an examination into participants commitment to participate (G2), and the sector representation model ensured that participants discussed the capabilities of representatives (G3). There was agreement on the duration that each participate could speak and other rules governing the expressions of subjectivity (in the Ground Rules), and these did not appear to hinder the therapeutic discourse (G4 and G5) (Figure 7.3).

Figure 7.3 Overall Assessment

The large letters (H= high, M=moderate, L=low) refer to the aggregate rating for each activity/need junction. The alpha-numeric codes in the top-left corners identify the discursive standard criteria (Appendix VI) used for the evaluation.

FAIRNESS Needs				
Activities	Attend	Initiate	Debate	Decide
Agenda & Rule Making	A1,A2,A3 H	A1 H	A2 H	A3 H
Moderation & Rule Enforcement	B1 H	B1 H	B2 H	B3 H
Discussion	C1 H	C2 H	C2 H	C3 L
COMPETENCE Needs				
Activities	Access to Knowledge		Best Procedures	
Explicative Discourse	D1 H		D2,D3,H1,H2 H	
Theoretical Discourse	E1,E2,E3, E4 H		E5,E6,E7,H1,H2 L	
Practical Discourse	F1,F2,F3,F4 H		F5,F6,F7,F8,H1,H2 H (F5) & N/A (F6-F8)	
Therapeutic Discourse	G1,G2 H		G3,G4,G5, H1, H2 H	

Applying the Fairness and Competence evaluative framework to the Slocan Valley project reveals that it was very *Fair* and quite *Competent*, coming very close to the ideal situation for public participation. The project's fairness stands out above its competence. CORE's shared decision-making framework was ideal in its promotion of fairness, since it was open, so as to be responsible; balanced so as to be fair. It appeared to achieve the fundamental challenge of assembling the many competing interests together and promoting the creation of shared interests. The Slocan Valley table benefited from CORE's emphasis on fairness by reaching consensus agreement on

procedural design issues. This demonstrates a significant advance over the pre-CORE mechanisms for public participation (see Chapter 5). CORE entered into the fray of a long-standing and heated local dispute and came out, after 18 months, with an agreement on how to make the process negotiations fair to all interests involved. This achievement should not be underestimated. With unlimited funding and time, the table may have also reached a final agreement, but it is impossible to speculate with the evidence at hand.

The project was probably as competent as it could be in the limited time it had to work with. In an effort to provide participants with access to a wide variety of knowledge (for all 4 types of discourses), it might have compromised its ability to the best procedures necessary to enable the participants to assimilate the information and make decisions on it. Access to information is both a fairness and a competence issue. To be fair, the process must allow for maximum access to information. But to be competent, the information must be assimilated by the participants, taking up valuable time. This suggests that a trade-off between the fairness and competence is necessary to achieve a decision on time. Or, that reaching the ideal on both criteria means a lot of time is needed, and therefore must compromise the cost/time efficiency aspect (Sewell and Phillips (1979). Either way, a decision has to be made – preferably by the table – about what aspect will be compromised.

This is the problem the project faced with respect to the cognitive claims, or factual information (Criteria E). Had the table agreed before-hand which outside experts would be relied upon for making their decisions (E6), that might have helped their progress toward completion. They only agreed to rely on all experts' advice that went into the "common information base". In practice, agreeing in advance to a mechanism for resolving disputes about competing cognitive claims (E7) appears to be a difficult ideal to achieve. In the Slocan Valley case, it is unclear whether such a pre-approved mechanism might have been possible, given the fact that some sectors felt the need to hire their own experts to contribute to the "common information base".

Failure to reach a final agreement should not be interpreted as the project's incompetence. The main lesson learned from the project's evaluation is that it takes time

to overcome a long-standing dispute, and even with a good process within which to work, demands suitable time and funding commitments by the sponsoring agency to ensure that participants have not only access to the best available knowledge, but the best procedures to use that knowledge in the final decision.

Using the Fairness and Competence framework as an “external” evaluative yardstick, serves to illuminate the internal workings of the project and its ability to meet the ideal conditions about what, according to the critical theory-based criteria, the participation process should look like. It points to the strengths of the framework employed, and the weakness of the compromises that were made – by participants and the agency - that inevitably led to the project conclusion without a consensus decision.

The process evaluations reveal that the Slocan Valley project did not achieve the agency’s final objective of reaching agreement on a final plan (Chapter 6), but that it was Fair and rather competent (this Chapter). But these process evaluations still do not satisfactorily explain how to make public participation work better. The evaluation needs to be carried further into the realm of outcomes (post-process analysis). What were the outcomes of the project, how did outcomes address the long-standing issues (antecedents) that characterized the pre-CORE situation, and what can we learn about public participation by examining these outcomes? This is addressed in Chapter 8.

7.6 Summary

The purpose of this chapter was to examine what can be learned about public participation by applying an “external” set of criteria to the procedural aspects. Webler’s (1995) multi-criteria *Fairness and Competence* evaluation framework (Figure 7.2) was chosen and explained. The framework provides eighty-six criteria indicators (twenty-five for Fairness, and fifty-one for Competence) that are organized by specific *activities* performed by participants in the process and *needs* of these activities for achieving the criteria. These criteria indicators were systematically applied to the Slocan Valley CORE project. Using evidence from the minutes of the meetings and associated documentation that both CORE and the table produced, the project was evaluated using qualitative

ratings of high (H), moderate (M), and low (L) according to how well it met the specific indicator. An overall assessment created aggregate ratings for each of the activity/need junction in the evaluative framework (Figure 7.3). The evaluation revealed that the project was a very Fair one, and a rather competent one, with the weakness area concerning the need to pre-approve ways in which the participants will address any potential conflicts about factual claims. The fact that the project did not have time to reach a consensus decision about a final land use plan, does not imply that it failed to be fair or competent. While the application of the “external” criteria demonstrated areas of improvement, the problem of determining how to make public participation better remains inadequately addressed by process evaluations (Chapters 6 and 7) alone. The next chapter (Chapter 8) presents the results of the post-process evaluation.

CHAPTER 8

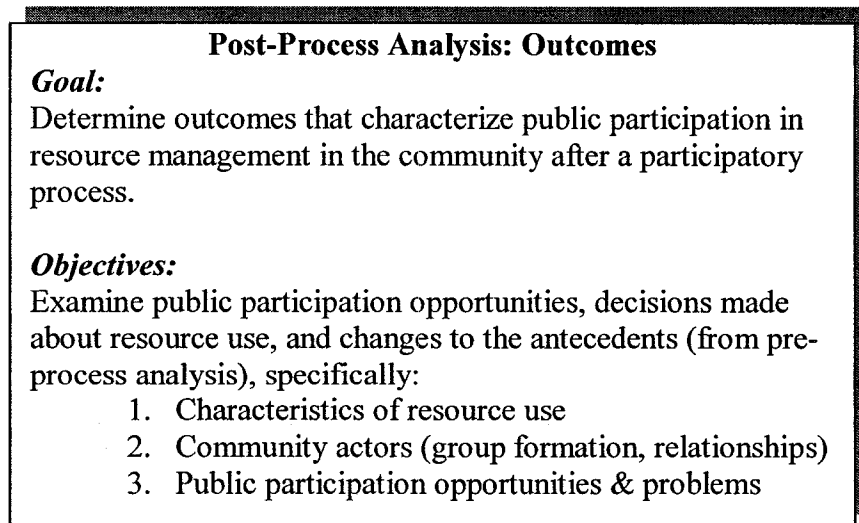
POST-PROCESS ANALYSIS:

Public participation *after* the Slocan Valley CORE project

8.1 Introduction

Although the *Slocan Valley CORE Project* failed to reach consensus on a final land use plan (see Chapter 6), the results from the application of a theory-based multi-criteria evaluation framework to its procedural aspects (Chapter 7), suggests the project was highly fair and moderately competent. While both process analyses indicated areas for improvement, the Slocan Valley CORE project proved to be, on the whole, a good one (or “right” according to Webler’s terminology), and is a tribute to CORE’s ability to facilitate public participation in decision-making intended to address the long-standing conflict in the Slocan Valley. However, the assumption that a “right” process necessarily leads to good outcomes has been shown to be false. The challenge is to discover why this is so and what strategies can be adopted to improve the possibility of success. For this we need to examine the post-process situation in the Slocan Valley. The conceptual framework for evaluating public participation in resource communities (Figure 3.1) calls for examination of the situation in the community after participation in a decision-making process (outcomes) - the Post-Process Analysis (Figure 8.1).

Figure 8.1



8.2 Studying Outcomes of Public Participation

There is no agreed upon definition of what defines “outcomes” of public participation, nor a unified approach for studying them. Smith’s (1983) *Schema for Evaluating Public Participation* (Table 2.1), which inspired the conceptual framework (Figure 3.1) used in this research, simply defined outcomes as “results of the participatory exercise”. Therefore, it can be difficult to determine what constitutes these “results”. Is resolution of conflict a result?, Is implementation of a decision a result?, Is some calculation of the effectiveness of the participation exercise a result?

The literature review (Chapter 2) suggested that process outcomes are the topic of relatively few investigations. Compared to process evaluations, there is a relative dearth of research concerned with process outcomes, and more importantly, on the relationship between procedural criteria and process outcomes. Process evaluations most often do not examine what participation accomplishes, only what it looks like – they ask: “*Did it meet the objectives it set out to meet?*” (Chapter 6), or “*Was it fair? Was it competent?*” (Chapter 7). But without post-process analysis of outcomes, there is an implicit assumption that good processes lead to good outcomes. Indeed, the literature on procedural justice suggests that fair processes are likely to have an equal or greater impact on the level of participant satisfaction than any substantive decisions made (Lawrence *et al.*, 1997; Kim and Mauborgne, 1997). Kelly and Alper’s (1995) study, based on the perception of the participants, concluded that CORE essentially achieved its stated goals of facilitating access to the Vancouver Island process, even though a consensus outcome was not achieved.

If participants are satisfied with the process, some notable outcomes may include: they learn more (educational aspect), they trust the sponsoring agency more, and engage other stakeholders more constructively (Beierle, 1998). If the agency convening the process is satisfied, some notable outcomes might be cost efficiency, or enhanced credibility of government in the eyes of the public (Sexton *et al.*, 1999; Owen, 1998). Jackson (1997) define “success” in multi-party negotiations using indicators derived from views of both the public participants and the process managers.

But there remains no agreement on how to examine the relationship between success factors in the process evaluation and the results or outcomes of the process. The conceptual framework (Chapter 3) developed in this study for evaluating public participation proposed that one way to address this gap is to include in the evaluation, a comparison of conditions that characterize public participation in resource decisions *before* and *after* the process.

The post-process analysis first traces the evolution of decision-making concerning the issue(s) discussed in the process, treating these as outcomes, and compares them to the conditions in the community that preceded the process. This chapter answers two questions, as follows:

Research Question 1:

What happened after the Slocan Valley CORE Project?

Research Question 2:

What can be learned about public participation evaluation by comparing the outcomes (results of Question 1 above) to the antecedents (results from Chapter 5) of the Slocan Valley CORE Project?

8.3 Procedures

All three methods for data collection and analysis, including document analysis, semi-structured interviews, and field observations (described in Chapter 3) were employed to address the post-process analysis research questions.

A practical consideration in addressing these questions (particularly question 1), was where to delimit the temporal scale for the investigation of outcomes. In other words, how long after the CORE project concluded should evidence be gathered to address these questions? In the complex and dynamic evolution of resource decision-making in British Columbia in the 1990s, there is valid justification for many cut-off dates. For practical reasons, this study determined July 1997 to be a useful date, since it marked the beginning of logging operations in the contentious areas of the Slocan Valley. It was the very threat of these operations, in 1991, that had directly contributed

to the establishment of the CORE project (see Chapter 6). The outcomes are therefore studied over the three-year period of July 1994 (when the CORE project ended) to July 1997.

8.4 Findings and Discussion

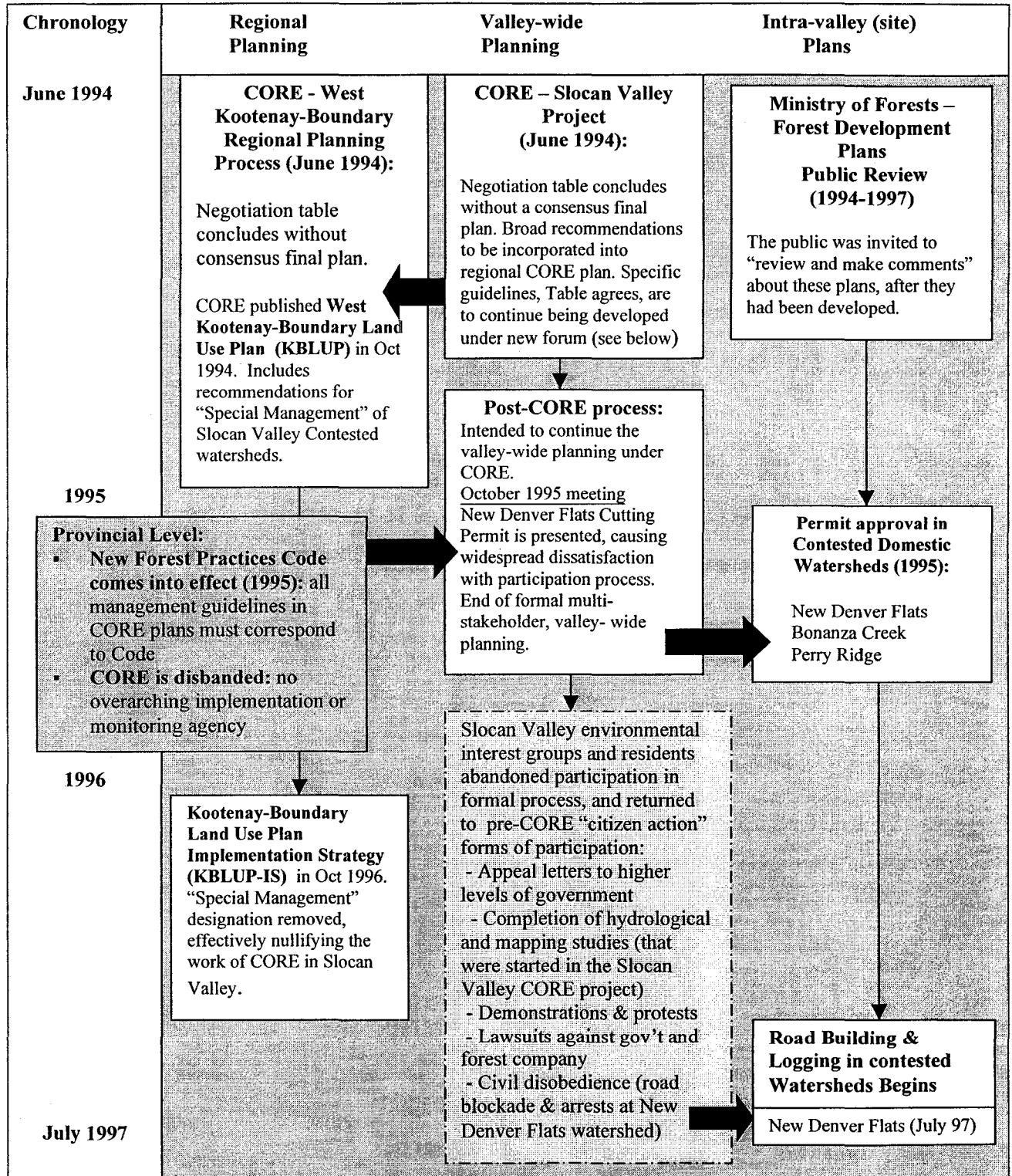
8.4.1 *What happened after the Slocan Valley CORE Project?*

When CORE's involvement in the Slocan Valley negotiation table concluded in June 1994, no final decision about land use planning in the Slocan Valley (valley-wide scale) had been taken. In the rapidly changing world of public policy in the mid-1990s in British Columbia, several inter-related decision processes and events were happening at the same time at the provincial, regional, and intra-valley (site) levels that would eventually determine the fate of the contentious watershed areas of the Slocan Valley. All of them claimed to be "building on the work of the CORE tables" (Government of BC, *Kootenay- Boundary Land Use Plan*, 1995), so they can be defined as outcomes in this study. This section outlines the evolution of the inter-related decision processes at these scales to the final decision that led to forest development activities, in July 1997, in the Slocan Valley's long-disputed watersheds (Figure 8.2).

Recalling that the recommendations of the Slocan Valley project negotiation table were to be integrated into CORE's larger regional level planning process, the West Kootenay-Boundary Land Use Plan (see Appendix III), and that direction about what went into the final regional plan regarding the Slocan Valley was to be taken from the community-level process (see Chapter 6), the fate of the Slocan Valley's future land use decisions lay, in large part, with the regional land use plan²⁴.

²⁴ Recalling also that at the time, the promise given by the provincial government, throughout the CORE process, was that multi-stakeholder agreements reflected in the CORE regional land use plan would be "politically irresistible" to the provincial Cabinet in their determinations of final outcomes (Owen, 1998), the recommendations made about the Slocan Valley in the regional plan are particularly important for the study of local public participation.

Figure 8.2: Post-Process Analysis: Chronology & Scales of Planning



8.4.1.1 Regional Planning Outcomes for Slocan Valley: “Special Management” Designation

Like the Slocan Valley Project, the regional process came to a close in June 1994 without a consensus agreement on a final plan. Although table participants had made several consensus recommendations, they too had run out of time to complete Phase 4 (Building Agreement toward a Final Plan). The task of putting together a final regional plan with their recommendations fell to the Commissioner (CORE, 1995).

In October 1994, the Commissioner unveiled the *West Kootenay-Boundary Land Use Plan (KBLUP)*. In it, ninety-four recommendations were presented concerning three inter-related components of land use designations, strategies for social and economic transition, and implementation and monitoring of the plan (CORE, 1995). The land use designations are the most salient component for the study of the Slocan Valley project outcomes.

A plan map was included that described appropriate land uses for each area of the region, according to a land use designation system worked by the regional negotiation table. Four categories of land use on the plan map were created on the basis of increasing intensity of use (percentages indicate the area of Crown land in the region designated to each type of recommended use):

- *Protected Areas (11.32%)*
Management emphasis on resource conservation with resource extraction excluded and other uses limited.
- *Special Management Areas (18.84%)*
Management emphasis on conservation of special values such as biodiversity, recreation, and consumptive-use watersheds.
- *Integrated Use Areas (50.6%)*
Management emphasis on integrated resource management.
- *Dedicated Use Areas (9.1%)*
Management emphasis on human use of resources to optimize economic and social benefits, while still maintaining basic environmental quality.

(CORE *Kootenay-Boundary Land Use Plan*, 1994, 18).

In the regional plan, the entire Slocan Valley Corridor was designated “Special Management Area (SMA)” (see Map 8.1). For this reason, a closer examination of this land use designation is important to the study of outcomes in the Slocan Valley.

According to the regional plan,

All types of resource development are permitted in Special Management Areas as long as they are compatible with identified special values. Management objectives and guidelines are to be developed for each Special Management Area to reflect its particular special values and features. This means that a generic set of management specifications does not exist for this designation. Special Management Areas should be incorporated into Resource Management Zones under the Forest Practices Code²⁵, and management objectives should be developed to maintain these important special values (CORE Kootenay-Boundary Land Use Plan, 1994, 52)

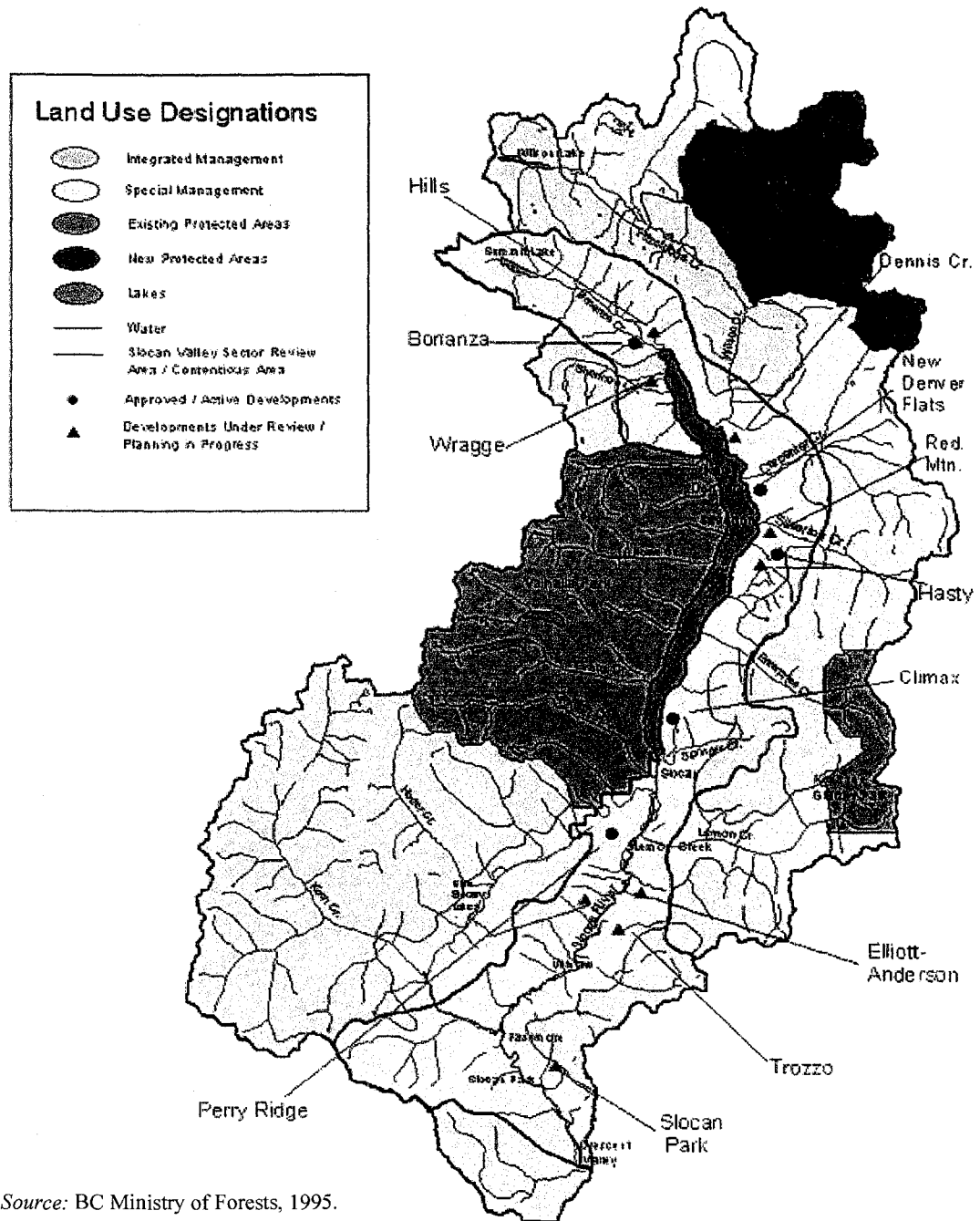
While a generic set of management specifications for SMAs were not yet formulated, it was clear that they were to reflect the “special values” associated with the SMA. For the Slocan Valley SMA, significant steps had been made to define areas with special values. The plan included a “resource emphasis value scale”, agreed by the participants, that stated Slocan Valley’s wildlife and ecology, visual quality, recreation and tourism, culture/heritage, and watersheds had all scored “high”. While specific management guidelines for all of these values had not been developed, the overall management objectives for the Slocan Valley SMA included:

Provide protected area support zone for the Kootenay Lake/West Arm Wilderness area²⁶; maintain wildlife and ecology values, tourism and recreation values; visual landscape management (including private land), water quality in domestic watersheds, and culture/heritage values (CORE West Kootenay-Boundary Land Use Plan, Appendix 7, 22).

²⁵ The reference about integrating SMAs into the Resource Management Zones in the Forest Practices Code, which was being written at the time and did not come into law until 1995, created the anticipation that the provincial-level public policy changes would reflect the regional level plans during their implementation. This is discussed in section 8.5

²⁶ A neighbouring protected area, outside the Slocan Valley boundaries.

Map 8.1
Slocan Valley Contentious Area Development Planning



Source: BC Ministry of Forests, 1995.

Watersheds were particularly considered “special” and the plan stated that the regional CORE table had agreed that watershed areas needed special public input to continue the work of specifying the management guidelines that would apply:

for all consumptive-use watersheds, joint-stakeholder committees will advise on an appropriate level of management based on watershed sensitivity and risk assessment (CORE West Kootenay-Boundary Land Use Plan, 53).

The Commissioner recommended that the government adopt the table’s suggested objectives in creating operational prescriptions for resource management in watersheds, including “refining of these prescriptions should involve the public, the regional table participants and the community resource boards²⁷ once they are established” (CORE West Kootenay-Boundary Land Use Plan, 56).

In March 1995, the government stated that it approved the regional plan recommended by CORE, in its version of the *West Kootenay-Boundary Land Use Plan (KBLUP)*. The land use designations, and percentages of land for each, had changed slightly (Table 8.1).

Table 8.1 Comparison of Land Use Designations in both Versions of Regional Plan

CORE version of Plan (October 1994)	% of land	Gv’t version of Plan (March 1995)	% of land
Dedicated Use Areas	9.14	Enhanced Resource Development Zones	10.6
Integrated Use Areas	50.56	Integrated Resource Management Zones	50.4
Special Management Areas (Including Slocan Valley)	18.84	Special Resource Management Zones	17.6
Protected Areas	11.32	Protected Areas	11.3
Private, Settlement Areas	10.14	Private, Settlement Areas	10.1

²⁷ Investigating options for developing a “Community Resource Board” at the sub-regional level had been the original intention behind the Slocan Valley project (See Chapter 6, section 6.3). Now, after its conclusion, CORE was recommending Community Resource Boards be formally established to finish the work CORE tables had started.

Aside from some minor adjustments to the boundaries of each designated area, which did not affected the Slocan Valley, a comparison of definitions (Table 8.2) revealed that “Special Management Areas” and “Special Resource Management Zones” were the arguably the same thing.

Table 8.2 Comparison in definition of “Special Management” land designation

CORE Regional Plan	Government Regional Plan
<p><u>Special Management Area:</u> <i>“The management intent in these units is to conserve the special values (e.g. biodiversity, recreation, consumptive-use watersheds) identified while allowing compatible human use and development, including extractive industrial activity, at a high-quality management level. Resource development would be subject to specific management regulations, guidelines and mitigation” (p.53).</i></p>	<p><u>Special Resource Management Zone:</u> <i>“Areas where the full range of resource use will proceed, but in a way that respects sensitive natural and cultural values, such as fish and wildlife habitat, conservation values, community watersheds and sensitive recreation sites” (p.2.)</i></p>

The government’s plan stated “future community involvement will provide a local say in the implementation of the land-use plan, and identify impacts of land-use decisions” (p.3). Of relevance to the long-standing conflict in the Slocan Valley were the references to community watersheds and Community Resource Boards. In the “Safeguarding Watersheds” section, it states:

“the plan recognizes the importance of safeguarding water supplies for communities and residents of the regions. Community watershed guidelines from the new Forest Practices Code²⁸ will be applied to protect domestic watersheds. Licensed water users will be considered stakeholders in public planning and management processes involving watersheds” (p. 7).

In addition, the government’s regional plan states:

“Community Resource Boards will be established or confirmed to ensure local input and advice on implementation of this land-use plan... the work of the CORE tables will be an important starting point for the boards” (p.10).

²⁸ Again, like in the CORE plan, a reference is made to the Forest Practices Code, which had not yet been made into law.

In August 1995, the government issued a newsletter, aimed at “informing regional residents about the progress towards implementing the Kootenay-Boundary Land Use Plan” (Government of BC, *KBLUP Implementation Update #1*, 1). In it, the public is informed that the government would “build on the work of CORE tables in finalizing objectives and guidelines”. It announced the establishment of a “seven-to-eight member, cross-sectoral committee, called “the Kootenay Objectives Advisory Committee”, to oversee the objectives setting process and public consultation. The public was invited to “submit comments” to this committee²⁹, and recommendations of the public were to be used for an *Implementation Strategy* expected within a year.

During this time, in 1995, two major events occurred at the provincial level that significantly impacted the on-going decision-making processes about land use and related resource management in the province, including the West Kootenay-Boundary Region (Figure 8.2, left column). First, in June 1995, a new Forest Practices Code governing all aspects of forest management on Crown land came into effect. It had been written around the same time as the CORE negotiations were taking place. The public was given opportunity to review and comment on the draft version of the Code in 1994, but it appears to have received far less attention by the public and media than did the CORE process³⁰. By June 1997, all plans and permits had to be in compliance with the Code.

The second event was the government’s disbanding of CORE, following a provincial election in February 1996 (the governing party remained in power). According to the former Commissioner, who comments of the reactions CORE provoked, this decision left a gap in the implementation strategy:

Throughout its operations, CORE stimulated intense debate and controversy as it addressed its statutory responsibility to lead change and

²⁹ Analysis of the Kootenay Objectives Advisory Committee is beyond the scope of this research.

³⁰ The Forest Practices Code draft received “more than 900 reader responses, several hundred letters and submissions to ministers, and 4,000 telephone inquiries” (BC Ministry of Forests, 1997. *BC’s New Forest Practices Code: A Living Process*, Public Affairs Branch). This seems rather few compared to the attention that the CORE process generated, with its many two-year long negotiation tables, rallies, and “media scrums” across the province. One rally alone, in March 1994, involved an estimated 10,000 people who congregated on the lawn of the provincial legislature in Victoria (M’Gonigle and Parfitt, 1994). In effect two processes were happening at the same time: The highly consultative, but advisory CORE negotiations, and the much less consultative, but legally enforceable, Forest Practices Code. The conclusion that can be drawn from this observation is that the outcomes of the latter could be legally over-ridden by the former.

balance social, environmental, and economic interests through intense public and participatory debate, negotiation, and planning. It was this catalytic role, and the emotions it stirred, that led, perhaps inevitably, to CORE being discontinued in 1996. It was created by the provincial government as a challenge to itself and to the public to embrace uncomfortable but necessary change. Having unsettled established practices and influences, and mobilized a broader range of interests in the decision-making process, CORE provoked strong reactions. ...There remains a major gap in the provincial land use and sustainability strategy with the discontinuance of CORE: an independent monitoring agency with investigative and public reporting responsibilities (Owen, 1998, 25).

Throughout the post-CORE period, the Ministry of Forests had continued to approve logging and road building permits at the site-specific level according to the Forest Development Planning procedures (Figure 8.2, right column). According to the second newsletter of the regional plan's *Implementation Strategy*, dated November 1995, the site-specific approvals were subject to "interim guidance provided through a special review process of all permits planned for Special Resource Management Zones" (*KBLUP Implementation Update #2, 1*)³¹.

The second newsletter also reiterated that the management objectives, being written by the Kootenay Objectives Advisory Committee, would be available for public review in the new year, and included the promise that "public comments and suggestions will be incorporated into the final recommendations to government" (p.1).

In October 1996, the *Kootenay-Boundary Land Use Plan Implementation Strategy (KBLUP-IS)* was released for public comments, and in June 1997 the final draft, largely unchanged, was released (Figure 8.2 left column, bottom). The 724-page *Strategy* contained general management objectives and guidelines for land and natural resource

³¹ At this time (Fall 1995), the planning scales all collided for the Slocan Valley case study: The provincial policy had allowed logging to proceed, subject to the newly unveiled Forest Practices Code (June 1995), the regional planning process had the task of obtaining public comments in creating the specific management guidelines that were also supposed to match the Forest Practices Code, and the post-CORE Slocan Valley negotiation table forum had morphed into the "Slocan Valley Sector Permit Review Process", aimed at little more than approving the site-specific cutting permits. This is examined in section 8.4.1.2 "Valley-wide Planning".

use throughout the region. It stipulated that it had been prepared on the basis of the following principles:

1. Builds on and integrates the extensive work done by the multi-party CORE Tables;
2. Consistent with government policy direction that the land and resource management objectives and strategies developed for geographically-specific application should not cause additional reductions to short-term timber supply availability;
3. Provides the appropriate nature and level of land and resource management guidance to enable the efficient and effective implementation of Forest Practices Code (FPC), notably FPC requirements for operational forest and range planning; and,
4. Respects the legal rights of existing land and resource tenure holders.

(Government of BC. 1997. *KBLUP-Implementation Strategy*, 6).

The document stated that the general mapping scale and the low resolution of information separation at this broad scale made it inappropriate to adopt specific and detailed management strategies by zone categories. The main goal that guided development of the KBLUP Implementation Strategy was to not only provide a long-range, strategic vision for land and resource management, but also to provide sufficient clarity and detail to support lower level planning and operational level resource management decision-making. The document states:

To be overly definitive in a strategic level plan of the specific land uses / activities that can or cannot occur, or the particular resource management standards that should or should not apply, in each of these three zones is neither feasible nor desirable, given the geographic variability of resource qualities and attributes throughout the zones, and the goal to optimize opportunities for all resource values to the extent possible, within an integrated resource management philosophy
(Government of BC, *Kootenay-Boundary Land Use Plan Implementation Strategy*, 7).

Although the three land use designations where resource extractive activities could be performed (Table 8.2) were maintained in the *Implementation Strategy*, specific resource management guidelines were only developed for “key natural resource values” (p.7), not for entire areas (like the Slocan Valley Corridor) that had been proposed by

CORE plans. In other words, it was no longer the “Areas” (CORE regional plan) or “Zones” (Government regional plan) that were considered for “special management”, but only certain resources deemed special in some way. The definition of Special Resource Management Zones (SRMZ) was changed to:

This land use designation was assigned to areas with high concentrations of regionally significant and sensitive resource values, such as critical fish and wildlife habitat, ecosystems that are underrepresented in the region’s protected area system, important views, sensitive recreation areas and cultural heritage features (Government of BC, 1996, Kootenay-Boundary Land Use Plan Implementation Strategy, 8).

Though the change in definition was very subtle, it had major implications for the Slokan Valley in terms of what was to be considered for “Special Management”. Instead of the entire area being given the designation, only six “regionally-significant and sensitive resource values” were considered, with associated resource management objectives and strategies. These included Wildcraft (or harvesting of wild pine mushrooms), Recreation, Ungulates, Fisheries, General Biodiversity, and Wide Ranging Carnivores (Grizzlies) (Appendix VII). Most of these were already managed in some way under various existing resource laws and policies.

Watersheds were no longer considered for “Special Management”, as in the previous regional plans, but included under the rubric “General Resource Management Objective #51” (p.26) which states: “maintain water quality, quantity and timing of flow at appropriate levels in community and domestic use watersheds”. The Implementation Strategy referred the matter of managing watersheds to the new Forest Practices Code. Watersheds that provide water for human consumption were to be classified into two types (Table 8.3).

Table 8.3 Watershed Designations Under Forest Practices Code

Community Watershed	Domestic Watershed
<p>Community watersheds are officially designated under the Forest Practices Code <i>Community Watershed Guidebook</i>. This designation covers important water supply areas for incorporated user groups such as municipalities. These groups generally utilize large water systems, built to high standards and may incorporate filtration and disinfection facilities to comply with Ministry of Health regulations. There are currently 132 community watersheds in the Kootenay-Boundary region. The list of community watersheds can be expected to change over time as new or upgraded water systems are considered for official designation, or as watersheds are removed from the list for non-use.</p>	<p>Domestic watersheds occur where streams are licensed for human consumption but do not qualify for designation as a community watershed. These streams may support one or more domestic water licences. There are approximately 2,700 streams licensed for domestic use in the Kootenay-Boundary region. The Arrow and Kootenay Lake Forest Districts have particularly high levels of rural population with abundant surface water, which has led to a concentration of domestic water licensing. Many of the water systems used in these domestic watersheds lack the storage, filtration and disinfection capability to deal with natural variations in water quantity or quality.</p>

Source: Government of BC, 1997. *Kootenay-Boundary Land Use Plan Implementation Strategy – Water Quality Fact Sheet*.

In the Slocan Valley, only one watershed was designated a “Community Watershed”. It was to be managed as per the new “Community Watershed Guidebook” that formed part of the new Code³², while all the other watersheds were considered “domestic watersheds”. Specific guidelines that defined the level of management for forest activities on Crown land in domestic watersheds existed, and were incorporated into the Forest Development Planning process (also under the Code). According to these guidelines, water users were encouraged to “attend Forest Development Plan presentations, review the plans, and provide comments” (Government of BC, 1997, *Domestic Watershed Guidelines*, 32). There was no mention of Community Resource Boards in the *Implementation Strategy*, as had been promised in both CORE’s and the government’s versions of the regional plan.

³² The Forest Practices Code *Community Watershed Guidebook*, like the Code, was made public after the CORE process was completed. It is not assessed in this study.

Summary of the Regional Planning Outcomes for the Slocan Valley

In June 1994, CORE had recommended to Cabinet the table's consensually-approved recommendation that the Slocan Valley be considered a "Special Management Area", recognizing a management emphasis on conservation for special values, like consumptive-use watersheds. By June 1997, the Slocan Valley was not considered a "special management area" (e.g. an *area* for special management), but a "special resource management zone" (e.g. a zone where *special resources* are managed as "regionally significant"), and only one of its watersheds was designated for special considerations under a new law that would govern forest practices.

In the intervening three years, a new Forest Practices Code was unveiled with relatively minor public participation (compared to the highly public CORE process). Once its reports were submitted to Cabinet, CORE was disbanded, ending its legislated mandate to act as an "independent, overarching implementation and monitoring agency" (Owen, 1998, 15).

Public participation in resource decision-making had gone from an elaborate multi-stakeholder, mediated negotiation process under CORE to "attending Forest Development Plan presentations, reviewing plans, and making comments" under the regional plans *Implementation Strategy*. The concept of a "Community Resource Board", a decision-making body at the local level involving multiple stakeholders, that the government's regional plan promised "will be established or confirmed to ensure local input and advice on implementation of this land-use plan" (Government of BC, *KBLUP*, 10), had not been included in the *Implementation Strategy*. Despite this, the *Implementation Strategy* had claimed that it "builds on and integrates the extensive work done by the multi-party CORE Tables" (Government of BC, *KBLUP-IS*, 6).

This evolution of regional planning outcomes seriously impacted the progress of the valley-wide planning efforts that had begun under CORE (section 8.4.1.2).

8.4.1.2 Valley-wide Planning Outcomes: Reasonable Expectations Denied?

In October 1994, the Commissioner included with the *CORE West Kootenay-Boundary Land Use Plan*, his report on the Slocan Valley project. In it he states:

A significant outcome of the pilot project was its mobilization of different sectors, sectors that now are prepared to respond to further planning initiatives organized, facilitated or undertaken by government. The Slocan Valley project brought about changes in public expectations about stakeholder involvement in resource planning. Community members know how to become involved and provide advice when resource management decisions are being made... Although CORE's involvement with the Slocan Valley project came to an end, the provincial government representative and the Technical Working Group members stated government's intention to continue to work with the Table as an "issues forum" to complete a strategic plan for the Slocan Valley... They suggested the forum be convened periodically to enable government staff to give the sectors information assembled on sensitive operational issues, and to allow them to work out as much agreement as possible. In this way a forum could ensure that even if sectors didn't like the decision government was making, there had been as much opportunity as possible for working it out (BC CORE, 1995).

The Commissioner's comments about the willingness on the part of the Slocan Valley project negotiation to continue its work, after CORE ended, are corroborated by the minutes of the final meeting on June 12, 1994. At that meeting, table participants discussed continuing work on the outstanding resource management guidelines and strategies for the Slocan Valley land use plan:

A sweep through the outstanding items revealed that some items might obtain consensus if more time was spent discussing them... A number of ideas were put forth about further work as a group or as individual sectors working with government... Given that local-level planning with a strong public involvement component was going to be on-going, unlike the regional land use planning which would only occur sporadically, [the CORE staff person] urged the table to work out a structure for how they would be involved so that this was not left to government to work out (Minutes of the Meeting, June 12, 1994).

The table agreed that Watershed and Wilderness sectors would continue to work with the consultant they had hired to complete the landscape analysis and "a ecologically

and economically sustainable plan”³³, and to take it to the community and government as input. The Slocan Forest Products (SFP) representative reminded the table that the consultant SFP had hired also produced a landscape analysis plan which had been included as part of the Forest Development Plan. The government representative told the table that “they [government officials] would be considering whether proposals given to them met the intent of the Forest Practices Code³⁴”. The minutes show the government’s proposal for the post-CORE forum, and the Table’s agreement of the next steps:

[Government representatives] spoke of the government’s desire to meet with sectors or the table in the context of both strategic and operational decision-making. They wanted to continue with the landscape analysis approach but also to have communication on the day-to-day decisions that were being made. They raised the idea of an issues forum which could involve the table at the strategic planning level and also serve as an opportunity to discuss operational activities... The Table indicated its interest in such a forum... The Table agreed on the next steps:

- *Session to learn about the Forest Practices Code*
- *Sectors advance their interests with government*
- *Landscape analyses will be reviewed by sectors and government*
- *Government brings information collected forward to Table (and community)*
- *Table makes joint recommendations and/or gives input*
- *Government makes decisions (where table is unable)*

(Minutes of the Meeting, June 12, 1994).

Little evidence in the available documentation was found to describe events that followed the last meeting of the Slocan Valley CORE project, and the extent to which these steps were met. It is surmised from subsequent secondary written evidence that there were no meetings of the full negotiation table until October 11, 1995. Instead, some correspondence between government representatives and individual sectors (mainly Watershed, Wilderness, and Slocan Forest Products) addressed the submission of the landscape analyses results of the consultants and associated proposals for resource management guidelines that were submitted to the Ministry of Forest as input. No final

³³ This plan, Silva Forest Foundation’s *Ecosystem-based landscape Plan for the Slocan River Watershed*, was completed in 1996.

decisions had been made about the strategic level land use planning that CORE had begun.

The October 11, 1995 Meeting

A letter from the Ministry of Forest District Office, to the Slocan Valley project representatives, dated September 20, 1995, calls the full table to a meeting to be held on October 11, 1995. The very brief letter states: "Several road and cutting permit applications will be presented" and lists five items, the first on the list was the New Denver Flats cut permit. The cut permit called for seventeen clear-cuts averaging 3.3 hectares each in the watersheds above the villages New Denver and Silverton (see Map 8.2 and Photo 4.2, Chapter 4).

One hundred and eighty concerned members of the community showed up to the meeting, including the Slocan Valley project sector representatives and village councilors. According to several accounts (newspapers, press releases from municipal councils and environmental groups, letters to the Ministry of Forests, and a television documentary³⁵), the events of the meeting transpired as follows:

- (1) An agenda was presented at the meeting. New Denver Flats was ranked last on the list of five items. Several sector representatives asked that the agenda be adjusted to give priority to the New Denver Flats issue. It was moved to the fourth position.
- (2) Three other agenda items were presented. Several members of the public requested to discuss the New Denver Flats issue, but the Ministry of Forests (MoF) representative repeatedly requested that representatives hold their comments and questions until Slocan Forest Products and the government technical staff completed their presentations.
- (3) These presentations took three and a half hours before the MoF representative permitted public comments.
- (4) Councillors from the village of New Denver and Silverton made statements in opposition to the logging of New Denver Flats.

³⁴ The Forest Practices Code was still in draft form at this time.

³⁵ The Canadian Broadcasting Corporation's program "The Nature of Things" included a 15 minute segment about the October 1995 meeting in its "Great Northern Forest" episode, which was aired in March 1997. Several interviews with local residents including many sector representatives, and the New Denver mayor, express the frustration the residents felt with the quality of public participation.

- (5) The MoF representative stated that his Ministry had already decided to approve the logging permit.
- (6) Infuriated members of the public walked out of the meeting en masse, denouncing the government representative for leading to believe the meeting was to receive their input.

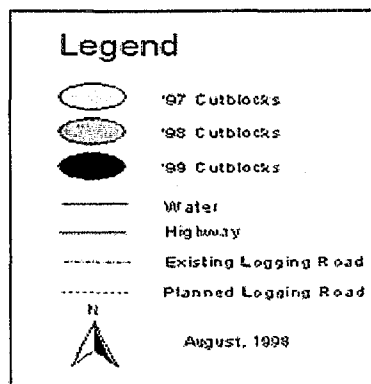
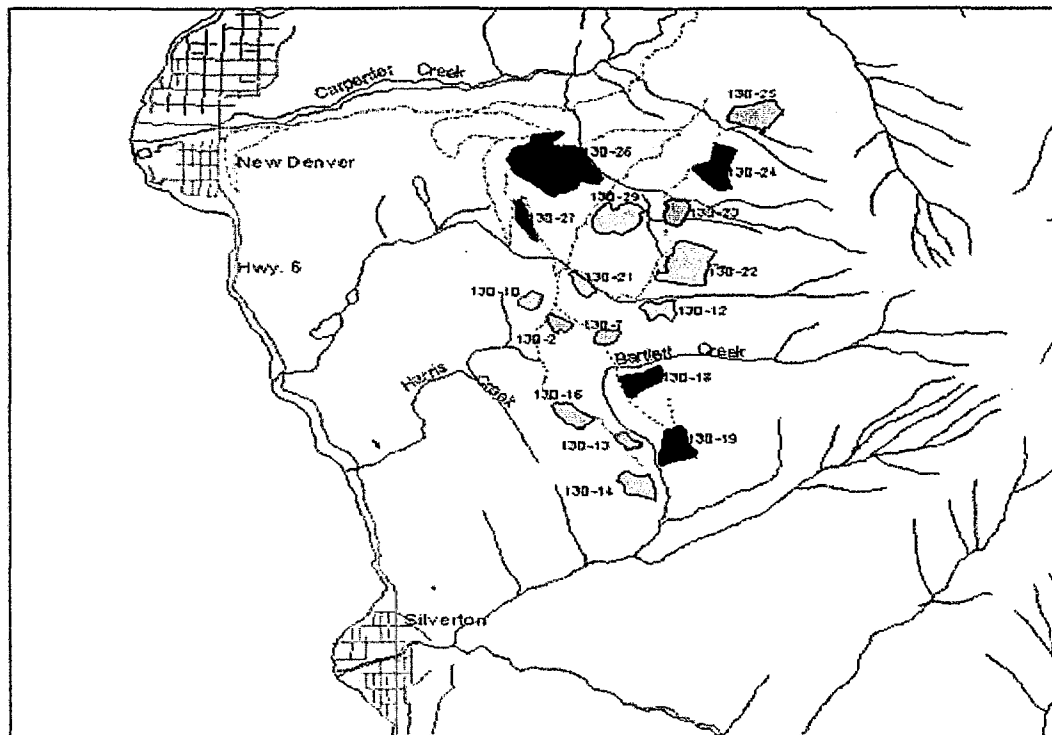
Following the meeting, six sector representatives of the Slocan Valley project³⁶ (including all sectors not directly related to the development proponent) and the village councils of New Denver and Silverton wrote a letters of complain about the October 11 meeting. They wrote “the undersigned Sector and Community representatives were appalled and disappointed by the failure of the previously agreed upon process of the Slocan Valley Project”. They quoted the official minutes of the June 12 1995 meeting (see above) which set out the procedure for the “next steps”. They charged that the outcome of the meeting was pre-determined. They state: “it appears that the entire process was and is a sham in the true sense and that the parties to the Slocan Valley project of the CORE process were wasting their valuable time during its entire session... The decision to skip the agreed steps in the process and to simply present us with a decision as a *fait accompli* is most disappointing” (Letter from Slocan Valley residents to the Regional Manager, Arrow District, Ministry of Forests, 13 October 1995, 4).

The Mayor of New Denver wrote: “I am directed by Local Government to advise you that in its unanimous opinion the province – acting through the Arrow Forest District – is in violation of the review process adopted by consensus at the Valley project meeting of 12 June 1994.” (Letter from the Corporation of the Village of New Denver to the Regional Manager, Arrow District, Ministry of Forests, 16 October 1995, 1).

³⁶ These six (Siniixt Nation, Wildcraft, Tourism, Watershed, Wilderness, and Outdoor Recreation) represented the majority of the Slocan Valley table. A seventh sector, Local Government, was represented by the mayor of New Denver who wrote on behalf of his municipal residents. Agriculture and Local Enterprise had become defunct after the June 12 1994 meeting. The only Slocan Valley project sectors that did not oppose the New Denver Flats Cut Permit were Slocan Forest Products (the proponent), Mining, and Forest Independents sectors.

Map 8.2 New Denver Flats Cut Permit

The Ministry of Forests' approved Slocan Forests Products' Cut Permit application in the watersheds of the villages of New Denver and Silverton despite two years of negotiations, under CORE, which had recommended that the entire Slocan Valley Corridor (including the New Denver Flats area) be designated for "Special Management". Residents saw the Ministry of Forests' decision as an affront to the community participation process.



Average Block Size = 3.3 hectares

Directions:
Just south of the Carpenter Cr. bridge at New Denver, turn east onto Hartley Flats road, and follow road up the hill

Source: Slocan Valley Watershed Alliance, 1998.

A transcript of a phone conversation between a sector representative and a member of the government staff, both of whom were at the October meeting, discusses the perceived government violation of due process according to the Slocan Valley project, the progress of the setting of guidelines for “Special Management” in the regional land use plan, and the community residents’ determination to have their voices heard:

Government staff person:

In terms of process, you know, the perception at the regional level, and I’ve been trying to tell these people for three months, is that the Slocan does have a process, and the regional people are under the assumption that there is no process in Slocan and the regional set of objective setting exercise for a land use plan is continuing without these other groups having input. ...How do communities now get input and when do they get input? ... It’s pretty obvious that government is not prepared to change anything at this time. The government thinks the land use plan is complete and we don’t have a land use plan, all we have is a set of protected areas and a bunch of plots on a map.

Slocan Valley project representative:

Well I’m very worried because I don’t think the government understands the degree of commitment here for change to enlightened forest practices. Both organizations [Valhalla Wilderness Society and Slocan Valley Watershed Alliance] have had an outpouring of telephone calls since that meeting. And some people offer to come in and volunteer, some people have even sent food, other people offer to stand on blockades. And the Valhalla Society is not an organization that has ever sponsored a blockade or intends to sponsor one, but I’m afraid the bottom line that’s going on in government is that they’re going to cut our watersheds... And the bottom line here is that people aren’t going to let them do it.... I just hope we don’t have to go through anymore tense times like we did three or five years ago [reference to Hasty Creek Watershed blockade in 1991, where 84 residents were arrested].

The post-CORE negotiation forum that had started with a agreement to continue the strategic land use planning by defining specific management guidelines for the “Special Management” designation had, under the leadership of the Ministry of Forests, turned into a public process aimed at reviewing forest development permits, based on a format similar to the Forest Development Plan’s “public review and comment”. There

X

was apparent confusion about the role of the Slocan Valley Project and its input into the regional plan.

Evidence presented in section 8.4.1.1 from the regional plan's *Implementation Update #2*, which came out in November 1995, is the earliest found which makes reference to the post-CORE negotiation table as the "special review process of all permits planned for "Special Resource Management Zones". According to an article by the Wilderness sector representative, the Sector Permit Review Process appeared to have been created in response to the negative reactions and local media attention that the government received over its handling of public participation in the Slocan Valley: "Embarrassed by the publication of the CORE agreement in the papers, MoF [the local Ministry of Forests district official] went to the Minister in Victoria and worked out a formal process, naming it the Sector Permit Review Process, and setting up rules for input" (Slocan Valley Wilderness Sector newsletter, no date, 8).

The "formal process" she refers to is laid out in a government document entitled: "*Public Involvement in Resource Development Planning in the Slocan Valley*" (no date) which states:

New planning areas are first introduced by forest licensees at one meeting, and then details and completed assessment are provided at a second meeting. As a final stage of the sector review process, a rationale for permit issuance, outlining how concerns were addressed, is made.

Although the available evidence makes it unclear when the name "Sector Permit Review Process" was officially adopted, it does make clear that the structure for public participation was changed following the October 1995 meeting. A local newspaper article includes the local Ministry of Forests representative's comments about the "new process" following the October meeting:

After the October meeting we revised the process, and the April 2 [1996] meeting was under the new process". He described the "new process" as providing "more structure. There will be two meetings with specific period for comments" (Valley Voice, Forestry Meeting Boycotted by Sector Reps, April 4, 1996).

A letter, dated April 2, 1996, from the Wilderness Sector representative to the Ministry of Forests representative was written in response to an invitation it received to the April 2, 1996 Sector Permit Review Process meeting. In it, she provides her comments on the agenda of the first meeting of the “new process”:

As you will remember, at the last meeting of this kind, there was no sector input on the agenda. The agenda set by government staff did not even contain a time allowance for sectors to state their opinions on the items discussed. This was a large and volatile subject at the meeting. Yet the newest agenda you have sent was apparently drawn up without sector input. Your letter offers no opportunity for the sector representatives to add new items to the list, not does the government agenda contain time for round-table discussion or recommendations by the sectors (p.1).

She provides suggestions regarding a renewed format of the upcoming meeting:

I suggest that an amended approach to these meetings would require, not only consulting sector about agenda, but also allocating a specific amount of time for each agenda item, according to the precedent established by the CORE project (p.2).

The letter also addresses the apparent lack of information provided about the controversial New Denver Flats decision:

To date, we have received no official word about how New Denver Flats is being handled. The proposal on the agenda for the upcoming meeting – to discuss [other local areas] logging plans, in absence of discussion about New Denver Flats – appears to be a continuation of the same problem (p.1).

There were no changes made to the April 2 meeting agenda and none of the environmental interest sectors attended. The “follow-up meeting” which functioned as the second meeting under the new structure was held on April 22. Another invitation was sent to all sectors, but again no environmental sector attended. The Ministry of Forests continued to convene Sector Permit Review Process meetings (with only the proponent Slocan Forest products, Mining, and Forest Independents in attendance) to provide opportunity for the table to review and comment on the forest development plans, but the New Denver Flats Cut Permit was not discussed.

8.4.1.3 *A Return to Citizen Action*

Following the October 11, 1995 meeting, several sectors not directly associated with Slocan Forest Products abandoned any further participation in any MoF-related process. They returned to “citizen action” forms of public participation which included directly lobbying government official in the provincial capital, producing editorials in newspapers, and press releases stating their rejection of the Sector Permit Review Process.

On August 20, 1996, the Ministry of Forests made a second announcement of its intent to allow logging on New Denver Flats, while there was still no news about the progress of the “Special Management” guidelines on the regional plan, or any means for the public to have input into it.

On October 18, 1996, the Ministry of Forests announced that the New Denver Flats Cut Permit was signed, “after extensive public input” and referring to the Sector Permit Review Process. At that time, the “Special Management” guidelines were still not made public. According to a press release by the Valhalla Wilderness Society, the decision further infuriated the local residents:

Members of the public feel betrayed that a prime area which Special Management was supposed to safeguard will be in the process of being logged while the guidelines are under consideration. The government has turned the Special management designation upside-down. Whereas the CORE table meant it to stand for extra public input and protection of the full range of forest values, it is now being used to squelch the most overwhelming public input ever given in local forestry issues in the province, and to destroy New Denver Flats extraordinary range of forest values, including biodiversity and water that the CORE plan said should be maintained October 18, 1996.

The release of the *Kootenay Boundary Land Use Plan Implementation Strategy* (see section 8.4.1.1) immediately followed the decision to log New Denver Flats. Under the provisions of the Implementation Strategy, New Denver Flats was not considered a Community Watershed and thus, it had no special protection.

The Lawsuit

The Valhalla Wilderness Society took the government and Slocan Forest Products to court, petitioning for a judgement declaring the New Denver Flat Cut Permit invalid. The petition was based on two grounds: The first claimed that certain areas to which the Cut Permit applies are watersheds which had been established as community water reserves under the provincial *Land Act*. The second stated that members of the public had been denied legitimate expectation because of the promises made during the CORE and post-CORE planning processes.

Regarding the first argument, it was shown that the *Land Act* does not supercede the *Forest Act*, nor “permit the Minister under the *Land Act* to withdraw Crown lands from disposition under the *Forest Act*, dispositions such as forest licenses and cutting and road permits” (The Valhalla Wilderness Society v. HMTQ *et al.*, Docket 6789, July 8, 1997, 11).

Regarding the legitimate expectations argument is, the judgement reads:

The petitioner contends that because of what occurred at the meeting of October 11, 1995, because no community resource boards have been constituted as promised in the West Kootenay Boundary Land Use Plan and specifically, since there has been no such board review of the issuance of the cutting and road permits to the respondent Slocan Forest Products, its legitimate expectations as to input and participation in the decision to issue such permits has been denied (§ 29, p.17).

According to the judgement, the doctrine of legitimate expectation can “create procedural rights for a party whose substantive rights may be affected by the decision of an administrative body, but it does not itself create a substantive right” (§ 31, p.18). He judge ruled:

Nothing in either the legislative framework of the CORE process, the terms of the West Kootenay Boundary Land use Plan, or the Slocan Valley Project deliberations could reasonably lead to an expectation of a right to share in the actual decision-making (§ 32, p.19).

Since the regional land use plan commitments were products of the CORE process, they were considered statements of policy. These commitments “as to

community resource boards would have to be implemented by legislation” (§ 33, p.19). On the basis of these reasons, the judge dismissed the petition.

*The Road Blockade at New Denver Flats*³⁷

Six days later, on July 14, 1997, a Slocan Forest Products manager attempted to gain access to the New Denver Flats watershed, but encountered a road blockade instead. Approximately 125 individuals were present on the road, forming a human shield that prevented the manager’s logging company truck to pass. The blockade constituted an interference with the legal rights of the logging company to pursue its forest development activities. The protesters remained silent and did not move when asked to remove themselves from the path of the truck. The manager left the scene. The road blockade was kept from sunrise to sunset for the following few days. On July 22, the Slocan Forest Products managers arrived with a dozen Royal Canadian Mounted Police. An enforcement order was read to the 375 protestors present that day. Seven people chose not move aside and were arrested and taken to the police station. The remaining protesters stepped aside while the truck went up into the watershed.

8.4.2 Question 2: Comparing Outcomes to Antecedents

8.4.2.1 Forest Use

The two local antecedents relating to forest use determined from the Pre-Process Analysis (chapter 5) were;

- Antecedent 1: Forest company control over the Crown land base
- Antecedent 2: Land tenure arrangements unfavorable to public participation

Based on the evidence gathered from the Post-Process Analysis, neither of these antecedents were changed as a result of the public participation opportunity provided under CORE and post-CORE processes. Consequently, there was never a “level playing field” among participants, as timber and mining interests remained legally protected

while others were not. This was clearly demonstrated in the Judge's ruling in the petition Valhalla brought against the government and Slocan Forest Products. The claim that the New Denver Flats area contained a legally-protected community water reserve under the *Land Act* and therefore could not be "modified" by harvesting and road building activities was overruled because it was proven that the *Land Act* cannot supercede provisions in the *Forest Act*. This demonstrates supremacy of timber values over other forest values like water quality for domestic consumption and agriculture. In a process that was aimed at "balancing all interests concerned", one might question the kind of "balance" is represented when the rights of a community to its water reserve is superseded by the rights of a forest company to the timber. On the other hand, the forest harvesting that was scheduled to take place would have to abide by the presumably stricter regulations of the new Forest Practices Code. To the proponents and government, this would presumably ensure that both forest values (timber and water) were compatible. In essence, the logging and road building in New Denver Flats watershed, seen in this light, *is* a balance of all interests.

Because of the legal rights afforded to the forest company, the quality of public participation in forest use decisions may never improve until those directly affected have legitimate power or legally-protected rights from which to make decisions.

The Crown lands in British Columbia, and other parts of Canada, remain in the control of large corporation through long-term renewable leases, called tenures that were granted in the mid-century period (see Chapter 4). Although changes to forest practices have been made and it is now called "integrated resource management", or "special resource management", the fact remains that the major goal that drives forest use decisions on tenured Crown land is timber management for profit. It is difficult for obtain justification, in the existing timber management policy, for uses of the forest that are not tied to a corporations profits.

The implications of this situation for public participation are very significant. Public participation in forest use decision may not work properly until the public is

³⁷ This description of events was made possible because of the researcher's first-hand experience as an

legally involved. When legal rights are balanced, by allowed tenures to be on the negotiation table, or by ensuring equivalent right to other forest values, there may never be an equitable discourse among interested parties. As Dunster (1994) observed:

The most common problem with public participation is the reluctance of decision-makers to accept public input whenever it threatens an established power base and what they perceive as "best" for society. As a consequence, a common form of participation involves a strategy of "decide-announce-defend."

The legal tenure forms the major advantage to forest companies. The difference in legal rights between the corporations and the community makes true shared decision-making, or consensus-building, an near impossibility. What remains is a consultative process that is little more than public pacification. The uneven playing field leads to a dynamic where some sectors at the negotiation table press for change while others can best protect their interests by resisting change. Ideally, all sectors would have an equal investment in a successful outcome, so that they are equally committed to making the process work. Given the inequalities, it is not surprising that consensus on major issues could not be reached on time. There appears to be a lack of real incentive for industrial sectors to negotiate beyond what was required of them by law or to put at risk their legally-protected rights.

8.4.2.2 Community Actors

The two local antecedents relating to community actors determined from the Pre-Process Analysis (chapter 5) were;

- Antecedent 3: Polarization of interests
- Antecedent 4: Managerialism and distrust

The existing order of polarized interests that has long existed in the Slocan Valley does not appear to have been changed by the Slocan Valley CORE project. Although many sectors were represented at the table, ultimately discussions broke down

observer at the scene.

along the existing polarized lines that had previously divided resource extraction-based industrial sectors and non-resource-extraction-based ones. The former tended to pursue their interests in traditional production of low-value bulk commodities for export, while the latter stressed diversification of the economy, the necessity of maintaining the health and aesthetics of the natural environment for tourism-based industries, and general issues of quality-of-life.

The polarization became very pronounced after the October 11, 1995 meeting which resulted in a boycott of all but the sectors directly associated with resource extraction industries, one of which was the proponent of the New Denver Flats Cut Permit application. The Sector Permit Review Process, perpetuated the polarization, rather than contribute to the development of shared interests. This is discussed further in section 8.4.2.3.

The events that occurred during and subsequent to the October 11, 1995 meeting did nothing to help the climate of managerialism and distrust that existed prior to CORE. It appears that the progress in building relationships among opposing parties that was made *during the Slocan Valley CORE Project* – progress that resulted in a number of process-related consensus documents (see Chapter 6 and 7) – degenerated into the pre-established divisions and mistrust. The Ministry of Forests' persistence in continuing to speak for the credibility of the Sector permit review Process is also evidence of a managerialistic attitude that prevailed. It appears that the Ministry of Forest did a very poor job at being the fair arbitrator of public participation. The contrasts between the Sector Permit Review Process and the Slocan Valley CORE Project are striking.

The environmental interest sectors who believed they had a legitimate expectation of having their input incorporated into the land use plan were badly let down by the government. Section 8.4.1 presents the evidence of the promises made by CORE staff, the Commissioner, the regional land use plan, and the local Ministry representatives, yet none of these promises, according to the judge, “could reasonably lead to an expectation of a right to share in the actual decision-making”. The judge’s responsibility is to uphold the law. He was correct in pointing out that the public had

only an advisory role with no legal guarantees in the substantive decisions made. The Ministry of Forests retained the legal right and responsibility for making substantive decisions. The court case and the judgement only added to the managerialism and distrust between the community residents, the forest company and the government.

8.4.2.3 Public Participation

The two local antecedents relating to public participation determined from the Pre-Process Analysis (chapter 5) were;

- Antecedent 5: Non-participation and tokenism
- Antecedent 6: Problems with process and outcomes

The Slocan Valley CORE project, according to Arnstein's (1969) ladder can be evaluated as being on rung 5 *Placation*. Placation occurs when mediation is arranged between stakeholder representatives and decision-makers. Placation occurs when the power holders retain the right to judge the legitimacy or feasibility of the public's position. According to Arnstein's framework, it is a form of tokenism because there was a commitment to communication without any redistribution of power. The judge's ruling make it clear that the public's participation in the CORE process had absolutely no legal standing. It was perfectly in the legal rights of the government to ignore the recommendations of the Slocan table (and the regional table).

Nonetheless, the CORE project represented more opportunity than the community had ever seen. The process itself, it was determined in Chapter 7, was a good one. The post-CORE process, however, was a major step back to the "public review and comment" kind of input that had contributed to the legitimization crisis prior to CORE. Despite an agreed upon procedure for the "next steps" to be taken by the Slocan Valley CORE table, it became clear that the Ministry of Forests was not prepared to honour its commitment to the table. On Arnstein's ladder, the public participation process following CORE fell back down to rung 1 (*Manipulation*). The October 11, 1995 meeting demonstrated very well the kind of manipulation that took place, when the

agenda was pre-determined and agreement on it was not sought (violating all of the Criteria A: Agenda and Rule Making criteria in the evaluation framework used in Chapter 7). The fact a large majority of the sector representatives chose to abandon the public participation demonstrates the legitimization crisis.

The Ministry of Forests actions during the post-CORE process, especially during and after the October 11, 1995 meeting are suspect. Making the decision to approve the New Denver Flats before allowing for public debate and provide joint recommendations, thereby ignoring the protocol previously agreed to, suggests that the Ministry did not intend to listen to the public, even in their advisory role. Perhaps the actions of the October 11, 1995 might be excusable if an apology was made and the agreed protocol followed. But this did not happen. Rather a new name and set of rules for the process was created (without discussing with the sectors). This demonstrates the kind of arrogance of managerialism that harkens to the pre-1970 era. It is difficult not to suspect that the Ministry had a vested interest in approving the New Denver Flats Cut Permit. The fact that the permit approval was announced a year later, without considerations for the “special management guidelines” that had not even been made public yet, also shows that the government was not interested in heeding the overwhelming opposition from the community. It is also difficult to believe the truthfulness of the government’s claim that the New Denver Flats Cut Permit was approved “following extensive public input”. While this statement is true, it is purposefully deceptive and aimed at a non-local audience for public relations purposes. Since the evidence overwhelmingly suggests there was very little public support for the Cut Permit, the government’s decision to approve the New Denver Flats Cut Permit, and the manner in which it handled public input on the issue, appears to be a major affront to democratic decision-making. It is therefore not surprising that the local community would perceive its participation into that decision as meaningless.

8.5 Summary

The purpose of this chapter was to determine the outcomes that characterize the situation in the community after a participation process, according to the conceptual model for evaluating public participation in resource communities (Figure 3.1). The post-process years, between 1994 and 1997, were marked with increasing tensions and failed expectations about the continuance of community involvement in the process. Local table and regional CORE plan recommendations that designated the entire Slocan Valley Corridor for “Special Management”, including provisions for “Community Resource Boards” and sensitive management in watersheds were subsequently ignored in the regional plan implementation strategy. Meanwhile there were significant failings in the Ministry of Forests ability to facilitate the post-CORE process. At a meeting in which the public had no meaningful part, the ministry declared its decision to approve a logging permit in a watershed above the two most populated villages in the community. The manner in which the meeting was conducted garnered much negative response, and effectively ended multi-stakeholder participation in local decision-making. Following the meeting, the Ministry changed the name of the post-CORE forum, and the rules for public input in to the ongoing process, but by this time most non-industrial interest sectors had decided to boycott the process. Several more meetings (with only industrial interests represented) were conducted to provide an appearance of public participation, and the permit was eventually approved, without considerations for pending “Special Management” guidelines that had called for sensitive management, and increase public debate in the planning of the watershed operations.

A community group took the government and proponent to court on grounds that the watershed in question was a water reserve that was legally protected, and on an argument that stated they had a “legitimate expectation” of having their input incorporated into the decision as had been promised on several occasions. The judge ruled against the petitioner citing that the rights of the forest company’s access to the timber superceded the rights of the community to the water, and that since participation was advisory only, there was no legal standing of any of the promises made regarding

their substantive input into the decisions made. The proponent proceeded to conduct forest development activities in the contested watershed after a peaceful human road blockade that had been erected for some weeks had been removed with the support of the police.

The outcomes of the Slocan Valley project closely resembled the antecedents that characterized the Pre-Process situation, putting into question the point of the CORE process. The forest use was characterized by company control (Antecedent 1) and the company's legal rights to the timber (Antecedent 2) were unaltered. The polarization of interest (Antecedent 3) and managerialism (Antecedent 4) appeared to worsen following CORE, despite the fact the groups had managed, under CORE, to find some common ground enough to design the procedural aspects. The post-CORE process was a step backward toward lower form of public participation (Antecedent 5) and the problems that had preceded CORE (Antecedent 6) were perpetuated. All of these factors suggest that the government was less committed to hearing the community's views after CORE was finished. The implications of these factors are considered in Chapter 9 which concludes the research by examining the themes that have emerged from the results of the pre-process, process and post-process examinations.

CHAPTER 9

CONCLUSIONS

9.1 Introduction

This thesis research was guided by the rationale that better forms of public participation in resource decision-making are needed to achieve the goal of sustainable development. Despite advances in mechanisms for enabling public input over the past thirty years, participation remains problematic. There is “widespread dissatisfaction with the quality and meaningfulness of stakeholder input with the environmental decisions” (Gregory, 2000,1). The first goal of the thesis was to determine why dissatisfaction persists despite extensive opportunities for involvement and widespread commitment to the participation process. The second and main goal was to explore procedures for evaluating public participation. The research purpose was to determine whether consideration of contextual factors can enhance the effectiveness of public participation evaluation.

Drawing on the experience of the Commission on Resources and Environment (CORE) process in the Slocan Valley, British Columbia, this research revealed that process evaluations alone may be insufficient to provide the feedback necessary to allow advance in effective public participation and collaborative decision-making. Though the Slocan Valley CORE project failed to reach its main objective of a consensus agreement on a final resource management plan (according to “internal” evaluation criteria applied in Chapter 6), it was a reasonably fair and competent public participation process (according to “external” evaluation criteria applied in Chapter 7). How, then, did a good process lead to failure? Why is there widespread public dissatisfaction with the results of the participation process? And how can procedures for evaluating public participation improve the effectiveness of public participation in resource communities?

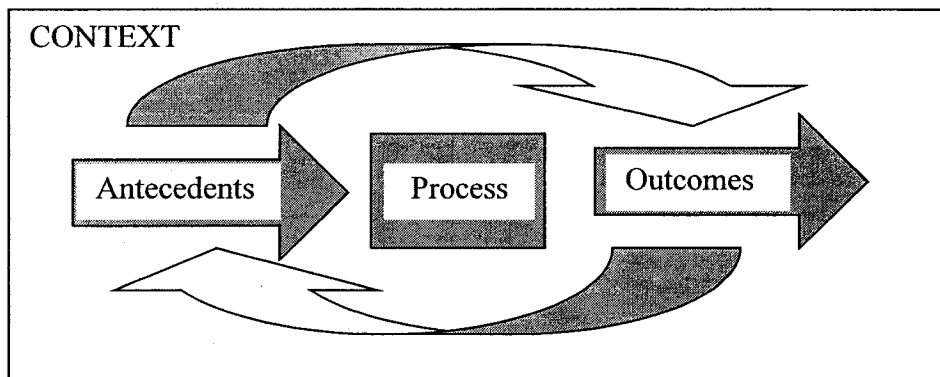
Without the benefit of an in-depth examination of antecedents (pre-process analysis) and outcomes (post-process analysis) to supplement the process analysis, not enough information would be known to adequately address these questions. The results

from Chapters 4 to 8 suggest that contextual factors influence public participation before, during and after the formal participation process and that understanding these factors is needed to make public participation more effective. From these results, a discussion on the iterative connections between context, process and outcomes is presented (section 9.2). From these connections, a number of themes have emerged (section 9.3). The implications of these themes for future evaluations of public participation in resource communities are then discussed (section 9.4).

9.2 Iterative Connections of Public Participation: Context, Process and Outcomes

The results of the application of the Conceptual Framework (Figure 3.1) to the Slocan Valley CORE project revealed that public participation should not be seen as a discrete, formalized process, as has been the traditional view (Langton, 1978; Warriner, 1997). Public participation is embedded in a historical context. Antecedents that are not dealt with in the process will inevitably affect outcomes. The outcomes of today's process are the antecedents of future processes. Each process shapes future processes and is shaped by past ones (Figure 9.1).

Figure 9.1 The Iterative Connections of Context, Process and Outcomes



Bardati (2002)

The Conceptual Framework (Figure 3.1) assumed that anything that preceded the participation process (i.e. the historical analysis of Chapter 5) might have some influence on the process. That assumption was justified by the evidence. A number of contextual factors, that were directly linked to the antecedents, proved to have a role in the process and outcomes of the Slocan Valley CORE project. What was unexpected was the degree to which these contextual factors were inter-related. From the results presented in Chapters 4 to 8, a number of contextual factors were isolated that caused constraints on the effectiveness of public participation. These contextual factors help explain why the participation process failed, and why widespread dissatisfaction with the outcomes ensued. They are categorized according to how they affected process-related issues (from the Process Analysis, Chapter 6 and 7), and outcome-related ones (from the Post-process Analysis, Chapter 8), and whether they originated from within the community (“intra-community”) or from beyond the community (‘extra-community’) (Table 9.1).

Table 9.1 Constraints of Contextual Factors on Effectiveness of Public Participation

Constraints	“Intra-community” contextual factors	“Extra-community” contextual factors
Process-related	Delays in self-design of process, due to: <ul style="list-style-type: none"> ▪ Polarization of interests ▪ Legacy of distrust 	Limited scope for negotiation over substantive issues, due to: <ul style="list-style-type: none"> ▪ Legal framework ▪ Limits on power-sharing ▪ Scale of decision-making ▪ Expectations created
Outcome-related	<ul style="list-style-type: none"> ▪ Persistence of conflict ▪ Return to managerialism ▪ Lack of guarantees on participation in implementation ▪ Legitimation questioned 	<ul style="list-style-type: none"> ▪ Legal framework ▪ Scale of decision-making ▪ Inadequate support for local public participation in implementation ▪ Expectations denied

Intra-Community Contextual Factors

During the process, a number of intra-community contextual factors placed constraints on the process itself, as well as its outcomes. Delays in the process design phase of the Slocan Valley project may be attributed to the polarization of interests that existed in the community prior to the establishment of CORE. The progress of the process was hindered by the legacy of distrust between those community residents who

allied themselves with the environmental interest coalition, and those who allied themselves with the industry coalition. The fact that consensus was reached on process design issues, among these long-standing opponents, is a testimony to the ability of CORE facilitators and table participants to work toward a win-win solution. Application of Weblar's (1995) Fairness and Competence model (Chapter 7) demonstrated that the process design phase was very close to the theoretical ideal for fairness. The constraints of the intra-community contextual factors reduced the time efficiency to the point where the entire project was put in jeopardy because consensus could not be reached on a final plan in time (substantive land use decisions are addressed in the extra-community contextual factors).

Intra-community contextual factors also had an effect on the outcomes. At the close of the Slocan Valley CORE project, the long-standing conflict remained unresolved. Once CORE's independent facilitation was removed from the Slocan Valley, there was a return to the pre-CORE way of dealing with the problem, which has been described in Chapters 2 and 5 as managerialism. Despite the local Ministry of Forests' promise of a continuation of table negotiations, the evidence suggests that the degree of public participation in the post-CORE forum was significantly reduced. The October 11, 1995 meeting (discussed in Chapter 8) demonstrates the level to which public participation in the post-CORE process had been reduced. The lack of formal guarantees on participation in the implementation had significant consequences. Although the post-CORE process continued after the October 11 meeting, albeit under a new name, new rules and with no non-industry sectors in attendance, it is questionable whether their activities were truly "building on the work of CORE" as was maintained. As a result, the legitimization of the Ministry of Forests, in the post-CORE forum, can be seriously questioned.

Extra-Community Contextual Factors

Extra-community contextual factors are those that have to do with the larger context for public participation, and are beyond the control of the local participants. The

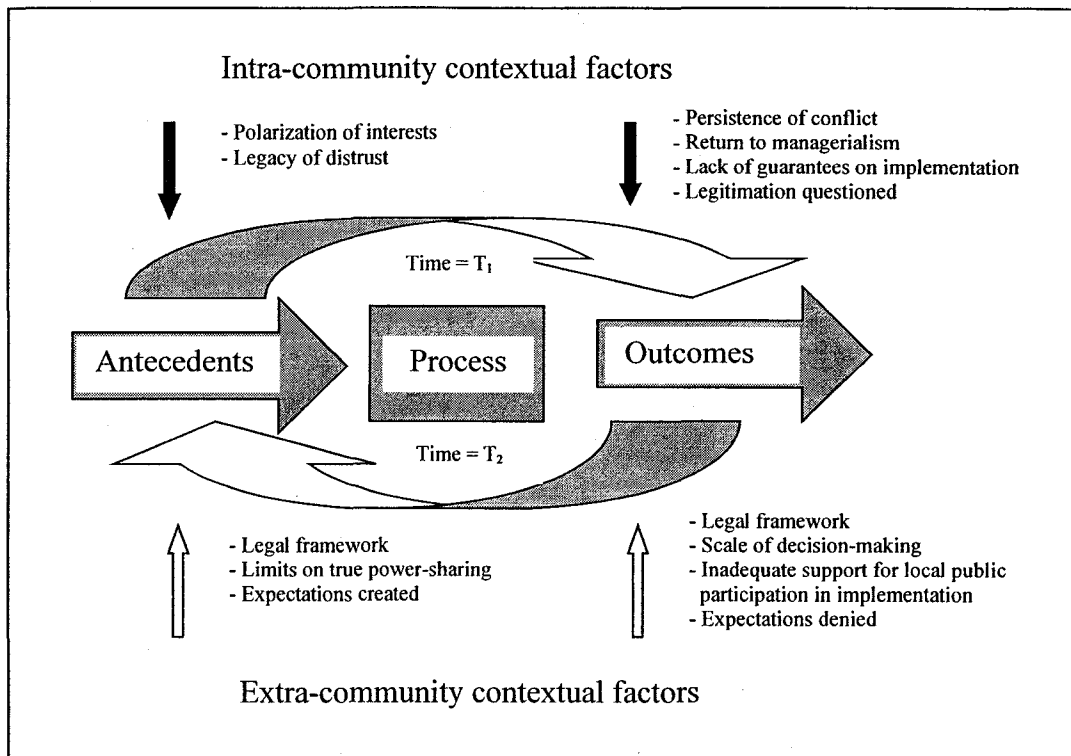
Slocan Valley CORE project was limited in its ability to address the long-standing conflict in the community because some issues that caused the conflict were not permitted to be discussed at the negotiation table. This effectively negated any possibility of non-industry control over the land base that was legally allocated to a local forest company under existing land tenure agreements (Antecedents 1 and 2 in Chapter 5). Although the atmosphere of multi-party consensus seeking processes puts great emphasis on accommodating all participant interests fairly and levels the power relationships among participants, the omission of tenure rights on the negotiation table was a serious constraint to resolution of the long-standing local conflict. Agreement on substantive issues proved to be very difficult, not only because of time limitations, but also because the balance of gains and losses were so markedly dissimilar in nature. The resource extractive industries had everything to lose, and nothing to gain, by negotiating with non-industry sectors that were seeking a greater share of the Crown resources. In addition, though it was called “shared decision-making”, the negotiation table remained advisory only. Any “decision” on substantive issues (as opposed to procedural ones) made by the local negotiation table would amount to nothing more than a recommendation to the statutory authorities charged with the responsibility to manage the resources. If legal tenures had been on the negotiation table, and the table had been given real decision-making authority and responsibility for the final decision, the outcomes of the negotiations might have been very different.

The scale of decision-making is also an extra-community contextual factor that places constraints on effective participation in decision-making. Public participation is spatially embedded. The greatest authority remains at the provincial level (Cabinet), while the resources are all found at the local level. Local-level decision-making processes, like the Slocan Valley CORE project, cannot over-ride the provincial natural resource policies, laws and regulations. This discrepancy is a central problem of resource communities, which are described as “places on the periphery” (Booth and Halseth, 1997) in terms of economic and political power. Expectations for “shared decision-

making” that were created during the process phase that could not be realized in the outcomes phase (addressed as part of outcome-related constraints).

The inter-related contextual factors of legal framework, limits of power-sharing, and scale of decision-making also place constraints on effective public participation in the outcomes. These outcomes are rarely changed by the decisions (recommendations) of the process participants. In fact, the opposite appears to be the rule. According to the empirical evidence from this case study, decisions made by the process participants are altered to conform to the larger social and political considerations. The outcomes of local resource decisions are felt by local people, and if these outcomes are substantially different than what local people presented as recommendations to government, dissatisfaction and disillusionment ensue. The analysis of the Slocan Valley CORE project revealed that there was inadequate support at the higher levels for local public participation in the implementation phase. Further, by disbanding CORE, the provincial government removed its support for CORE-style participation. Left to the local Ministry of Forests Office, the post-CORE forum in the Slocan Valley constituted a denial of reasonable expectations of local involvement in the outcomes. The judge’s ruling pursuant to a lawsuit that a local environmental group brought against the government and the local forest company on this matter (Chapter 8) reveals the extent to which the promises of a Community Resource Board (which offered extensive opportunity for local participation in outcomes) were illegitimate. Thus, according to the law, expectations may not have been denied to residents, but this did nothing to address the “widespread dissatisfaction over the quality and meaningfulness of the decision”. Should governments be accountable for the policy statements they make? The evidence suggests that reasonable expectation of continued public participation in local resource management was denied to the Slocan Valley CORE project table participants.

Including these intra- and extra-community contextual factors in the model of the iterative connections of public participation helps represent the role they play in various stages of the public participation cycle (Figure 9.2).

Figure 9.2 The Role of Contextual Factors on the Iterative Connections

Bardati (2002)

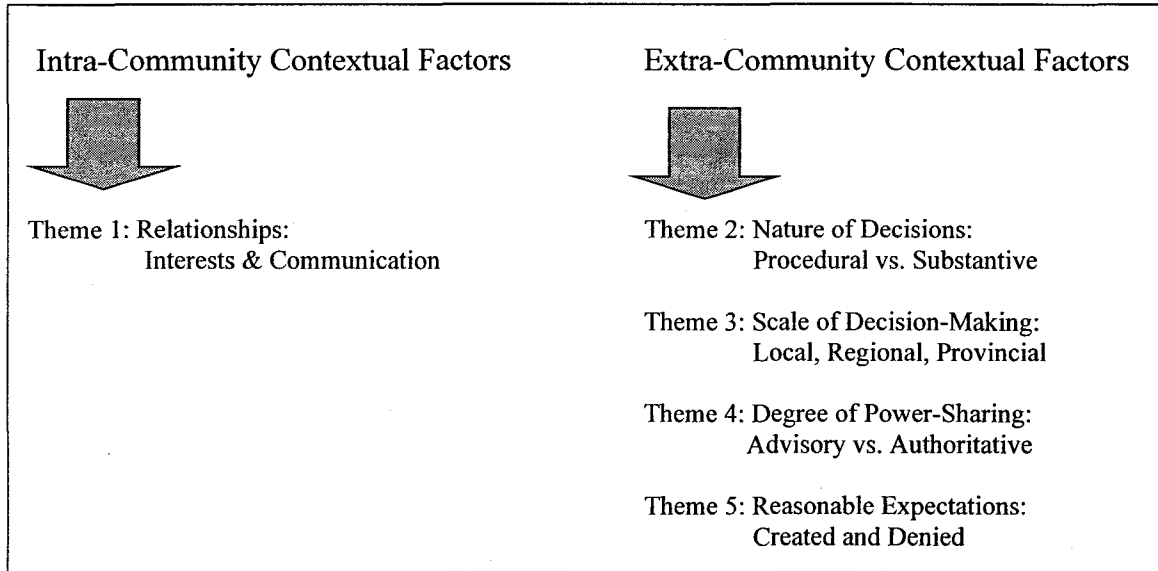
The suggestion made in Figure 9.2 is that intra-community contextual factors will persist from the antecedents, throughout the process, and affect the outcomes (the arrow moving left to right at the top, or T_1). Likewise, the extra-community contextual factors will result from these outcomes and, if not addressed before a new process is convened, will form the antecedents of the new process (represented by the arrow moving right to left at the bottom, or T_2). In other words, outcomes of T_1 are antecedents for T_2 . Outcomes can heal or exacerbate antecedent conditions that carry through the process.

9.3 Themes Emerging from the Evaluation of the Slocan Valley CORE Project

The contextual factors discussed in section 9.2 help explain why conflict persists despite the good intentions and apparently genuine opportunities for innovation in collaborative decision that the CORE process sought to facilitate. This addresses the first

goal of the thesis research. The second and main goal, to explore procedures for public participation evaluation, is partially addressed in section 9.2. What remains is to address how consideration of contextual factors can improve the effectiveness of public participation. Five themes emerged from the results of the evaluation (Figure 9.3).

Figure 9.3 Themes Emerging from the Evaluation of the Slocan Valley case



Four of the five themes arose from the extra-community contextual factors, while only one emerged from the intra-community contextual factors. This fact suggests that, in the Slocan Valley case at least, needed improvement toward more effective public participation relates primarily to the larger frameworks (legal, administrative, and jurisdictional) for resource management, and only secondarily to the local dynamics of the community. No quantitative weighting is provided with these themes, so no assumptions are made about their relative significance or independence from other themes. The purpose is to provide general direction, based on empirical data, for the search for improved forms of public participation.

Theme 1: Relationships: Interests & Communication

The Slocan Valley case study revealed that relationships among participants, and between participants and government managers, are important to the effectiveness of public participation. The history of distrust between key individuals in the community played a role in the process negotiations. The building of agreement on a resource management plan requires the building of working relationships amongst participants. A successful relationship does not mean that people have to have the same interests, but it does mean that they have to communicate their interests and search for solutions that will accommodate the interests of all participants. The evidence suggests that through effective communication, some polarization of interests can be overcome, particularly with respect to the procedural decisions that are made in these processes (see Theme 2). A participation process that encourages the building of understanding, and trust, between participants has a greater chance of being effective than one that does not. The results of the application of the Fairness and Competence Model (Chapter 7) revealed that the Slocan Valley CORE project was successful in this aspect.

Theme 2: Nature of Decisions: Procedural vs. Substantive

It is important to make the distinction between procedural decisions and substantive ones. There was much confusion, in the Slocan Valley case study, over this issue. Procedural decisions concern the process of reaching agreement, including components of the process design, codes of conducts, and terms of reference. Substantive decisions relate to actions to be taken that will address the problem under investigation. The overwhelming objective of public participation is to reach agreement for action. It is on the matter of these substantive decisions that the Slocan Valley CORE project failed. The process promoted, probably over-promoted, the benefits of procedural decisions and under-promoted the substantive decisions. Agreement to a process design is good and necessary, but it becomes redundant if substantive decisions cannot be made on time. An effective public participation process would ensure enough time for both procedural and substantive decisions to be made.

The nature of decisions relates also to the role of the public participation process in influencing public policy. The lawsuit brought against the government by local residents, following the collapse of the post-CORE forum, determined that the local participants in the decision-making process had no substantive rights (see Chapter 8) to make public policy. This means that even if there were a consensus agreement on a land use plan for the valley (substantive decision), it would not be legally binding. In short, it would be a procedural decision in the larger public policy process. Substantive decisions in British Columbia resource management policy can only be made by those who have the statutory authority to do so.

“Shared decision-making”, therefore, is a misnomer when it is conducted by people who have no statutory authority to make substantive decisions, such as all the participants of the Slocan Valley CORE negotiation table. Promoting effective public participation requires that this distinction be made very clear at the onset, so that all participants know the limited potential for real action that can result from their “decisions”.

Theme 3: Scale of Decision-Making: Local, Regional, Provincial

Decision-making is spatially embedded. Public participation in resource management can theoretically occur at almost any geographic scale. The Slocan Valley CORE project was embedded in three scales: local, regional and provincial. At the onset of CORE, local residents were promised by the Commissioner that direction for the regional and provincial land use plans would come from the local process (see Chapter 6). Instead, the evidence from the analysis of outcomes (chapter 8) suggests that it was the opposite. The Forest Practices Code, a provincial level law that was formulated with relatively little public input compared to the highly public CORE process, was effectively used by government to alter the recommendations of the table negotiations. The land use designation of “Special Management Area” for the Slocan Valley amounted to something quite different (certainly less special) by the time it had been altered by regional and provincial levels of decision-making.

The experience of the Slocan Valley CORE project could lead to the conclusion that there is no such thing as community-based decision-making. (The misnomer “decision-making” has already been addressed, see Theme 2). The pre-process, process and post-process analyses demonstrate the futility of so-called community-based decision-making when there is limited government support for it. Gill and Reed (1999, 167) argue, in their recent (post-CORE) study of British Columbia resource communities, that

despite the emphasis on improving local autonomy and well-being, local communities still do not have the capacity to make effective contributions to land-use decisions concerning (re)allocation and management. More specifically, existing policy initiatives and institutional arrangement operating within local communities as well as those operating at larger regional and national scales render the contribution of local decision makers marginal.

The evidence from this thesis research supports their argument. Despite government statements promoting enhanced opportunities for community input (the Kootenay-Boundary Regional Land Use Plan even uses the word “community control”), true control over the land base rests firmly in the hands of the forest industry through long-term tenure arrangements. The task of balancing interests and incorporating objectives and tradeoffs into public policy is confounded by the fact that existing institutional arrangements at various spatial scales (*e.g.* regional, provincial and federal) associated with resource extractive functions are not always congruent with the needs of new non-extractive functions.

While it might be naïve, and irresponsible, to suggest that the provincial government devolve all its authority over public resource management policy to lower-level forms of government, the search for effective public participation might do well to investigate if a local-level “Community Resource Board” (the kind promised by CORE and the British Columbia government until the publication of the implementation strategy), which is given full statutory authority and responsibility, can do a better job at balancing interests among the public and promoting sustainable development.

Theme 4: Degree of Power-Sharing: Advisory vs. Authoritative

The issue of power permeates the analysis of the Slocan Valley CORE project. The long-standing conflict in the Slocan Valley is, at the core, about the unequal power between the local forest company and the majority of the local residents. Power is also at the core of the participation movement, starting as far back as Sherry Arnstein's ladder of citizen participation (1969, see Chapter 2). Since the publication of the *Community Forest Management Project* (1974), the Slocan Valley has been the stage for a power struggle. Ever since the unexpected creation of the Valhalla Provincial Park in 1983, resulting from a massive local campaign to lobby government for the preservation of the park, local residents have not made any substantial advances in affecting public policy decisions. This suggests, implicitly, that a tradeoff was made twenty years ago concerning the Slocan Valley resources: Valhalla for the preservationists, everything else for the timber company. The recent timber harvesting activities in many of the disputed consumptive-use watersheds, despite widespread opposition by residents, and the recommendations of the local and regional CORE tables calling for sensitive management, suggest that the outcomes for the Slocan Valley might have been pre-determined.

The issues of advisory (procedural) decisions and authoritative (substantive) decisions within the public participation process have been addressed in Theme 2. Here, the emphasis is not on the decisions themselves, but on the government's commitment to power-sharing: Would a greater commitment to share power with communities enhance public participation? The evidence from the case study suggests that disillusionment of the public over the quality of public input results not so much from the lack of power-sharing, but from the illusion of power-sharing. The post-CORE forum had the illusion of the same kind of (procedural) power-sharing that participants enjoyed under CORE. The realization that the government had abandoned the spirit of CORE, following the October 11, 1995 meeting, proved to be a major flashpoint for local residents committed to the process. Effective public participation in the future should ensure that the

government's commitment to power-sharing (whether advisory or authoritative) is maintained throughout the implementation phase.

Theme 5: Reasonable Expectations: Created & Denied

The issue of reasonable expectations for sustained public participation during the post-process implementation stage has been addressed earlier as part of the description of extra-community contextual factors. The creation and denial of reasonable expectations constitutes a theme because they were fundamental to the widespread dissatisfaction with the quality and meaningfulness of public input into the decisions. Effective public participation would ensure that any expectations for sustained public participation during the implementation stage would be carried to completion. Responsibility for avoiding the creation of unreal expectations, and then denying these expectations, rests with the government. The public should not have to prove that their expectations were not met by taking the government to court. If some form of sustained public participation were maintained, the citizens would probably not feel compelled to opt out of a formal "top-down" and collaborative process, for a "bottom-up" and adversarial form of public participation, such as litigation.

9.4 Implications for Future Research Directions

Learning from negative experiences is vital to progress. By studying a failed public participation process, such as the Slocan Valley CORE project, insights may be gained about how to avoid similar problems in the future. Effective public participation remains elusive, and finding the "magic solution", assuming one exists, that will solve all the problems was not the aim here. Rather, the purpose was to discuss how in-depth analysis of public participation in a resource community might provide insights into the designing of better forms of public participation.

This thesis research sought to incorporate *context*, *process* and *outcomes* in the evaluation of public participation. Examination into the pre-process antecedents revealed that the major causes of conflict in the Slocan Valley were related to company control of

resource use, relationships between stakeholders, and a history of failed participation opportunities. Strained relationships between participants with polarized interests caused delays in designing a workable process. Once the procedural issues were resolved, there was insufficient time left to address the substantive issues. Some of the antecedent causes of the long-standing conflict, such as legal tenure afforded to resource extractive companies, were not within the scope of negotiations. This contextual factor constrained the ability of the process to address the conflict, even though some success was achieved in the area of building trusting relationships. The analysis of the post-process outcomes revealed that the collaborative planning (*e.g.* consensus-based mediated negotiations employed by CORE) that took place during the process was reduced to a much more limited form of public participation (*e.g.* public review and comments after the decision has been made). An evaluation of process-related components would not have revealed these context-based constraining factors on effective participation.

Public participation in resource management decision-making is extremely complex and there are no simple procedures that can be devised that will work in all socio-economic, cultural, institutional and political contexts. It may be impossible to make public participation work effectively, unless governments, industries, and communities are willing to make the decision process a comprehensive one that incorporates both pre-process and post-process considerations.

Given the espoused importance of public participation for the promotion of sustainable development, meaning the importance of addressing the two inter-related imperatives of governance, the cost of any failure is very high if it disillusiones the public. Improving the effectiveness of participatory decision-making will require that the “widespread dissatisfaction with the quality and meaningfulness of the stakeholder input with the environmental decisions” (Gregory, 2000, 1; see opening quote in Chapter 1) be addressed first and foremost. One way to do this is to explore how public participation might extend beyond the traditional narrowly-focused process phase as a way to avoid making a “good process” result in futility.

The main results of this thesis research suggest that better forms of public participation in resource communities might require: 1) in-depth understanding of these contextual factors and their influence on the public participation process; and 2) the assurance of the community's participation in the implementation and monitoring phases of the decision process. The Conceptual Framework (Figure 3.1) provides a starting point from which to perform future comprehensive evaluations of public participation in resource communities.

A number of questions have arisen from this thesis research which could provide direction for future studies:

Deeper Understanding of Contextual Factors

The identification and examination of contextual factors within which community participation occurs will result in several steps forward toward designing effective public participation processes. Future studies would benefit from undertaking comparative analyses across resource communities. Do separate resource communities exhibit similar local antecedents and outcomes, and how do these contextual factors affect public participation in resource management decisions in each community? In addition, examining contextual factors from a quantitative perspective might prove useful for shedding light on the relative (statistical) significance of some variables over others. To what extent do context-specific variables influence process?

Cost-Benefit Comparisons

Another question concerns the cost-effectiveness of public participation. Formal public participation processes are already costly and time-consuming (Dorcey *et al.*, 1994). A comprehensive approach suggested here may require additional strains on financial and time budgets. Although it has been suggested that the long run costs of ineffective public participation outweigh any direct costs of lengthy processes, no empirical evidence is offered (Jackson, 1997). Further research, therefore, is needed into

the cost-benefit comparisons of the more comprehensive approach to public participation suggested by this research.

Implementation

Finally, the evidence from this research has suggested that the legitimization of any participation process will fall into doubt if people do not have the opportunity to become as involved in the decision implementation (post-process phase) as they had been in the decision-making (process phase). This observation requires further investigation into the capacity for public participation to function after a decision is made. What factors are necessary for successful public participation in the implementation of decisions?

"Thus far, communities have played a limited role in land-use planning for sustainable development. In large part, this limitation stems from the embedded nature of institutional and political structures. Communities are constrained in their ability to determine land allocations within municipal boundaries and even more so in their ability to influence decisions relating to land adjacent to the municipality on which the community may be dependent."

--- Gill and Reed (1999, 184) in
Incorporating Postproductivist Values into Sustainable Community Processes.

"However difficult it may be, the strongly recommended course of action involves democratizing the whole process of managing change. In a dynamic and uncertain environment, it is illusory to expect that the leaders or the "experts" can effectively know everything. Under these circumstances, pursuing and then managing more effective participation comprise the only reasonable approach in the long term to identifying a community's legitimate values, interests, and needs".

--- Bryant (1999, 87) in
Community Change in Context.

EPILOGUE:

Toward a Theory of Public Participation

The literature on public participation grew enormously between the time this thesis research began (1997) and the time of its completion (2002). In 1997, public participation was already well known for its wealth of case studies and numerous evaluation frameworks and criteria (see Chapter 2). Now, five years later, theoretical literature on public participation is growing rapidly. Although some attention is now being placed on understanding contextual factors (Beierle, 1999; Beierle and Crawford, 2001; Frewer *et al.*, 2001; Abelson, 2001; Webler and Tuler, 2002), the need for better conceptual and theoretical understandings of public participation remains a significant concern for future research directions. Moving toward a theory of public participation will require more in-depth case studies like the one presented in this thesis research.

These recent studies confirm the primary finding of the present thesis: that future development of a theory of public participation in resource decision-making necessitates a re-conceptualization of public participation that accounts for the role of contextual factors, and the iterative connections of antecedents, process and outcomes. The conceptual framework employed in this thesis research drew from theories of democracy and communication, and from the insights of previous empirical studies. Other areas need to be explored for their potential contribution toward a theory of public participation: management theory, decision analysis, collaborative learning, and procedural justice. At the same time, theoretical advances in public participation will require exploration of techniques beyond traditional interpretive qualitative evaluations such as were employed in this thesis, to include both quantitative and qualitative hypothesis testing.

REFERENCES

- Abelson, J. 2001. Understanding the role of contextual influences on local health-care decision making: case study results from Ontario, Canada. *Social Science & Medicine*, Vol. 53 (6): 777-793.
- Abs, S. 1991. *Improving Consultation: Stakeholder Views of EPD Public Processes*. Victoria, B.C.: Ministry of Environment, Lands and Parks.
- Adler, E.S. and Clark, R. 1999. *How it's Done: An Invitation to Social Research*. Boston: Wadsworth Publishing Company.
- Almond, G. and Verba, S. 1963. *The Civic Culture*. Princeton, NJ: Princeton University Press.
- Armour A. 1995. The citizens' jury model of public participation: a critical evaluation. In: *Fairness and Competence in Citizen Participation: Evaluating Models for Environmental Discourse*. O Renn, T Webler and P Wiedemann (eds). Dordrecht, Kluwer Academic Publishers: 175-188.
- Arnstein, Sherry. 1969. A ladder of citizen participation. *Journal of the American Institute of Planners* July, 216-24.
- Aron, J.B. 1979. Citizen participation at government expense. *Public Administration Review* 39:477-485.
- Ashford, N. and K. Rest. 1999. *Public Participation in Contaminated Communities*. Center for Technology, Policy, and Industrial Development. Massachusetts Institute of Technology. Cambridge, Mass.
- Avery, M, B. Auvine, B. Streibel, and L. Weiss. 1981. *Building United Judgement: A Handbook for Consensus Decision-Making*. Center for Conflict Resolution, Madison, Wisconsin.
- Bachrach, P. 1967. *The Theories of Democratic Elitism*. Boston: Little, Brown and Company.
- Bacow, L.S., and M. Wheeler. 1984. *Environmental Dispute Resolution*. New York: Plenum.
- Bailey, J. 1975. *Social Theory for Planning*. Routledge.
- Barber, Benjamin R. 1984. *Strong Democracy*. Los Angeles: University of California Press.
- Bardati, D. 1997. *Public Input in Environmental Decision-Making Processes: An Annotated Bibliography*. Unpublished manuscript. Department of Geography, McGill University, Montreal, QC, Canada.

- Barnes, T. and Haytor, R. (eds). 1997. *Trouble in the Rainforest: British Columbia's Forest Economy in Transition*. University of Victoria: Western Geographical Press.
- Baumann, D.D. 1983. Social acceptance of water reuse. *Applied Geography*, 3: 79-84.
- Baughman M 1995. Mediation. In: *Fairness and Competence in Citizen Participation: Evaluating Models for Environmental Discourse*. O Renn, T Webler and P Wiedemann (eds). Dordrecht, Kluwer Academic Publishers: 253-266.
- Beierle, Thomas. 1998. *Public Participation in Environmental Decisions: An Evaluation Framework Using Social Goals*. Washington, DC: Resources for the Future.
- Beierle, Thomas and J. Cayford. 2001. *Evaluating Dispute Resolution as an Approach to Public Participation*. Washington, DC: Resources for the Future.
- Bengston, D.N. 1994. Changing forest values and ecosystem management. *Society and Natural Resources* 7(6):515-533.
- Bennicksen, T.M. 1991. Managing biosocial systems: a framework to organise society-environment relationships. *Journal of Forestry* 89(1):10-15.
- Berger, T. 1977. *Northern Frontier, Northern Homeland: The Report of the Mackenzie Valley Pipeline Inquiry (Vol 1)*. Ottawa: Supply and Services Canada.
- Berstein, Richard. 1976. *The Restructuring of Social and Political Theory*. New York: Harcourt, Brace, and Jovanovich. Part IV.
- Bingham, G., R. Bishop, M. Brody, D. Bromley, E. Clark, W. Cooper, R. Costanza, T. Hale, G. Hayden, S. Kellert, R. Norgaard, B. Norton, J. Payne, C. Russell, and G. Suter. 1995. Issues in Ecosystem Valuation: Improving Information for Decision-Making. *Ecological Economics* 14(2):73-91.
- Bingham, Gail. 1986. *Resolving Environmental Disputes*. Washington, DC: Conservation Foundation Report.
- Boon, C. and D. Kinnon. 1987. *Public Participation in Government Decision Making*. Ottawa: Dept of Secretary of State.
- Bloland, H.G. 1995. Postmodernism and higher education. *Journal of Higher Education*, 66, 521-559.
- Bone, Robert. 2000. *The Geography of Canada*. Toronto: Oxford University Press.
- Booth, Annie and Greg Halseth. 1997a. *Community Participation and the New Forest*

Economy: Citizen Participation in Resource Management, Annotated Bibliography. Environmental Studies Program, Faculty of Natural Resources and Environmental Studies, University of Northern British Columbia, Prince George, BC.

- Booth, Annie and Greg Halseth. 1997b. *Community Participation and the New Forest Economy: Community and Sustainability, Annotated Bibliography.* Environmental Studies Program, Faculty of Natural Resources and Environmental Studies, University of Northern British Columbia, Prince George, BC.
- Booth, Annie and Greg Halseth. 1997c. *Community Participation and the New Forest Economy: British Columbia Models of Community Participation and Examples of Management, Annotated Bibliography.* Environmental Studies Program, Faculty of Natural Resources and Environmental Studies, University of Northern British Columbia, Prince George, BC.
- Bradbury, J. 1998. Expanding the rationale for analysis and deliberation: Looking beyond *Understanding Risk.* *Human Ecology Review*, 5 (1): 42-43.
- Bregha, F. 1973. *Public Participation in Planning Policy and Programme.* Toronto, On: Community Development Branch, Community Service Division, Ministry and Social Services. British Columbia. 1992. *Commission on Resources and Environmental Act.* SBC ch. 34.
- British Columbia Commission on Resources and Environment (BC CORE). 1994. *Cariboo-Chilcotin Land Use Plan.* Victoria: BC CORE.
- British Columbia Commission on Resources and Environment (BC CORE). 1995. *CD-ROM - The Electronic Library: A Comprehensive Collection of the Publications and Support Documents.* Victoria: BC CORE.
- British Columbia Forest Service, Planning Division. 1975. *Some Implications for the "Valhalla Proposal" to Resource Management in the Slocan P.S.Y.U.* Victoria, BC: Forest Service.
- British Columbia Ministry of Forests (BC MoF). 1980. *Public Participation Initiatives.* Victoria, Ministry of Forests.
- British Columbia Ministry of Forests. 1984. *Forest and Range Resource Analysis.* Victoria, B.C.
- British Columbia Ministry of Forests. 1985. *Annual Report 1983-84.* Victoria, B.C.
- British Columbia Ministry of Forests (BC MoF). 2001. Glossary on web site. <http://www.for.gov.bc.ca/pab/publctns/glossary/glossary.txt>

- British Columbia Roundtable on the Environment and the Economy (BCRTEE), 1991. *Reaching Agreement: Vol.1. Consensus Processes in British Columbia* Victoria, BC: British Columbia Round Table on the Environment.
- Broton, D. 2000. Watershed Solidarity in the Slokan. *Watershed Sentinel* August/Sept, 4-5.
- Brown, D. 1996. *Strategic Land Use Planning Source Book*. Victoria: Commission on Resources and Environment.
- Bryant, C. 1999. Community Change in Context, pp. 69-87 in Pierce, J.T and Dale, A. (eds.) *Communities, Development and Sustainability across Canada*. Vancouver: UBC Press.
- Buchbinder, H., Hunnius, G., and Stevens, E. 1974. *Citizen Participation: A Research Framework and Annotated Bibliography*. Ottawa, ON: Ministry of State for Urban Affairs.
- Buckle, Leonard G. and Suzanne R. Thomas-Buckle. 1986. Placing environmental mediation in context: Lessons from failed mediations. *Environmental Impact Assessment Review* 6:55-70.
- Burke, E. 1968. Citizen participation strategies. *Journal of American Institute of Planners*, 35:287-294.
- Bush, Robert A., and Joseph Folger. 1994. *The Promise of Mediation: Responding to Conflict Through Empowerment and Recognition*. San Francisco: Jossey-Bass.
- Canadian Round Tables. 1993. *Building Consensus for a Sustainable Future*. "Guiding Principles". Ottawa: Canadian Round Tables.
- Cardinall, D. and J.C. Day. 1998. Embracing value and uncertainty in environmental management and planning: a heuristic model. *Environments: A Journal of Interdisciplinary Studies* 25(2/3):110-125.
- Cater, J. and T. Jones. 1989. *Social Geography: An Introduction to Contemporary Issues*. London: Edward Arnold.
- Cetina, K. 1995. Laboratory studies: the cultural approach to the study of science. In Jasanoff, S. Markle, G., Peterson, J. and T. Pinch. eds. *Handbook of Science and Technology Studies: The Cultural Approach to the Study of Science and Technology Studies*. Newbury park, CA: Sage Publications.
- Checkoway, B. and J. Van Til. 1978. What do we know about citizen participation? A

- selective review of research, in Langton, S. ed. *Citizen Participation in America*. Lexington, MA: Lexington Books.
- Chess, C. Dietz, T. and M. Shannon. 1998. How should deliberate when? *Human Ecology Review* 5 (1): 45-48.
- Chess C and Purcell K. 1999. Public participation and the environment: do we know what works? *Environmental Science and Technology*.
- Chociolko, C. 1995. The experts disagree: A simple matter of facts versus values? *Alternatives* 21(3):18-25.
- Christensen, N., A. Bartuska, J. Brown, S. Carpenter, C. D'Antonio, R. Francis, F. Franklin, F. MacMahon, R. Noss, D. Parsons, C. Peterson, M. Turner, and R. Woodmansee. 1996. The report of the ecological society on the scientific basis for ecosystem management. *Ecological Applications* 6(3):665-691.
- Clark, W.A.V. and Hoskins, P.L. 1986. *Statistical Methods for Geographers*. Toronto: John Wiley & Sons.
- Clark, W.C. and G. Majone. 1985. The critical appraisal of scientific inquiries with policy implications. *Science, Technology, and Human Values* 10(3):6-19.
- Connor, D.M. 1978. Models and techniques of citizen participation, Pg. 58-73 in Sadler, B. ed. *Involvement and Environment*, vol. 2, Environment Council of Alberta, Edmonton.
- Connor, D.M. 1996. Public Participation in Canada: Development, Current Status and Trends. *Interact: The Journal of Public Participation* 2(1): 1-5.
- Cormick, G. 1989. Strategic issues in structuring multi-party public policy negotiations. *Negotiation Journal* 5(2):125-132.
- Cormick, G. 1992. The consensus approach - Why are we talking about it? *Forest Planning Canada* 8(3):33-36.
- Cortner, H. Shannon, M, Wallace, M, Burke, S., and M. Moote. 1996. *Institutional Barriers And Incentives For Ecosystem Management: A Problem Analysis*. USDA Forest Service. General technical Report PNW-GTR-354.
- Costanza, R. and J. Greer. 1995. The Cheasapeake Bay and its watershed: A model for sustainable ecosystem management? Pg. 169-213 in Gunderson, L.H., C.S. Holling, and S.S. Light, (eds). *Barriers and Bridges to the Renewal of Ecosystems and Institutions*. New York: Columbia University Press.

- Crabtree, B. and W. Miler. eds. 1992. *Doing Qualitative Research*. London: Sage Publications.
- Craig, D. 1983. *Citizen Participation in Environmental Decision-Making* Downsview, ON: York University, L.L.M. Thesis.
- Creswell, J. 1994. *Research Design: Qualitative and Quantitative Approaches*. London, UK: Sage Publications.
- Creswell, J. 1998. *Qualitative Inquiry and Research Design: Choosing Among Five Traditions*. London, UK: Sage Publications.
- Critchley, D. 1971. Citizen participation - opiate or opportunity? *Canadian Welfare* 47(13):13.
- Crosby N. 1995. Citizen juries: one solution for difficult environmental questions. In: *Fairness and Competence in Citizen Participation: Evaluating Models for Environmental Discourse*. O Renn, T Webler and P Wiedemann (eds). Dordrecht, Kluwer Academic Publishers: 157-174.
- Crossley, D.M. 1989. *A Bibliography on Local Government in British Columbia*. V Victoria, BC: Province of British Columbia, Ministry of Municipal Affairs, Recreation and Culture.
- Crow, T.R. and E. Gustafson. 1997. Ecosystem management: Managing natural resources in time and space. Pg. 215-228 in Kohm, K.A. and J.F. Franklin. (eds). *Creating a Forestry for the 21st Century: The Science of Ecosystem Management*. Washington: Island Press.
- Crowfoot, J.E. and J. Wondolleck. 1990. *Environmental Disputes: Community Involvement in Conflict Resolution*. Covelo, CA: Island Press.
- Cupps, S. 1977. Emerging Problems of Citizen Participation. *Public Administration Review* 37:478-487.
- Cuthbertson, I. 1987. Evaluating public participation: An approach for governmental practitioners. In: Daneke, G., Garcia, M., Delli Prescoli, J. (eds). *Public Involvement and Social Impact Assessment*. Boulder, CO: Westview Press.
- Dale, N. 1989. Getting to co-management: social learning in the redesign of fisheries management. Pg. in E, Pinkerton (ed.). *Co-Operative Management of Local Fisheries*. Vancouver: UBC Press.
- Dallmayr, F.R. and McCarthy, T.A. (eds). 1977. *Understanding Social Inquiry*. Notre

Dame, IN: University of Notre Dame Press.

Damer, S. and C. Hague. 1971. Public participation in planning: A review. *Town Planning Review*, 42: 217-232.

Daniels, S., Lawrence, R., and Alig, R. 1996. Decision-making and ecosystem-based management: Applying the Vroon-Yetton Model to public participation strategy. *Environmental Impact Assessment Review* 16(1):13.

Darling, C. 1991. *In Search of Consensus: An Evaluation of the Clayoquot Sound Sustainable Development Task Force*. Victoria, B.C. : University of Victoria Institute for Dispute Resolution.

Darling, C. 1992. A shared decision-making approach to land-use and resource management planning *Forest Planning Canada* 8(3):28-29.

Darling, C. 1994. Transcript from interview, August 2, Pg.13 in Kelly, R. and Alper, D. 1995. *Transforming British Columbia's War in the Woods: An Assessment of the Vancouver Island Regional Negotiation Process of the Commission on Resources and Environment*. University of Victoria: UVic Institute for Dispute Resolution.

de Neufville, R. 1990. *Applied Systems Analysis*. New York: McGraw-Hill Publishing Company.

Dear, M. 1988. The postmodern challenge: reconstructing human geography. *Transactions of the Institute of British Geographers*, 13: 262-274.

Dearden, Philip and Bruce Mitchell. 1998. *Environmental Change and Challenge: A Canadian Perspective*. Toronto: Oxford University Press.

Dearden, Philip and Rick Rollins. (eds). 1993. *Parks and Protected Areas in Canada: Planning and Management*. Toronto: Oxford University Press.

DeSario, J. and S. Langton (eds). 1987. *Citizen Participation in Decision-Making*. Westport: Greenwood Press.

Deutsch, M. 1973. *The Resolution of Conflict: Constructive and Destructive Processes*. New Haven: Yale University Press.

Dey, I. 1993. *Qualitative Data Analysis: A User Friendly Guide for Social Sciences*. London: Routledge.

Doering, Ronald L. 1993. *Canadian Round Tables on the Environment and the Economy: Their History, Form, and Function*. Working Paper Number 14. National Round Table on the Environment and Economy.

- Dorcey, A.H.J. 1986. *Bargaining in the Governance of Pacific Coastal Resources: Research and Reform*. Vancouver: Westwater Research Centre, University of British Columbia.
- Dorcey, A. and C. Riek. 1987. *Negotiation-based Approaches to the Settlement of Environmental Disputes in Canada - The Place of Negotiation in Environmental Assessment*. Hull, QC: Canadian Environmental Assessment Research Council.
- Dorcey, A., L. Doney, and H. Rueggeberg. 1994. *Public Involvement in Government Decision-Making: Choosing the Right Model*. B.C. Round Table on the Environment and the Economy.
- Douville, Michelle. 1997. "Tools" for Interpretating Information and Creating Knowledge: *An Annotated Bibliography*. Unpublished manuscript. Department of Geography. McGill University. Montreal, QC.
- Dovers, S.R. and J.W. Handmer. 1992. Uncertainty, Sustainability and Change. *Global Environmental Change* 2(1):262-76.
- Draper, Dianne. 2001. *Our Environment: A Canadian Perspective*. Toronto: International Thomson Publishing Nelson.
- Draper, J. 1977. "Evolution of citizen participation", *Involvement and Environment*, Vol. 1, Sadler, B. (ed.), Environment Council of Alberta, Edmonton.
- Drengson, Alan and Duncan Taylor. 1997. *Ecoforestry: The Art and Science of Sustainable Forest Use*. New Society Publishers: Gabriola Islands Publishers.
- Drummond, W.J. 1989. *The Design of information Systems for Public Issues: An Impact Fee Prototype Case Study*. Ph.D. Dissertation. Dept. of City and Regional Planning. University of North Carolina at Chapel Hill.
- Drushka, K. 1990. The new forestry: A middle ground? *The New Pacific: A Journal of the Pacific Northwest and Western Canada*. 4(Fall):7-23.
- Drushka, Ken, Nixon, Bob and Ray Travers. 1993. (eds). *Touch Wood: BC Forests at the Crossroads*. Madeira Park: Harbour Publishing.
- Dryzek, J. 1987. *Rational Ecology: Environment and Political Economy*. Oxford, NY: Basil Blackwell.
- Dryzek, J. 1990. *Discursive Democracy: Politics, Policy and Political Science*. Cambridge, MA: Cambridge University Press.
- Duffy, D., Roseland, M. and Gunton, T. 1996. A preliminary assessment of shared

- decision-making in land-use and natural resource planning. *Environments* 23(2):1-15.
- Dukes, Frank. 1993. Public Conflict Resolution: A Transformative Approach. *Negotiation Journal*, January:45-47.
- Dunster, J. 1994. Managing forests for forest communities: A new way to do forestry. *International Journal of Ecoforestry* 10(1):43-47.
- Dunster, J. and K. Dunster. 1996. *Dictionary of Natural Resource Management*. Vancouver: UBC Press.
- Eden S. 1996. Public participation in environmental policy: considering scientific, counter-scientific and non-scientific contributions. *Public Understand Science* 5:183-204.
- Eidsvik, P. 1978. Le public et la planification des parcs au Canada. *Parks* 3(1):3-5.
- Ekos Research Associates, Inc. 1995. *Rethinking Public Consultation*. Ekos research Associates, Inc. Ottawa.
- Elder, P. 1975. *Environmental Management and Public Participation*. Toronto, ON: Canadian Environmental Law Research Foundation.
- Elder P. 1982. Project approval, environmental assessment and public participation. *The Environmentalist* 2(1):55-71.
- English, Mary. 1991 Stakeholder views of Superfund sites. *The Superfund Process: Site-Level Experience*. Knoxville, Tenn: Waste Management Research and Education Institute.
- English M, Gibson AK, Feldman DL, and Tonn BE 1993. *Stakeholder Involvement: Open Processes for Reaching Decisions About the Future Uses of Contaminated Sites*. Knoxville, TN, University of Tennessee, Waste Management Research and Education Institute, December 1993.
- Environment Canada. 2001. *Soil Classification System*. Ottawa: Ministry of Environment.
- Erickson, D.L. 1980. Public involvement in resource agency decision-making. *Journal of Soil and Water Conservation* 35:224-9.
- Estes, C. 1984. Concensus. *In Context*. August.
- Estrin, D. 1979. The public still voiceless: Some negative aspects of public hearings. Pg

81-87 in Sadler, B. (ed.) *Involvement and Environment* (Vol 2). Edmonton: Environment Council of Alberta.

- Ethridge, M. 1987. Procedures for citizen involvement in environmental policy: An assessment of policy effects. In: DeSario, J. and Langton, S. (eds). *Citizen participation in Public Decision Making*. Westport, CT: Greenwood Press.
- Feeny, D., S. Hanna, and A.F. McEnvoy. 1996. Questioning the Assumptions of the Tragedy of the Commons Model of Fisheries. *Land Economics* 72(2):187-205.
- Finnegan, J. and K. Sexton, 1999. Community-based environmental decisions: Analyzing power and leadership. Pp. 331-351 in Sexton, K., A. Marcus, K. Easter, and T. Burkhardt. (eds) *Better Environmental Decisions: Strategies for Government, Businesses, and Communities*. Washington, DC: Island Press.
- Fisher, R. and Ury, W. 1981. *Getting to Yes: Negotiating Agreement Without Giving In*. Harmondsworth: Penguin.
- Fiorino, D. 1989. Environmental risk and democratic process: A critical review. *Columbia Journal of Environmental Law* 14: 501-547.
- Fiorino, D. 1990. Citizen participation and environmental risk: A survey of institutional mechanisms. *Science, Technology & Human Values* 15(2):226-243.
- Fiorino D 1995. Regulatory negotiation as a form of public participation. In: *Fairness and Competence in Citizen Participation*. O Renn, T Webler and P Wiedemann. Dordrecht, Kluwer Academic Publishers: 223-237.
- Fletcher, C. and M'Gonigle, M. 1991. The forces of governance, and the limits of law: Community involvement in forest planning. *Forest Planning Canada* 7(3):24-31.
- Flynn, S. and Gunton, T. 1996. Resolving natural resource conflicts through alternative dispute resolution: A case study of the timber fish wildlife agreement in Washington state. *Environments* 23(2):101-112.
- Flynn, Sara. 1991. *Alternative Environmental Dispute Resolution: A Review and Public Interest Considerations*. Unpublished paper.
- Folk, E. 1991. Public participation in the Superfund cleanup process. *Ecology Law Quarterly* 18:173-221.
- Forest Practices Code of BC Act. 1994. (Statutes of BC), c.41.
- Forester, John. 1980. Critical theory and planning practice. *Journal of the American Planning Association*, 46:275-284.

- Forester, John. 1989. *Planning in the Face of Power*. Berkeley: UC Press.
- Fox, C. and Miller, H. 1995. *Postmodern Public Administration: Towards Administration*. Thousand Oaks, CA: Sage Publications.
- Francis, G. and H. Regier. 1995. Barriers and bridges to the restoration of the Great Lakes Basin ecosystem. Pg. 239-291 in Gunderson, L.H., C.S. Holling, and S.S. Light, (eds). *Barriers and Bridges to the Renewal of Ecosystems and Institutions*. New York: Columbia University Press.
- Frankena, F. and Frankena, J.K. 1987. *Citizen Participation in Forest Resource Decision Making: A Bibliography*. Monticello, ILL: Vance Bibliographies, Public Administration Series.
- Fraser, Bruce. 1994. *Extracting the Lessons from the CORE Land use Planning Process in the Kootenay-Boundary Region of British Columbia*. Mediator's Report. 27 July.
- Frazier, J.W. 1981. Pragmatism: geography and the real world. In Harvey, M.E. and Holly, B.P. (eds), *Themes in Geographic Thought*. Croom Helm, London, pp. 61-72.
- Freire, P. 1970. *Pedagogy of the Oppressed*. New York: Seabury Press.
- Freire, P. 1993. Forward. Pp. ix-xii in McLaren, P. and Leonard, P. (eds). *Paulo Friere: A Critical Encounter*. New York: Routledge
- Frewer, L., Rowe, G., Marsh, R. and C. Reynolds. *Public Participation methods: Evolving and Operationalising an Evaluative Framework*. Norwick, UK: Norwich Research Park.
- Functowicz, S. and J. Ravetz. 1993. Science for the post-normal age. *Futures* 25(7):739-757.
- Gardner, J.E. and Moore, J.L. (eds). 1990. *Perspectives on Public Participation in Forest Management*. Vancouver, B.C.: School of Community and Regional Planning, University of British Columbia, Report to the British Columbia Forest Resources Commission.
- Gibson, R.B. 1992. Respecting ignorance and uncertainty. Pg.159-78 in E. Lykke (ed.). *Achieving Environmental Goals: The Concept and Practice of Environmental Performance Review*. London: Bellhaven Press.
- Gill, Ray. 1955. *A Proposal for the Creation of a Public Working Circle in the Slocan*

Forest. Nelson: Nelson Forest District.

- Gill, A. and Reed, M. 1999. Incorporating Postproductivist Values into Sustainable Community Processes, pp. 166-189 in Pierce, J.T and Dale, A. (eds.) *Communities, Development and Sustainability across Canada*. Vancouver: UBC Press.
- Glacken, C.J. 1967. *Traces on the Rhodian Shore*, Los Angeles: University of California Press.
- Gleick, J. 1987. *Chaos: Making a New Science*. Toronto: Penguin Books.
- Gordon, J. and J. Lyons. 1997. The emerging role of science and scientists in ecosystem management. Pg.. 447-453 in Kohm, K.A. and J.F. Franklin. (eds). *Creating a Forestry for the 21st Century: The Science of Ecosystem Management*. Washington: Island Press.
- Gower, John. 1990. *The Impact of Alternative Ideology on Landscape: The Back-to-the-Land Movement in the Slocan Valley* Unpublished Master's Thesis. Department of Geography. University of British Columbia, Vancouver, BC.
- Gray, B. 1985 Conditions facilitating interorganizational collaboration. *Human Relations* 38(10):911-936.
- Gray, B. 1989. *Collaborating: Finding Common Ground for Multiparty Problems*. San Francisco: Jossey-Bass.
- Gregory, R. 2000. Using stakeholder values to make smarter environmental decisions. *Environment*, June:1-14.
- Grumbine, R.Edward. 1994. What is Ecosystem Management? *Conservation Biology* 8(1):27-38.
- Gunderson, L.H., C.S. Holling, and S.S. Light, (eds). 1995. *Barriers and Bridges to the Renewal of Ecosystems and Institutions*. New York: Columbia University Press.
- Gunton, Tom. 1998. Forestry land use policy in British Columbia: The dynamics of change. *Environments: A Journal of Interdisciplinary Studies* 25(2/3):8-13.
- Gunton, T. and Flynn, S. 1992. Resolving environmental conflicts: the role of mediation and negotiation. *Environments* 21(3):12-16.
- Gunton, T. and I. Vertinsky. 1991. Reforming the decision-making process for forest land

planning in British Columbia, In: *Forest Resources Commission Background Papers* Vol. 1. Victoria, B.C. : Forest Resources Commission.

Habermas, Jurgen. 1975. *Legitimation Crisis*. Boston: Beacon Press.

Habermas, Jurgen. 1978. *Knowledge and Human Interests*. Heinemann, London.

Habermas, Jurgen. 1979. *Communication and the Evolution of Society*. Boston: Beacon Press.

Habermas, Jurgen. 1984. *The Theory of Communicative Action: Reason and the Rationalization of Society. Volume 1*. Boston: Beacon Press.

Habermas, Jurgen. 1987. *The Theory of Communicative Action: System and Lifeworld. Volume II*. Boston: Beacon Press.

Hadden SG 1990. *Public Perception of Hazardous Waste*, LBJ School of Public Affairs.

Hadden SG 1995. Regulatory negotiation as citizen participation: a critique. In: *Fairness and Competence in Citizen Participation: Evaluating Models for Environmental Discourse*. O Renn, T Webler and P Wiedemann (eds). Dordrecht, Kluwer Academic Publishers: 239-252.

Hammond, Herb. 1991. *Seeing the Forest Among the Trees: The Case for Wholistic Forest Use*. Vancouver: Polestar Book Publishers.

Hammond, Herb. 1993. Forest practices: putting wholistic forest use into practice. Pg. 96-136 in Drushka, Ken, Nixon, Bob and Ray Travers. (eds). *Touch Wood: BC Forests at the Crossroads*. Madeira Park: Harbour Publishing.

Hansen, K. 1998. Identifying facets of democratic administration: The empirical referents of discourse. *Administration & Society* 30(4): 443-461.

Hayter, R. 2000. *Flexible Crossroads: The Restructuring of British Columbia's Forest Economy*. Vancouver: UBC Press.

Healey, P. 1997. *Collaborative Planning: Shaping Places in Fragmented Societies*. Vancouver: UBC Press.

Healy, R.G. and W. Asher. 1995. Knowledge in the policy process: Incorporating new environmental information in natural resources policy making. *Policy Sciences* 28:1-19.

Held, David. 1980. *Introduction to Critical Theory: Horkheimer to Habermas*. Berkeley: University of California Press.

- Hilbron, Ray. 1987. Living with uncertainty in resource management. *North American Journal of Fisheries Management* 7:1-5.
- Hoberg, George. 1997. Policy change through sector intersection. *Canadian Public Administration* 40(3):387-414.
- Hodge, Gerald. 1998. *Planning Canadian Communities*. Toronto: ITP Nelson.
- Hodgetts, R.M. and S. Altman. 1979. *Organizational Behavior*. Philadelphia, PA: WB Saunders Company.
- Holland, M.M. 1996. Ensuing sustainability of natural resources: focus on institutional arrangement. *Canadian Journal of Fisheries and Aquatic Sciences* 53(suppl.1):432-439.
- Holling, C.S. 1978. *Adaptive Environmental Assessment and Management*. Chichester: John Wiley.
- Holling, C.S. 1973. Resilience and stability of ecological systems. *Annual Review of Ecological Systems* 4:1-24.
- Homenuck, P. Durlak, J. and Morgenstern, J. 1978. Evaluation of public participation programmes. Pg. 103-19 in Sadler, B. (ed.). *Involvement and Environment*, Vol. 2, Environment Council of Alberta, Edmonton.
- Hoole, A..F. 1978. Public participation in park planning: the Riding Mountain case. *Canadian Geographer* 22:41-50.
- Howard, A. 1976. The great participation fallacy. *The Planner*, 62:163-4
- Huffaker, C.B. 1958. Experimental studies on predation: Dispersion factors and predator-prey oscillations. *Hillgardia* 27:343-383.
- Huntington, S. 1970. The democratic distemper. *The Public Interest* 41: 9-38.
- Hydro-Québec. 1984. *Problématique de la consultation à l'Hydro-Quebec*. Direction des communications.
- IAP2 – International Association for Public Participation. 2002. Website: <http://www.iap2.com/aboutiap2.html>
- Ingram, H. and S. Ullery. 1977. Public participation in Environment decision-making: Substance or Illusion? In Swell, W.R.D. and J.T. Coppock (eds.). *Public Participation in Planning*. London: Wiley.

- Ilberry, B.W., Foster, I.D.L. and Donoghue, P.J. 1982. Perception and water quality: a geographical perspective. *Progress in Physical Geography*, 6:524-50.
- Irwin, A. and B. Wynne (eds). 1996. *Misunderstanding Science? The Public Reconstruction of Science and Technology*. Cambridge, UK: Cambridge University Press.
- Jackson, E.L. 1980. Perceptions of energy problems and the adoption of conservation practices in Edmonton and Calgary. *Canadian Geographer*, 24:114-30.
- Jackson, L.S. 1997. *Consensus Processes in Land Use Planning in BC: The Nature of Success*. PhD Dissertation, University of Victoria.
- Jansson, B.O. and H. Velner. 1995. The baltic: Sea of surprises. Pg. 292-374 in Gunderson, L.H., C.S. Holling, and S.S. Light, (eds). *Barriers and Bridges to the Renewal of Ecosystems and Institutions*. New York: Columbia University Press.
- Jasanoff, S. Markle, G., Peterson, J. and T. Pinch. eds. 1995. *Handbook of Science and Technology Studies: The Cultural Approach to the Study of Science and Technology Studies*. Newbury park, CA: Sage Publications.
- Johnston, R.J. 1991. *Geography and Geographers* 4th edition. London: Edward Arnold.
- Kasperson, R. and M. Breibart. 1974. *Participation, Decentralization and Advocacy Planning*. Commission on College Geography, Resource Paper No 25, Association of American Geographers, Washington, D.C.
- Kathlene L and Martin JA 1991. Enhancing citizen participation: panel designs, perspectives, and policy formulation. *Journal of Policy Analysis and Management* 10(1):46-63.
- Kaufmann, M., Graham, R., Boyce, D., Moir, W., Perry, L., Reynolds, R., Bassett, R., Mehllhop, P., Edminster, C., Block, W., and P. Corn. 1994. *An Ecological Basis for Ecosystem Management*. USDA Forest Service. General Technical Report RM-246.
- Keeney, R.L 1992. *Values Focused Thinking: A Path to Creative Decisionmaking*. Cambridge: Harvard University Press.
- Kelly, R. Alper, D. 1995. *Transforming British Columbia's War in the Woods: An Assessment of the Vancouver Island Regional Negotiation Process of the Commission on Resources and Environment*. University of Victoria: UVic Institute for Dispute Resolution.
- Kemp, R., O'Riordan, T., and Purdue, M. 1984. Investigation as legitimacy: The maturing of the big public inquiry, *Geoforum* 15:477-88.
- Kemp, R., O'Riordan, T., and Purdue, M. 1986. Environmental politics in the 1980's:

- The public examination of radioactive waste disposal. *Policy and Politics* 14:9-25.
- Kenyon, Graham. 1970. *Valhalla Provincial Park: A Wilderness Park Proposed for the West Kootenay Region of BC.* a brief to the minister of recreation and conservation.
- Kim, W. C. and R. Mauborgne. 1997. Fair process: Managing in the knowledge economy. *Harvard Business Review*, July-August.
- Kimmins, H. 1997. *Balancing Act: Environmental Issues in Forestry* (2nd ed.). Vancouver: UBC Press.
- Kirk, J. and Miller, M. 1986. *Reliability and Validity in Qualitative Research*. Qualitative research methods Series, No. 1, Sage: London.
- Kloppenborg, Jack. 1991. Social theory and the de/reconstruction of agricultural science: Local knowledge for an alternative science *Rural Sociology* 56(4):519-548.
- Knopp, T.B. and Caldbeck, E.S. 1990. The role of participatory democracy in forest management. *Journal of Forestry* 88(5):13-18.
- Kohm, K.A. and J.F. Franklin. (eds). 1997. *Creating a Forestry for the 21st Century: The Science of Ecosystem Management*. Washington: Island Press.
- Kraft, M.E. and Kraut, R. 1985. The impact of citizen participation on hazardous waste policy implementation: the case of Clermont County, Ohio. *Policy Studies Journal* 14:52-61.
- Kreutzweiser, R.D. and Lee, A.G. 1982. Rural landowner attitudes toward sport fishing access along Saugen and Credit Rivers, Southern Ontario. *Recreation Research Review*, 9:7-14.
- Krimsky, S. 1984. Epistemic considerations on the value of folk-wisdom in science and technology. *Policy Studies Review* 3(2):246-62.
- Krimsky, S. and D. Golding. (eds). 1992. *Social Theories of Risk*. Westport, CT: Praeger.
- Kromm, D.E. and White, S.E. 1985. *Conserving the Ogallala: What next?* Department of Geography, Kansas State University, Manhattan, Kansas, 16 pp.
- Krueger, R. and Mitchell, B. 1977. *Managing Canada's Renewable Resources*. Toronto: Methuen.
- Kubiski, W. 1992. *Citizen Participation in the '90s: Realities, Challenges and Opportunities*. Winnipeg, MB: Institute of Urban Studies, Occasional Paper 30.

- Kuentzel, Walter F. 1996. Socially acceptable forestry: mediating a compromise or orchestrating the agenda? In *Defining the Social Acceptability in Ecosystem Management: A Workshop Proceedings: 1992 June 23-25; Kelso, WA*. Edited by Brunson, M.; Kruger, L; Tyler, C; Schroeder, S. Gen. Tech Rep. PNW-GTR-369. Portland, OR: US Department of Agriculture, Forest Service, Pacific Northwest Research Station: 49-63.
- Lach D and Hixson P. 1996. Developing indicators to measure values and costs of public involvement activities. *Interact* (Spring).
- Laird FL, 1993. Participatory analysis, democracy, and technological decision making. *Science, Technology, & Human Values* 18(3):341-361.
- Lake, L. (ed). 1980. *Environmental Mediation: The Search for Consensus*. Boulder, CO: Westview Press.
- Lancy, D. 1993. *Qualitative Research in Education: An Introduction to the Major Traditions*. New York: Longman.
- Langton, Stuart. ed. 1978. *Citizen Participation in America*. Lexington, MA: Lexington Books.
- Lawclopedia, 2002. *Encyclopedia Dictionary of Law - Alternative Dispute Resolution* <http://www.lectlaw.com/tadr.htm>
- Lawrence, R., S, Daniels, and G. Stankey. 1997. Procedural justice and public involvement in natural resource decision making. *Society and Natural Resources*, 10, 577-589.
- Lee, K.N. 1993. *Compass and Gyroscope: Integrating Science and Politics for the Environment*. Washington: Island Press.
- Lee, K.N. 1995. Deliberately seeking sustainability in the Columbia River Basin. Pg. 214-238 in Gunderson, L.H., C.S. Holling, and S.S. Light, (eds). *Barriers and Bridges to the Renewal of Ecosystems and Institutions*. New York: Columbia University Press.
- Lee, K. and J. Lawrence. 1986. Adaptive management: learning from the Columbia River basin Fish and Wildlife Program. *Environmental Law* 16(3):431-460.
- Leffer, J.W. 1978. Ecosystem responses to stress in aquatic microcosms. Pg. 14-29 in Thorp, J.H. and J.W. Gibbons. (eds). *Energy and Environmental Stress in Aquatic Ecosystems*. U.S. Dept of Energy. National Technical Information Center. Springfield, Virginia.
- Light, S.S. 1983. *Anatomy of Surprise: A Study of Resilience in Water Supply*

Management Institutions During Drought. Ph.D. dissertation, University of Michigan, Ann Arbor.

Light, S. Gunderson, L. and Holling, C.S. 1995 The Everglades: Evolution of management in a turbulent ecosystem. Pg. 103-168 in Gunderson, L.H., C.S. Holling, and S.S. Light, (eds). *Barriers and Bridges to the Renewal of Ecosystems and Institutions*. New York: Columbia University Press.

Lofland, J. and Lyn, H. 1984. *Analyzing Social Settings: A Guide to Qualitative Observation and Analysis*. Belmont, CA: Wadsworth Publishing Company.

Lover, J. and Pirie, A. 1990. *Alternative Dispute Resolution for the Community: An Annotated Bibliography*. Victoria, BC: University of Victoria Institute for Dispute Resolution.

Lowe, P. and Goyder, J. 1983. *Environmental Groups in Politics*, George Allan and Unwin, London.

Lowenthal, D. 1966. Assumptions behind the public attitudes, Pg. 128-37 in Jarrett, H. (ed.). *Environmental Quality in a Growing Economy*. John Hopkins, Baltimore.

Ludwig, D. and R. Hilborn. 1983. Adaptive probing strategies for age-structured fish stocks. *Canadian Journal of Fisheries and Aquatic Sciences* 40:559-569.

Lugwig, D. R. Hilborn, and C. Waters. 1993. Uncertainty, resource exploitation, and conservation: Lessons from history. *Science* 260(17):36.

Lynn, F. M. 1987. Citizen involvement in hazardous waste sites: two North Caroline success stories. *Environ Impact Assessment Review* 7:347-361.

Lynn, F.M. 1990. Public participation in risk management decisions: The right to define, the right to know, and the right to act. *Risk Issues in Health and Safety*, 1: 95-101.

Lynn F.M. and Busenberg GJ 1995. Citizen advisory committees and environmental policy: What we know, what's left to discover. *Risk Analysis* 15(2):147-162.

Lynn F.M. and Kartez JD 1995. The Redemption of Citizen Advisory Committees: A Perspective from Critical Theory. In: Fairness and Competence in Citizen Participation - Evaluating Models for Environmental Discourse. O. Renn, T. Webler, and P. Wiedermann, eds. Dordrecht: Kluwer Academic Publishers: 87-102.

Lysik, K.M. 1978. Public inquiries and the protection of the public interest in resource

- development projects *Journal of Natural Resource Management and Interdisciplinary Studies* 3:2-9.
- M'Gonigle, R. Michael. 1997. Behind the Green Curtain. *Alternatives Journal* 23(4):16-21.
- M'Gonigle, M. and B. Parfitt. 1994. *Forestopia: A Practical Guide to the New Forest Economy*. Madeira Park, BC: Harbour Publishing.
- MacMurray, T. 1971. How not to have participation. *Town and Country Planning*, 39:263-266.
- Marshall, C. and Rossman, G. 1989. *Designing Qualitative Research*. Newbury Park, CA: Sage Publications.
- Maser, C. 1997. *Sustainable Community Development: Principles and Concepts*. Delray Beach, Florida: St Lucie Press
- Maser, C. 1996. *Resolving Environmental Conflict: Towards Sustainable Community Development*. Delray Beach, Florida: St Lucie Press.
- Maser, C. 1994. *Sustainable Forestry: Philosophy, Science, and Economics*. Delray Beach, FL: St Lucie Press.
- Maser, C. and Sedell, J. R. 1994. *From the Forest to the Sea: The Ecology of Wood in Streams, Rivers, Estuaries and Oceans*. Delray Beach, FL: St Lucia Press.
- Mather, A.S. 1982. The changing perception of soil erosion in New Zealand. *Geographical Journal*, 148: 207-18.
- Mather, A.S. and Chapman, K. 1995. *Environmental Resources*. Harlow, UK: Longman.
- May, R.M. 1973. *Stability and Complexity in Model Ecosystems*. Princeton, NJ: Princeton University Press.
- May, R.N. 1981. Models for single populations. Pg. 5-29 in May, R.N. (ed.). *Theoretical Ecology*. Sunderland, Mass: Sinauer Associates.
- Mazmanian DA and Nienaber J. 1979. *Can Organizations Change?* Washington, D.C., The Brookings Institution.
- McAllister, Mary Louise. 1998. Shared decision-making: Lessons from CORE. *Environments: A Journal of Interdisciplinary Studies*. 25(2/3):126-132.
- McMahon, Gerard. 1995. *The Role of Information in Watershed Planning: Contributions of Critical Theory and Environmental Dispute Resolution*. PhD Dissertation. University of North Carolina at Chapel Hill, Department of City and Regional Planning.
- Mealing, F.M. 1975. *Doukhobor life: a survey of Doukhobor religion, history, & folklife*. Castlegar, B.C.: Kootenay Doukhobor Historical Society.

- Meredith, T. 1991. Environmental impact assessment., in Mitchell, B. (ed.) *Resource Management and Development*. Toronto: Oxford University press.
- Meredith, T. 1997. Information limitations in participatory impact assessment. Pg. 125-154 in Sinclair, John (ed.) *Canadian Environmental Assessment in Transition*. Waterloo, ON: Univ. of Waterloo, Dept. of Geography Public. Series # 49.
- Mezirow, J. (ed). 1990. *Fostering Critical reflection in Adulthood: A Guide to Transformative and Emancipatory Learning*. San Francisco, CA: Jossey-Bass Publishers.
- Michels, R. 1958 [1915]. *Political Parties*. Glencoe, Ill: The Free Press.
- Michael, D.N. 1993. Governing by learning: Myths and metaphors. *Futures* 25(1):81-89.
- Michael, D.N. 1995. Barriers and bridges to learning in a turbulent human ecology. Pg. 391-428 in Gunderson, L.H., C.S. Holling, and S.S. Light, (eds). *Barriers and Bridges to the Renewal of Ecosystems and Institutions*. New York: Columbia University Press.
- Miles, M.B. and A.M. Huberman. 1994. *Qualitative Data Analysis*. Thousand Oaks: Sage.
- Mill, J.S. 1873. *Considerations on Representative Government*. New York: Henry Holt and Company.
- Miller, A. 1985. Technical Thinking: Its Impact on Environmental Management” *Environmental Management* 9(3):179-190.
- Miller, A. 1993. The Role of Analytical Science in Natural Resource Decision-Making. *Environmental Management* 17(5):563-575.
- Miller, Peter. 1997. From Locke to Gaia: Environmental Ethics and Canadian Forest Policy, Pg. 50-66, in Wellington, Alex, Greenbaum, Allan, and Wesley Cragg (eds). *Canadian Issues in Environmental Ethics*. Peterborough: Broadview Press.
- Ministry of Environment, Lands and Parks (British Columbia). 1999. Management Directions Statement for Goat Range Provincial Park. Government of British Columbia.
- Ministry of Forest Arrow District (British Columbia). 2001. Planning Initiatives in the Slocan Valley.
<http://www.for.gov.bc.ca/nelson/district/arrow/news/svgen/planinit.htm>
- Ministry of Sustainable Resource Management (British Columbia). 2001 Protected Areas

Strategy. <http://www.luco.gov.bc.ca/pas/painbc/home.htm>

- Mitchell, Bruce. 1989. *Geography and Resource Analysis* 2nd edition. New York: Longman Scientific & Technical.
- Mitchell, Bruce. 1995. Addressing conflict and uncertainty. Pg. 1-8 in Mitchell, B. (ed.). *Resource and Environmental Management in Canada*. Toronto: Oxford University Press.
- Mitchell, B. (ed.). 1995. *Resource and Environmental Management in Canada*. Toronto: Oxford University Press.
- Mitchell, B. 1997. *Resource and Environmental Management*. Harlow: Pearson Education.
- Mitchell, B. 2002. *Resource and Environmental Management*. (2nd edition) Harlow: Pearson Education.
- Mitchell, T.R. and W.G. Scott. 1987. Leadership failures, the distrusting public and the administrative state. *Public Administration Review* (November/December) 445-452.
- Moran, E.F. 1990. Ecosystem ecology in biology and anthropology: a critical assessment. Pg. 3-40 in Moran, E.F. (ed.) *The Ecosystem Approach in Anthropology: From Concept to Practice*. Ann Arbor, MI: The University of Michigan Press.
- Moynihan, D. 1969. *Maximum Feasible Misunderstanding*. New York: Maximillian.
- Mulhivill, P.R. and R.F. Keith. 1989. Institutional requirements for adaptive EIA: The Kativik Environmental Quality Commission. *Environmental Impact Assessment Review* 9(4):399-412.
- National Task Force on Environment and Economy. 1987. *Report to the Canadian Council of Resource and Environment Ministers*. Ottawa: Canadian Council of Resource and Environment Ministers.
- Nay, J.N. and P. Kay. 1982. *Government Oversight and Evaluability Assessment*. Toronto: Lexington Books.
- Nelson, J.G. 1982. Public participation in comprehensive resource and environmental management. *Science and Public Policy* 9:240-50.
- Nelson, J. and R. Serafin. 1994. Improving monitoring and assessment for environmental decision-making, Pg.391-412 in Andrey, J. and J.G. Nelson (eds). *Public Issues: A Geographical Perspective*. Waterloo, ON: Heritage Resources Centre, University of Waterloo.

- Ness, K. 1992. *Resource Planning in the Ministry of Forests: A Glossary of Past and Present Plans*. Victoria: Resource Planning Section, Integrated Resources Branch, Ministry of Forests.
- Nixon, Bob. 1993. Public Participation: Changing the way we make forest decisions. Pg. 23-66 in Drushka, Ken, Nixon, Bob and Ray Travers (eds). *Touch Wood: BC Forests at the Crossroads*. Madeira Park: Harbour Publishing.
- Norris, L. 1990. New Forestry and the debate. *Western Banner* 3(3):1-3.
- Nothdurft W 1995. Environmental mediation: insights into the microcosm and outlook for political implications. In: *Fairness and Competence in Citizen Participation: Evaluating Models for Environmental Discourse*. O Renn, T Webler and P Wiedemann (eds). Dordrecht, Kluwer Scientific Publishing: 267-282.
- Norton, W. 1984. *Historical Analysis in Geography*. London, UK: Longman.
- O'Hara, S.U. 1996. Discursive Ethics in Ecosystems Valuation and Environmental Policy. *Ecological Economics* 16(2):95-107.
- O'Laughlin, J. 1993. Exploring the definition of forest health. Pg. 9-14 in *Proceedings. Forest Health in the Inland West*. USDA Forest Service. Boise National Forest. Department of Forest Resources, University of Idaho, Moscow, Idaho.
- Oppenheim, A.N. 1992. *Questionnaire Design, Interviewing and Attitude Measurement*. London, UK: Pinter.
- O'Riordan, T. 1971. Towards a Strategy of Public Involvement pp. 99-110 in W.R.D. Sewell and I. Burton (eds). *Perceptions and Attitudes in Resource Management*. Ottawa: Department of Energy, Mines and Resources.
- O'Riordan, T. 1977. Participation through objection: Some thoughts on the UK Experience, in B. Sadler (ed.) *Involvement and Environment*, Vol 1. Edmonton: Environmental Council of Alberta.
- O'Riordan, T. 1984. The Sizewell B Inquiry and a national energy strategy, *Geographical Journal* 150:171-82.
- O'Riordan, T. and J. O'Riordan. 1993. On evaluating public examination of controversial projects, in *Advances in Resource Management*, Harold Foster (ed.) London: Belhaven Press.
- O'Riordan, T. and Turner, R.K. 1979. Recycling and household attitudes: A survey of Norwich. *Resources Policy*, 5(1): 42-50.

- Odum, E.P. *Basic Ecology*. Philadelphia: WB Saunders.
- Orians, G., Buckley, J., Clark, W., Gulpin, M., Jordan, C., Lehman, J., May, R., Robillard, G., and D. Simberloff. 1986. *Ecological Knowledge and Environmental Problem-Solving: Concepts and Case Studies*. Committee on the Application of Ecological Theory to Environmental Problems, Commission on Life Sciences, National Research Council. Washington, DC: National Academic Press.
- Owen, S. 1993. Overcoming dysfunction in public policy. Pg.1-3 in Roseland, Mark. 1993. (ed.). *From Conflict to Consensus: Shared Decision-Making in British Columbia*. Proceedings of a Symposium held on March 5, 1993 at Simon Fraser University Harbour Centre Campus. Simon Fraser University, Burnaby, BC.
- Owen, S. 1993. *Participation and Sustainability: The Imperatives of Resource and Environmental Management*. Background paper for the Multi-Party Mediation Institute Conference, Whistler, B.C., June 7.
- Owen, S. 1998. Land Use Planning in the Nineties: CORE Lessons. *Environments: A Journal of Interdisciplinary Studies* 25(2/3):14-26.
- Ozawa, Connie. 1988. *Consensual Procedures and the Role of Science in Public Decision Making*. Ph.D. Dissertation. Dept. of Urban Studies and Planning, MIT.
- Parenteau, R. 1988. *Public Participation in Environmental Decision-Making*. Ottawa: Federal Environmental Assessment and Review Office.
- Pateman, C. 1979. *The Problem of Political Obligation*. Chichester, England: John Wiley & Sons.
- Pateman, C. 1970. *Participation and Democratic Theory*. Cambridge: Cambridge University Press.
- Pattison, W.D. 1964. The four traditions of geography. *Journal of Geography* 63:211-16.
- Pattison, W.D. 1990. The four traditions of geography. *Journal of Geography* 89(5):202-206.
- Pearce, Cindy, Gosal, Kindy, Betts, Lynne. 1999. *Building a Healthy Economy: A Community Action Plan for the Slocan Valley*. New Denver: Slocan Valley Community Economic Action Plan Steering Committee.
- Pearse, Peter H. 1976. *Timber Rights and Forest Policy in BC*. Report of the Royal Commission on Forest Resources. Victoria: Queen's Printer.
- Peel, Sandy. 1991. *The Future of Our Forests*. Report of the Royal Commission on Forest Resources. Victoria: Queen's Printer.

- Peelle, Elizabeth, Martin Schweitzer, John Munro, Sam Carnes, and Amy Wolfe. 1996. Factors Favorable to Public Participation Success, *Proceedings: National Association of Environmental Professionals*, Houston, Texas, June 2-5 (Oak Ridge, Tenn.: Oak Ridge National Laboratory).
- Pelton, F. 1985. *Chairman of Environment and Land use Committee's Letter to G. Cady, Chairman of Regional District of Central Kootenay, on the adoption of the Slocan Valley Development Guidelines*. March 27. Victoria: Province of B.C.
- Penrose, Robert Weir, J.C. Day, and Mark Roseland. 1998. Shared Decision-Making in public land planning: An evaluation of the Cariboo-Chilcotin CORE Process. *Environments: A Journal of Interdisciplinary Studies* 25(2/3):27-47.
- Perry, D. and M. Amaranthus. 1997. Disturbance, recovery, and stability. Pg. 31-56 in Kohm, K.A. and J.F. Franklin. (eds). *Creating a Forestry for the 21st Century: The Science of Ecosystem Management*. Washington: Island Press.
- Peterson, T.R. and C. Horton. 1995. Rooted in the soil: How understanding the perspectives of land-owners can enhance the management of environmental disputes. *Quarterly Journal of Speech* 81:139-166.
- Pickles, J. 1995. "Representations in an Electronic Age: Geography, GIS, and Democracy" Pg. 1-30 in Pickles, J. *Ground Truth: The Social Implications of Geographical Information Systems*. New York: The Guilford Press.
- Pierce, J., C. Steger, B. Steel, and N. Lorvich. 1992. *Citizens, Political Communication, and Interests Groups*. Westport, Conn: Praeger.
- Pierce, J. T. 1999. Making Communities the Strong Link in Sustainable Development. Pp. 277-290 in Pierce, J.T and Dale, A. (eds.) *Communities, Development and Sustainability across Canada*. Vancouver: UBC Press.
- Pierce, J. T. and Dale, A. (eds.) 1999. *Communities, Development and Sustainability across Canada*. Vancouver: UBC Press.
- Pigram, J.J.J. 1972. Resource appraisal and resistance to change: An Australian example. *Professional Geographer*, 24:132-136.
- Pinkerton, E. and M. Weinstein. 1995. *Fisheries that Work: Sustainability Through Community Based Management*. Final Report 219. Vancouver: David Suzuki Foundation.
- Porter, J. and R. Taplin. 1987. *Conflict and Conflict Resolution: A Sociological*

Introduction with Updates Bibliography and Theory Section. Lanham, MD: University of America Press.

- Powell, M. 1989. *Fostering Public Participation: A Brief Discussion and Selected Annotated Bibliography.* Ottawa, ON: Canadian Council on Social Development.
- Priddle, G.B. (1979-80) Public participation in park planning: the Algonquin experience in 1979 Vol. 10, Pg.. 67-89, *Geographical Inter-University Resource Management Seminars*, Department of Geography, Wilfrid Laurier University, Waterloo, Ontario.
- Pross, Paul A. 1985. Parliamentary influences and the diffusion of power. *Canadian Journal of Political Science* 2:235-266.
- Purdue, M., Kemp, R. and O'Riordan, T. 1984. The context and conduct of Sizewell B Inquiry *Energy Policy* 12:276-82.
- R.T. Banting Engineering Ltd. 1995. *Terrain Stability Report for New Denver Flats, Slocan Valley*, developed for Slocan Forest Products, Slocan, BC.
- Rajala, Richard. 1998. *Clearcutting in the Pacific Rain Forest: Production, Science, and Regulation.* Vancouver: UBC Press.
- Rappaport, R.A. 1990. Ecosystems, populations and people. Pg. 41-72 in Moran, E.F. (ed.). *The Ecosystem Approach in Anthropology: From Concept to Practice.* Ann Arbor, MI: The University of Michigan Press.
- Rawls, J. 1971. *A Theory of Justice.* Cambridge, Mass: Belknap Press.
- Renn, Ortwin, Thomas Webler, and Peter Wiedemann. 1995a. A need for discourse on citizen participation: Objectives and structure of the book. Pg.. 1-16 in Renn, Ortwin, Thomas Webler, and Peter Wiedemann.(eds). *Fairness and Competence in Citizen Participation: Evaluating Models for Environmental Discourse.* Boston: Kluwer Academic Publishers.
- Renn, Ortwin, Thomas Webler, and Peter Wiedemann. (eds). 1995. *Fairness and Competence in Citizen Participation: Evaluating Models for Environmental Discourse.* Boston: Kluwer Academic Publishers.
- Richardson, M., Sherman, J. and Gismondi, M. 1993. *Winning Back the Words: Confronting Experts in an Environmental Public Hearing.* Toronto: Garamond Press.
- Robin, Bart. 1983. Valhalla Victory. *Equinox.* November/December.
- Roseland, Mark. (ed.).1993. *From Conflict to Consensus: Shared Decision-Making in*

British Columbia. Proceedings of a Symposium held on March 5, 1993 at Simon Fraser University Harbour Centre Campus. Simon Fraser University, Burnaby, BC.

- Rosenbaum, N. 1978. "Citizen participation in democratic theory" in S. Langton (ed). *Citizen Participation in America*. Lexington: Lexington Books.
- Rosener, J. 1978. Citizen participation: Can we measure its effectiveness? *Public Administration Review* 38: 457-463.
- Rosener, J. 1982. Making bureaucracy responsive: A study of the impacts of citizen participation and staff recommendations on regulatory decision-making. *Public Administration Review* 42: 339-345.
- Ross, R. 1992. *Dancing With a Ghost: Exploring Indian Reality*. Markham, ON: Octopus Publishing Group.
- Rousseau, J.J. 1968 [1762]. *The Social Contract*. Harmondsworth, UK: Penguin.
- Sadler, B. 1977. Basic issues in public participation: A background perspective. *Involvement and Environment*, vol.1. B. Sadler (ed.). Edmonton: Environment Council of Alberta.
- Sadler, B. (ed.)1978. *Involvement and Environment*, Vol. 2, Environment Council of Alberta, Edmonton.
- Sadler, B. (ed.). 1981. *Public Participation and Environmental Decision-Making*, Environment Council of Alberta, Edmonton.
- Salwasser, H. 1990. Gaining perspective: forestry for the future. *Journal of Forestry*. 88, 11, 32-38.
- Satori, G. 1962. *Democratic Theory*. Detroit: Wayne State University Press.
- Sauer, C.O. 1952. *Agricultural Origins and Dispersals*, American Geographical Society, New York.
- Schwartz, M. and M. Thompson. 1992. *Divided We Stand*. Philadelphia, PA: University of Pennsylvania Press.
- Schweitzer M, Canes SA, Peelle, BE, 1996. *Measuring the Success of Public Participation Efforts Associated with the U.S. Department of Energy's Environmental Management Activities*. Paper presented at the National Association of Environmental Professionals 21st Annual Conference, June 2-6, 1996, Houston, TX.

- Scientific Panel for Sustainable Forest Practices in Clayoquot Sound. 1995. *Sustainable Ecosystem Management in Clayoquot Sound: Planning and Practices, Report 5*. Victoria: Scientific Panel.
- Scott, Ian. 1988. The government perspective. In CBAO. *Alternative Dispute Resolution: What's all the fuss and where it it going?* Oct 3, CBAO Education and Meeting Centre, Toronto.
- Seiler, H-J. 1995. "Review of "Planning Cells": Problems of Legitimation. In: *Fairness and Competence in Citizen Participation: Evaluating Models for Environmental Discourse*. O Renn, T Webler and P Wiedemann (eds). Dordrecht, Kluwer Academic Publishers: 141-155.
- Sewell, W.R.D. and Cartwright, S. 1979. *Where is Public Participation Going?: An Annotated Bibliography*. Edmonton, AB: Environmental Council of Alberta.
- Sewell, W.R.D. and S. Phillips. 1979. Models for evaluation of public participation programmes. *Natural Resources Journal* 19(2):337-358.
- Sewell, W.R.D and T. O'Riordan. 1976. The culture of participation in environmental decision-making. *Natural Resources Journal*, 16: 1-21.
- Sexton, K., A. Marcus, K. Easter, and T. Burkhardt. 1999. *Better Environmental Decisions: Strategies for Government, Businesses, and Communities*. Washington, DC: Island Press.
- Shepherd A and Bowler C. 1997. "Beyond the requirements: improving public participation in EIA." *Journal of Environmental Planning and Management* 40(6):725-738.
- Sherrod, Anne. 1993. *Flaws in the CORE Process as experienced by the Wilderness Conservation Sector of the Slocan Valley Pilot Project*. New Denver, BC: Valhalla Wilderness Society.
- Sherrod, Anne. 1998. (Director of Valhalla Wilderness Society, New Denver, BC). Personal communication - July 19.
- Sherrod, Anne. 1998. Wilderness Conservation Sector Representative - Slocan Valley Round Table . Personal communication , July 19.
- Sheskin, I. 1985. *Survey Research For Geographers*. Washington, DC: Association of American Geographers.
- Shrader-Frechette, K. 1990. Scientific method, anti-foundationalism, and public policy. *Risk Issues in Health and Safety*. 1, 23-41.

- Shumpeter, J. 1943. *Capitalism, Socialism, and Democracy*. London: Allen and Unwin.
- Silva Forest Foundation. 1996. *An Ecosystem-Based Landscape Plan for the Slocan River Watershed*. Winlaw, BC: Silva Forest Foundation.
- Silverman, D. 1993. *Interpreting Qualitative Data: Methods for Analyzing Talk, Text, and Interaction*. Thousand Oaks, CA: Sage Publications.
- Slaymaker, O. and T. Spencer. 1998. *Physical Geography and Global Environmental Change*. New York: Addison Wesley Longman Limited.
- Sloan G.. 1945. *The Forests Resources of BC*. Report of the Royal Commission on Forest Resources. Victoria: Queen's Printer.
- Slocan Forest Products, Ltd. 1998. *Ecosystem Design for Bonanza Creek*. Slocan, BC: SFP Ltd.
- SVCFMP - Slocan Valley Community Forest Management Project: Final Report. 1974. Winlaw, BC: Slocan Community.
- Slocan Valley Development Guidelines. 1984. Victoria: Province of British Columbia.
- Slocan Valley Planning Program. 1981. *Approved Terms of Reference*. Victoria.
- Slocan Valley Watershed Alliance Newsletter. Spring 1997. *Slocan Forests Products Rejects SVWA Proposal* Winlaw, BC: SVWA.
- Slocan Valley Watershed Alliance Newsletter. 1997. *SVWA Participated in Public Processes for 15 years – For What?* Winlaw, BC: SVWA.
- Slocombe, Scott. 1993a. Implementing ecosystem-based management: development of theory, practice, and research for planning and managing a region *BioScience* 43(9):612-22.
- Slocombe, Scott. 1993b. Environmental planning, ecosystem science, and ecosystem approaches for integrating environment and development *Environmental Management* 17(3):289-303.
- Smith, L.G. 1982. Mechanisms for public participation at a normative planning level in Canada. *Canadian Public Policy* 8:561-72.
- Smith, L.G. 1983. The Evaluation of Public Participation in Water Resources Management: A Canadian Perspective. Pg. 235-44 in J.W. Frazier, B. J. Epstein, M. Bardecki and H. Jacobs, (eds). *Papers and Proceedings of Applied Geography Conferences*, Vol.6. Department of Geography, Ryerson Polytechnical Institute, Toronto.
- Smith, M. 1987. Publishing qualitative research. *American Education Research Journal*

24(2):173-183.

- Somach, S.L. 1993. Closing the policy-practice gap in water resources planning. *Water Resources Update*, 90 (Winter): 19-22.
- Souza, W.P. 1984. The role of disturbance in natural communities. *Annual Review of Ecological Systems* 15:353-391.
- Spoehr, A. 1956. Cultural differences in the interpretation of natural resources Pg. 93-102 in Thomas, W.L (ed.). *Man's Role in Changing the Face of the Earth*. University of Chicago Press, Chicago.
- Stake, R. 1995. *The Art of Case Study Research*. Thousands Oaks: Sage.
- Stern, P. and Fineberg, H. eds. 1996. *Understanding Risks: Informing Decisions in a Democratic Society*. Committee of Risk Characterization. Commission on Behavioral and Social Sciences and Education. National Resource Council. Washington, DC: National Academic Press.
- Stewart, T.R., Dennis, R.L. and Ely, D.W. 1984. Citizen participation and judgement in policy analysis: a case study of urban air quality policy. *Policy Sciences* 17:67-87.
- Stinson, A. 1975. *Citizen Action: An Annotated Bibliography of Canadian Case Studies*. Ottawa, ON: Community Planning Association of Canada.
- Stinson, A., Ross, S., and Duncan, R. 1979. *Canadians Participate*. Ottawa, ON: Centre for Social Welfare Studies, Carleton University.
- Strauss, A.L. 1994. *Qualitative Analysis for Social Scientists*. New York: Cambridge University Press.
- Stringer, E.T. 1993. Socially responsible educational research: linking theory and practice. In D.J. Flinders & G.E. Mills (eds). *Theory and Concepts in Qualitative Research: Perspectives from the Field*. Pp. 141-162. New York: Columbia University, Teachers College Press.
- Sudman, S. et al. 1978. "Modest expectation: The effects of interviewers' prior expectations on responses" pp. 47-58 in Alwin, D. ed. *Survey Design and Analysis, Current Issues*. Beverly Hills, CA: Sage Publications.
- Susskind, L. and Cruikshank, J. 1987. *Breaking the Impasse: Consensual Approaches to Resolving Public Disputes*. New York: Basic Books.
- Susskind, L. and McMahon, G. 1985. The theory and practice of negotiated rulemaking. *Yale Journal of Regulation* 3:133-165.
- Susskind L and Ozawa C 1985. Mediating public disputes: obstacles and

- possibilities. *Journal of Social Issues* 41(2):145-159.
- Swift, J. 1983. *Cut and Run: The Assault on Canada's Forests*. Toronto: Between the Lines.
- Syme GJ and Sadler BS. 1994. Evaluation of public involvement in water resources planning: a researcher-practitioner dialogue. *Evaluation Review* 18(5):523-542.
- Talbot, A. 1983. *Settling Things: Six Case Studies in Environmental Mediation*. Washington, DC: Conservation Foundation / Ford Foundation.
- Taylor, Duncan. 1997. Is sustainable forestry community forestry? A British Columbia perspective. Pg. 291-311 in Fleming, T. (ed.). *The Environment and Canadian Society*. Toronto: ITP Nelson.
- Taylor, LL. 1991. *Opening Up: Public Involvement in Environmental, Safety, and Health Issues at the DOE Weapons Complex*. St. Louis, Washington University, Center for Technological Assessment & Policy.
- Tesch, R. 1990. *Qualitative Research: Analysis Types and Software Tools*. New York: Falmer.
- Tester, Frank. 1992. Reflections on Tin Wis: Environmentalism and the evolution of citizen participation in Canada. *Alternatives* 19(1):34-41.
- The Slocan Valley Community Forest Management Project: Final Report*. 1975. Winlaw, BC: Slocan community.
- Tinmen. 1997. *Environmental News on the Internet*. (www.tinmen.org)
- Thovez, J.P. and Singh, B. 1984. Perception and attitudes to air pollution in an asbestos mining town. *GeoJournal*, 8:123-8.
- Travers, Ray. 1990. *Economic and Social Benefits from BC's Forests*. Notes for a presentation at the Transition to Tomorrow: Community Options Forestry Conference, February 1991, University of Victoria, BC.
- Travers, Ray. 1993. Chronology: Significant events in bc forest policy. Pg.. x-xi in Drushka, Ken, Nixon, Bob and Ray Travers. (eds). *Touch Wood: BC Forests at the Crossroads*. Madeira Park: Harbour Publishing.
- Tuan, Yi-Fu. 1968. Discrepancies between environmental attitude and behaviour: Some examples from Europe and China. *Canadian Geographer*, 12: 176-191.
- Tuler, Seth. and Thomas Webler. Forthcoming 1999. Voices from the forest: Participants and planners evaluate a public policy making process. *Society and Natural Resources* vol 12.

- United Nations Conference on Environment and Development (UNCED). 1987. *Our Common Future*. Conches, Switzerland: United Nations.
- United Nations Conference on Environment and Development (UNCED). 1992. *Agenda 21*. Conches, Switzerland: United Nations.
- United States National Research Council. 1996. *Understanding Risks: Informing Decisions in a Democratic Society*. Committee of Risk Characterization. Commission on Behavioral and Social Sciences and Education. National Resource Council. Washington, DC: National Academic Press.
- Unwin, T. 1992. *The Place of Geography*. Longman, Harlow.
- Usang, E.N. 1992. Strategies for green literacy. *Convergence: An International Journal of Adult Education*, 25(2):46-53.
- Valhalla Wilderness Society. 1982. *Press Release: B.C. Government Decides to Log Valhallas*. 24 November.
- Valley Voice. 1996. *BC Government Ignores Slocan Valley Watershed Alliance Proposal for Negotiated Settlement* New Denver. March 6.
- Vancouver Province. 1997. *Slocan Valley Roads Blocked* July 15. A-6.
- Van Dyne, George. ed. 1969. *The Ecosystem Concept in Natural Resource Management*. New York: Academic Press.
- Vaughan E. 1995. The significance of socioeconomic and ethnic diversity for the risk communication process. *Risk Analysis* 15(2):169-180.
- Vogt, K., Gordon, J., Wargo, J., Vogt, D., Asbjornsen, H., Palmiotto, P., Clark, H., O'Hara, J., Keaton, W., Patel-Weynand, T., and Witten, E. 1997. *Ecosystems: Balancing Science with Management*. New York: Springer.
- Voller, Jaon and Harrison, Scott. 1998. *Conservation Biology Principles for Forested Landscapes*. Vancouver: UBC Press.
- Waldrop, M.M. 1992. *Complexity: The Emerging Science at the Edge of Order and Chaos*. New York: Simon and Schuster.
- Walker, J. 1966. A critique of elitist theory of democracy. *American Political Science Review* 60:285-95.
- Wall, G. 1976. National coping styles: policies to combat environmental problems. *International Journal of Environmental Studies*, 13:35-41.
- Walters, C.J. 1984. Managing fisheries under biological uncertainty. Pg. 263-274 in May, R.M. (ed.). *Exploitation of marine Communities*. Dahlem Konferenzen. Berlin: Springer.

- Walters, C.J. 1986. *Adaptive Management of Renewable Resources*. New York: Macmillan.
- Walters, C.J. and R. Hilborn. 1978. Ecological optimization and adaptive management. *Annual Review of Ecology and Systematics* 9:157-188.
- Warriner, G. Keith, James J. Madden, Lynda Lukasil, and Kathleen McSpurren. 1996. Public participation in watershed management: A comparative analysis. *Canadian Water Resources Journal* 21(3):253-273.
- Warriner, G. Keith. 1997. Public participation and environmental planning. Pg.171-200 in Fleming, Thomas. (ed.). *The Environment and Canadian Society*. Toronto: ITP Nelson.
- Weale, A. 1992. Implementation failure: A suitable case for review? In E. Lykke (ed.) *Achieving Environmental Goals: The Concept and Practice of Environmental Performance Review*. London: Belhaven: 43-63.
- Webb Edmonds, C.M. 1984. The politics of public participation and the siting of power plants in Japan *Environmental Professional* 6:293-302.
- Webb, E.J. 1966. *Unobtrusive Measures: Nonreactive Research in the Social Sciences*. Chicago: Rand McNally.
- Webler, Thomas. 1995. "Right" discourse in citizen participation: An evaluative yardstick. Pg. 35-86 in Renn, Ortwin, Thomas Webler, and Peter Wiedemann. (eds). 1995. *Fairness and Competence in Citizen Participation: Evaluating Models for Environmental Discourse*. Boston: Kluwer Academic Publishers.
- Webler, Thomas. 1999. The craft - science dialectic of public participation. *Journal of Risk Research*.
- Webler, T., E. Malone, K. Branch, and J. Bradbury. 2001. *Moving toward a theory of evaluating public participation in environmental decision making*. Proceedings of the Conference on Communication and the Environment (COCE). Department of Communication Studies. University of Cincinnati: Cincinnati Ohio.
- Webler, T., and Ortwin Renn. 1995. A brief primer on participation: Philosophy and practice. Pg. 17-33 in Renn, Ortwin, Thomas Webler, and Peter Wiedemann. (eds). 1995. *Fairness and Competence in Citizen Participation: Evaluating Models for Environmental Discourse*. Boston: Kluwer Academic Publishers.
- Webler, T. and Tuler, S. 1998. How to do environmental decision making: Varying perspectives on the U.S. National Research Council's *Understanding Risk* report. *Human Ecology Review*, 5 (1): 35-36.

- Webler, T. and Tuler, S. 2002. Unlocking the puzzle of public participation. *Bulletin of Science, Technology & Society* 22(3, June): 179-189.
- Weeks, P. and J.M. Packard. 1997. Acceptance of scientific management by natural resource dependent communities. *Conservation Biology*, 11 (1): 236-245.
- Wengert, N. 1976. Citizen Participation: Practice in Search of a Theory. *Natural Resources Journal*, 16: 23-40.
- Westley, F. 1995. Governing Design: the Management of Social Systems and Ecosystems Management. Pg.. 391-428 in Gunderson, L.H., C.S. Holling, and S.S. Light, (eds). *Barriers and Bridges to the Renewal of Ecosystems and Institutions*. New York: Columbia University Press.
- Westman, W.E. 1985. *Ecology, Impact Assessment, and Environmental Planning*. New York: John Wiley & Sons.
- White, G. 1966. Formation and Role of Public Attitudes, pp. 105-127 in *Environmental Quality in a growing Economy: Essays from the Sixth RFF Forum*. Baltimore: The John Hopkins Press for Resources for the Future.
- Wildavsky, A. 1979. *Speaking Truth to Power: The Art and Craft of Policy Analysis*. Boston: Little, Brown and Company.
- Williams, P., R. Penrose, and S. Hawkes. 1998. Tourism industry perspective on the Cariboo-Chilcotin CORE Process: Shared Decision-Making? *Environments: A Journal of Interdisciplinary Studies* 25(2/3):47-63.
- Williams, Peter, J.C. Day, and Tom Gunton. 1998. Land and water planning in BC in the 1990s: Lessons on more inclusive approaches *Environments: A Journal of Interdisciplinary Studies* 25(2/3):1-7.
- Wilson, J. 1988. Forest conservation in British Columbia, 1935-1985: Reflections on a barren political debate. *B.C. Studies*. 3 (Winter):32.
- Wilson, Jeremy. 1998. *Talk and Log: Wilderness Politics in British Columbia*. Vancouver: UBC Press
- Wilson, A. M. Roseland, J.C. Day, 1996. Shared decision-making and public land planning: An evaluation of the Vancouver Island Regional CORE Process. *Environments: A Journal of Interdisciplinary Studies* 23(2):69-86.
- Wondolleck, Julia M. 1988. *Public Lands and Conflict Resolution*. New York: Plenum Press.
- Woods Richardson, C. 1996. *Stability and Change in Forest-Based Communities: A*

- Selected Bibliography*. Portland, OR: United States Department of Agriculture, Forest Service, Pacific Northwest Research Station.
- World Commission on Environment and Development. 1987. *Our Common Future*. Oxford: Oxford University Press.
- Wynne, B. 1980. Technology, risk, and participation. In Conrad, J. ed. *Society, technology, and Risk Assessment*. New York: Academic Press.
- Wynne, B. 1992. Uncertainty and environmental learning: Reconceiving science and policy in the preventive paradigm. *Global Environmental Change* 2(2):111-27.
- Wynne, B. 1992. *Rationality and Ritual: The Windscale Inquiry and Nuclear Decisions in Britain*. Chalfont St. Giles, Buckinghamshire, England: British Society for the History of Science.
- Wynne, B. 1996. May the sheep safely graze? A reflexive view of the expert-lay knowledge divide. In Lask, S., Szerszynski, B., and B. Wynne. eds. *Risk, Environment and Modernity: Toward a New Ecology*. Thousand Oaks, CA: Sage Publications.
- Yaffee, S.L. 1996. Ecosystem management in practice: The importance of human institutions. *Ecological Applications* 6(3):1056-1067.
- Yaffee, S.L. and J. Wondolleck.. 1997. Building bridges across agency boundaries. Pg. 381-397, in Kohm, K.A. and J.F. Franklin. (eds). *Creating a Forestry for the 21st Century: The Science of Ecosystem Management*. Washington: Island Press.
- Yin, R.K. 1984. *Case Study Research: Design and Methods*. Beverly Hills: Sage Publications.
- Yosie TF and Herbst TD 1998. *Using Stakeholders Processes in Environmental Decision making: An Evaluation of Lessons Learned, Key Issues, and Future Challenges*, Washington: Ruder Finn.
- Young, P. 1960. *The Licensee Priority System As Applicable to the Slocan Public Working Circle*. Nelson: Nelson Forest District.
- Ziman, J. 1991. Public understanding of science. *Science, Technology and Human Values*. 16(1):99-105.
- Zimmermann, E.W. 1933. *World Resources and Industries*, Harper and Brothers, New York.

APPENDIX I**PERSONAL INTERVIEW SHEET**

Respondent name: _____

Interest sector group: _____

Telephone: _____

Email: _____

Other Info: _____

NOTES

APPENDIX II
OBSERVATIONAL PROTOCOL

Date: _____
Location: _____
How many pages of notes: _____

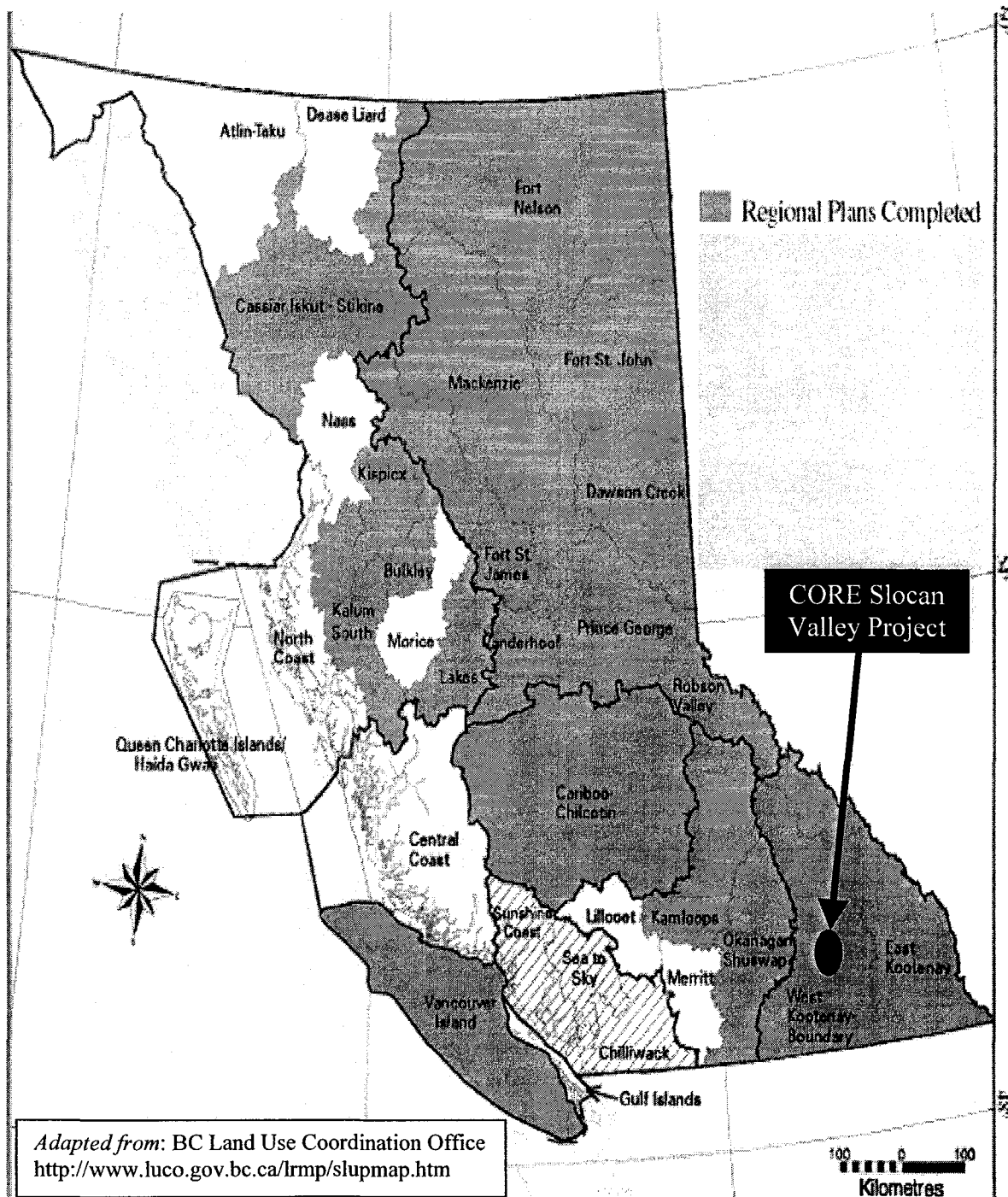
Time started: _____
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Page # _____ of _____

Descriptive Notes	Reflective Notes

APPENDIX III

Land Use Plans in British Columbia

In the 1990s, several land use planning processes were either completed or in process. Those initiated by the Commission on Resources and Environment (CORE) in 1992 were called "Regional Land Use Plans". The "*CORE Slocan Valley Project*", a community-level participation process, was a sub-process within CORE's Regional West Kootenay-Boundary Land Use Plan (see Chapter 6).



APPENDIX IV

Before convening any of the negotiating tables, the Commission published a draft *Land Use Charter* that defined the provincial commitment and principles of sustainability and participatory decision-making that were to guide the negotiations.

COMMISSION ON RESOURCES AND ENVIRONMENT LAND USE CHARTER

THE PROVINCIAL COMMITMENT

The Government of British Columbia is committed to:

- protecting and restoring the quality and integrity of the environment, and
- securing a sound and prosperous economy for present and future generations.

This commitment is made to the people of British Columbia and to the global community. A healthy environment and a healthy economy are essential to the social, cultural, material, physical and spiritual well-being of British Columbians. Furthermore, the Province recognizes its obligation to protect, manage and use its resources and environment to fulfill its responsibility to global well-being. Finally, the Province shall ensure that present-day decisions do not compromise the ability of future generations to meet their own environmental and economic needs.

PRINCIPLES

SUSTAINABLE ENVIRONMENT

A healthy environment is the foundation upon which a sound economy and society depend. The essential role that ecosystems play in supporting our society establishes an environmental imperative that must be respected in all land, resource, and economic decisions. Our priority must be to maintain natural systems for present and future generations.

1. The Province shall maintain and enhance the life-supporting capacity of air, water, land and ecosystems. The Province shall respect the integrity of natural systems, and will seek to restore previously degraded environments.
2. The Province shall conserve biological diversity in genes, species and ecosystems.
3. The Province shall attempt to anticipate and prevent adverse environmental impacts. When making land and resource decisions, the Province shall exercise caution and special concern for natural values, recognizing that human understanding of nature is incomplete.
4. The Province shall ensure that environmental and social costs are accounted for in land, resource use and economic decisions.
5. The Province shall recognize its responsibility to protect the global environment, to reduce consumption to sustainable levels, to avoid importing or exporting ecological stresses, and to help meet the global challenge of sustainably supporting the human population.
6. The Province shall protect the environment for human uses and enjoyment, and will also respect the intrinsic value of nature.

SUSTAINABLE ECONOMY

Our ability to sustain a quality environment depends upon our ability to foster a strong and sustainable economy. Such an economy is more efficient, and derives greater social benefits from the use of fewer environmental assets. In addition, a sustainable economy can provide the means for increased environmental protection and conservation, while offering society alternatives to undue exploitation of natural resources.

1. The Province shall promote a dynamic and competitive economy that maintains options for future land and resource uses.
2. The Province shall encourage diversified economic development that increases the employment and other benefits derived from a given stock of resources.
3. The Province shall encourage development that reduces waste and makes efficient use of resources.
4. The Province shall encourage optimum use of natural systems and resources, consistent with their inherent capability to support our economic, social and environmental needs.
5. The Province shall ensure that renewable resources are used in a manner that is sustainable over the long term.
6. The Province shall ensure that the use of non-renewable resources avoids their exhaustion, and addresses the needs of future generations.
7. The Province shall stimulate environmentally sound economic activity and innovation through a system of economic instruments.
8. The Province shall provide a regulatory framework which promotes stability and predictability for business and investment.

SOCIAL SUSTAINABILITY

Social equity requires that the concerns of individuals and communities are respected as environmental and economic needs are balanced.

1. The Province shall aim for a fair distribution of the costs and benefits of land use decisions.
2. The Province is committed to social stability, and will support economic and social measures to address the economic effects of land use decisions.
3. The Province shall promote a good quality of life by fostering opportunities to:
 - earn a living;
 - obtain education and training;
 - access social, cultural and recreational services; and
 - enjoy a quality environment.
4. In addition, equity requires that land use and related resources and environmental decisions be made in a fair and open manner.

DECISION-MAKING PROCESSES

These environmental, economic and social principles shall be implemented and reconciled in neutrally administered decision-making processes that are open to the participation of all interests. The processes shall promote decision-making through the building of consensus amongst diverse perspectives and stakeholders.

The processes used for making decisions regarding land, resource and environment use must be;

- ***Comprehensive and Integrated*** - Land use planning and management shall be cross-sectoral, comprehensive and integrated. The processes will address the full range of environmental, social and economic concerns and values.
- ***Fair*** - The processes will adhere to the principles of administrative fairness, and shall provide full public access to relevant information.
- ***Efficient and Effective*** — The processes will strive for efficient use of time and financial resources. Decision-making will be based on adequate information and assessment, so that wise and effective decisions can be made. The processes should effectively implement the principles of a sustainable society.
- ***Accountable*** — Decision-makers must be accountable to all participants in the processes, as well as to the broader public. Lines of accountability should be established for participants in decision-making who represent others. Overall, the processes must be responsive to community aspirations while maintaining consistency with provincial principles, goals and policies.
- ***Enforceable*** — The decisions made must be properly monitored and enforced.
- ***Adaptive and Flexible*** — The processes shall be capable of modifying decisions in response to technological innovations, field experience, shifts in social preferences, and new information. These modifications will be made in a manner that maintains social, environmental and economic stability.
- ***Respectful*** — The processes shall encourage respect for the diverse values, traditions, and aspirations of British Columbians and their communities.

ABORIGINAL PEOPLES

Aboriginal title and the inherent rights of Aboriginal peoples to self government are recognized. Land use decision-making shall incorporate, support and not interfere with negotiations on Aboriginal self government and treaties. Aboriginal peoples shall be encouraged to be active participants in decision-making.

SHARED RESPONSIBILITY

Achieving a sustainable society is everyone's responsibility — from individuals, businesses, and non-government organizations, to all levels of government, Aboriginal peoples, and the global community. The Province shall encourage all parties to protect the environment and build a sustainable economy. Our success depends upon the independent and cooperative initiatives of all British Columbians.

CONCLUSIONS

Adoption of the draft Charter will serve to:

- Set the new land use strategy in the larger context of building a sustainable society;
- Provide general purpose and direction for subsequent policies and actions; and
- Provide guidance to the regional and community-based planning and management processes.

APPENDIX V

Summary of the Slocan Valley CORE Table Process

(Bardati, 2002)

Component	Slocan Valley CORE Table Process
Purpose	The purpose was to “facilitate community participation in developing and advocating the implementation of land and resource management plans which are environmentally, economically, and socially sustainable”. The process used interest-based negotiation with the aim of reaching consensus a set of final recommendations. The Table agreed to be guided by the principles of CORE’s Land Use Charter.
Funding	The BC government funded CORE. CORE offered funding to all sectors to cover meeting expenses such as food and travel.
Process Managers & Mediator	Two CORE staff members organized and attended the meetings. A professional mediator, from outside the region, facilitated and mediated negotiations. The initial mediator was appointed by CORE as the Table was being set up, but after a few meetings, another mediator was selected and endorsed by participating sectors.
Planning Boundary	The interest area of the Slocan Table was the Slocan River drainage and the Table agreed to confine discussions to this area only. All Crown lands in this area were open to discussion.
Interest sector representatives (stakeholders)	There were 12 sectors representing a broad range of interests: Agriculture, Forest Independents, IWA/Labour, Local Enterprise, Local Government, Mining, Outdoor Recreation, Slocan Forest Products, Tourism, Watershed, Wildcraft, Wilderness. A representative for the provincial government also sat at the Table, but was not considered a stakeholder. A representative of the Siniixt (Arrow Lakes) First Nation was initially a participant and subsequently an observer at the Table.
Constituencies	It was the responsibility of interest sector representatives to represent, inform and be accountable to their constituency. Each sector prepared an “interest statement” to outline their interests concerning land use and resource management.
Time Line	March 1993 to June 1994. It was originally meant to last only one year (from Jan to Dec 1993), but as the start-up and progress were slow, CORE extended the deadline to June 1994. The table met 17 times for a total of 34 days over 16 months.
Meeting Logistics	Two-day meetings were held once or twice per month. Meetings were held in various locations in the Valley: Crescent Valley, Appledale, Slocan, Silverton, New Denver. Meetings were open to all members of the public and media, but only interest sector representative could negotiate at the Table.
Minutes, Public and Media	<p>Meeting Summary Notes of the proceedings which highlighted such matters as the area of discussion, tasks to be undertaken by sectors, individuals and organizations and any agreements or emerging areas of agreement were kept by the mediator, or at the mediator’s request, by CORE staff. These notes were approved by the Table at each meeting.</p> <p>In discussing with the media, the mediator was authorized to speak on behalf of the Table while spokespersons could speak on behalf of their sector, but were encouraged not to characterize negatively the interests or suggestions of other sectors.</p> <p>All meetings were open to the public including the media. Any member of the public who wished to speak or provide information had to give a message to their sector spokesperson, or to the mediator if that person had no sector. The Table then let that person speak. Both the public and the media were expected to respect the proceedings and the ground rules.</p>

Working Groups (sub-committees)	<p>Working groups were formed by consensus of the Table to address particular issues or perform specific tasks. Their composition was determined by consensus of the Table and could include persons other than spokespersons. Working groups followed the same ground rules as the main Table.</p> <p>These included: Information Management; Public Liaison, Public Outreach; Socio-Economic Analysis; Deferrals; Management Objectives; Alternative Harvesting.</p> <p>Reports of the progress of the working groups were included in the Meeting Summary Notes.</p>
Procedure	<p>At the onset, participants agreed to be guided by the CORE process framework which included 5 phases: 1) Preparation; 2) Assessment; 3) Process design; 4) Building agreement, and 5) Implementation and Monitoring.</p> <p>Phases 1 & 2: were performed by CORE before the Table convened (see chapter 6).</p> <p>Phase 3: Process Design was a protracted one. Participants spent the majority of their meetings negotiating a “ground rules” document (approved October 1993) which defined a code of ethics, participants roles and responsibilities, negotiating principles, meeting procedures, the formation of working groups, the use of technical and substantive information, and role of the media. The Table also developed a “terms of reference” document (approved February 1994) which defined the purpose, scope, identified participants, outlined the land use and resource management issues and interests, provided a protocol for liaison with the Regional CORE process.</p> <p>Phase 4: Building Agreement toward Final Plan included the following planning sequence: 1) preliminary organization (June-July 1993); 2) terms of reference (July-Aug 1993); 3) information assembly (Aug-Sept 1993); 4) Dividing the area into planning zones in order to define specific objectives for each (Sept-Oct 1993); 5) Scenario development of specific management objectives for each planning zone (Sept-Oct 1993); 6) Scenario evaluation (Nov-Dec 1993); 7) Scenario selection for producing a consensus plan (no date); Preparation of plan, implementation and monitoring (no date).</p> <p>Phase 5: Implementation & Monitoring was never reached. Delays surrounding discussion of process design (Phase 3) made it impossible for the Table to reach past planning sequences 5 of Phase 4, before the Table concluded in June 1994.</p>
Information Base	<p>The Table agreed to develop a common information base from which to work, and to identify areas where available information needs were to be shared and/or verified, and additional information and interpretation were needed.</p> <p>The government representative had the assistance of a team of government staff from the Ministry of Forests and the Ministry of Environment, Lands and Parks, known as the Technical Working Group (TWG). This TWG provided assistance to the Table in managing the collection, analysis, and dissemination of technical governmental information, such as</p> <p>The Table also agreed that it “may jointly identify and engage the services of persons with the necessary expertise and experience to respond to information needs, subject to budgetary constraints”. Two outside consulting firms, each working separately with the Watershed and Slocan Forest Products sectors, developed GIS-based landscape analysis maps to highlight areas of specific interests. However, their final products were completed after the Table disbanded, and the Table needed more time to negotiate agreement on them.</p>
Decision-Making and Authority	<p>All decisions were based on consensus by verbal polling. All decisions made by subcommittees had to be ratified by consensus by the main Table. The ground rules specified that “all agreements and understanding reached during discussions of an issue shall be tentative only, and shall be conditional upon consensus on the total package with which the issue is a part, unless the spokespersons explicitly agree otherwise on a specific item”. If the Table was unable to reach agreement on a land use plan, responsibility for delivering a plan to government defaulted to CORE. The province retained authority for approving, rejecting, or modifying the final land use plan.</p>

APPENDIX VI

Discursive Standard Criteria

From: Webler's (1995) Fairness & Competence Model, described in Chapter 7

A. MAKING OF THE AGENDA AND THE PROCESS RULES

A1. The model should provide everyone with an equal chance to put their concerns on the agenda and to approve or propose rules for discourse.

A1-1 Does the model provide an opportunity for everyone to suggest items for the agenda?

A1-2 Does the model provide an opportunity for everyone to suggest items for the rules?

A2. The model should provide everyone with an equal chance to debate and critique for the agenda and the rules.

A2-1 Does the model provide everyone an equal opportunity to debate proposals for the agenda?

A2-2 Does the model provide everyone an equal opportunity to debate proposals for the rules?

A2-3 Does the model provide enough time to accommodate all agenda items that the group wants to discuss?

A2-4 Does the model provide an opportunity for everyone to suggest changes to the agenda or the rules?

A3. The model should make certain that everyone has an equal chance to influence the final decision about the agenda and the discourse rules.

A3-1 Does the model provide a consensually-approved means to resolve conflicts about the agenda?

B. MODERATOR AND RULE ENFORCEMENT

B1. The model should provide everyone with an equal chance to suggest a moderator and a method for facilitation.

B1-1 Does the model provide an opportunity for everyone to suggest a moderator?

B1-2 Does the model provide an opportunity for everyone to comment on the facilitation style?

B2. The model should provide everyone with an equal chance to challenge and support suggestions by others for a moderator and a method for facilitation.

B2-1 Is there a setting for discourse among all who wish to debate proposals for moderator?

B2-2 Is there a setting for discourse among all who wish to debate proposals for how moderation should be carried out?

B3. The model should provide everyone with an equal chance to influence the final selection of moderator and moderation method.

B3-1 Does the model provide a consensually-approved means to resolve conflicts about the choice of moderator, either through selection or verification?

B3-2 Does the model provide a consensually-approved means to resolve conflicts about the style of facilitation?

C. DISCUSSION

C1. The model should provide everyone who is potentially affected by the decision proposal (positively or negatively) an equal chance to be present or represented at the discourse.

C1-1 Does the model attempt to identify the individuals or groups that are potentially affected by the problem?

C1-2 Does the model provide all the people in the greater affected population an equal chance to participate?

C1-3 Does the model provide all people who feel they are affected an equal chance to participate?

C2. The model should make certain that everyone has an equal chance to put forth and criticize validity claims about language, facts, norms, and expressions.

C2-1 Does the model provide all an equal chance to make communicative validity claims?

C2-2 Does the model provide all an equal chance to make cognitive validity claims?

C2-3 Does the model provide all an equal chance to make normative validity claims?

C2-4 Does the model provide all an equal chance to make expressive validity claims?

C3. The model should make certain that the method chosen to resolve validity claim redemption dispute be consensually chosen before the discourse began?

C3-1 Does the model make certain that disputes over communicative validity claims will be resolved using a procedure that was consensually approved before the discourse began?

C3-2 Does the model make certain that disputes over cognitive validity claims will be resolved using a procedure that was consensually approved before the discourse began?

C3-3 Does the model make certain that disputes over normative validity claims will be resolved using a procedure that was consensually approved before the discourse began?

C3-4 Does the model make certain that disputes over expressive validity claims will be resolved using a procedure that was consensually approved before the dispute began?

D. RULES FOR REDEEMING COMPREHENSIBILITY VALIDITY CLAIMS

D1. The model should provide everyone equal access to the sources for commonly-agreed-upon standards and definitions.

D1-1 Does the model provide every participant equal access to the commonly-agreed-upon sources for definitions of terms that are relevant to the discourse?

D1-2 Does the model provide the flexibility in time that is needed to resolve comprehensibility problems?

D2. The model should confirm that everyone has an understanding of each other's terms, definitions, and concepts.

D2-1 Does the model make certain that all terms, definitions, and concepts are made explicit?

D2-2 Does the model make certain that all participants acknowledge that they understand the agreed-upon definitions?

D3. The model should make certain that disputes about definitions, terms, and concepts take advantage of preestablished references standards.

D3-1 Does the model encourage the resolution of disputes through appealing to commonly-agreed-upon standards (such as a dictionary, or a textbook)?

E. RULES FOR REDEEMING VALIDITY CLAIMS

E1. The model should provide everyone equal access to the available and relevant systematic knowledge about the objective world.

E1-1 If expert advice is to bring expertise into the group, does the model assure that the agreement to do so is consensual?

E1-2 If consensus on how to bring expertise into the group cannot be achieved, does the model provide the financial means for every participant to hire their own expert help?

E1-3 Is the model flexible enough to allocate time to consult with experts and to have experts collect data?

E1-4 If there is an educational component, is the material reviewed by independent experts and/or stakeholder groups?

E2. The model should provide everyone equal access to the available and relevant anecdotal and intuitive knowledge about the objective world.

E2-1 Does the model promote the consideration of anecdotal and intuitive knowledge?

E2-2 Does the model promote ways for the people to improve their own anecdotal and intuitive knowledge by being exposed to relevant experiences (field trips, lectures from other similarly impacted people, site visits, etc.)?

E3. The model should make certain that the uncertainty of factual information is considered along with content.

E3-1 Does the model provide a means for the uncertainty of factual information to be considered?

E4. The model should include a mechanism to check if factual claims are consistent with the prevailing opinion in the expert community or consistent with the anecdotal knowledge of other people not involved in the discourse.

E4-1 Does the model promote peer review independent verification of scientific data and knowledge?

E4-2 Does the model promote "peer-review" and independent verification of anecdotal knowledge?

E4-3 Does the model provide enough time for participants to collect the scientific data and anecdotal experience they feel is relevant and to discuss it thoroughly?

E5. The model should provide a means to separate cognitive claims from normative claims.

E5-1 Does the model provide a means to translate claims into their cognitive and normative constituent parts?

E5-2 Does the translation require verification by the speaker?

E6. The model should provide the participants with the opinion to delegate determinations of factual truth to an outside expert panel.

E6-1 Does the model permit the participants to select an expert panel consensually and ask for its recommendations?

E6-2 Does the model ensure that the decision to rely on expert advice is consensual?

E6-3 Does the model provide information about the range of expert opinions and positions in that particular subject?

E7. The model should make sure that cognitive legal claims are examined by legal experts.

E7-1 Does the model ensure that legal experts will verify how well the decision outcome conforms to the technical definitions in the law?

F. RULES FOR REDEEMING NORMATIVE VALIDITY CLAIMS

F1. The model should not contain any implicit barriers that will bias the distribution of interests that participate.

F1-1 Does the model provide adequate notice of all activities?

F1-2 Does the model have a purpose that is made clear to all beforehand?

F1-3 Are the physical, social, economic, and symbolic barriers to participating in the model removed?

F1-4 Does the model make a connection between purpose, process, and outcome?

F1-5 Does the model include an effort to achieve representation of formal interest group organizations in the discourse?

F1-6 Does the model include an effort to achieve representation of ad hoc interest group organizations in the discourse?

F1-7 Does the model include an effort to randomly select participants for the discourse?

F2. The model should determine the affected population using objective criteria but also allow the people in the general region to make subjective determinations.

F2-1 Does the model employ an objective method to determine who makes up the potentially affected population?

F2-2 Does the model permit citizens to make their own personal determination of whether or not they are a member of the affected population (and so, should have an equal opportunity to participate)?

F2-3 Does the model attempt to inform the greater population about the potential impacts so that they can make informed judgments of whether or not they feel affected?

F3. The model should promote both the discovery and the development of mutual understandings of values among all the participants.

F3-1 Does the model promote the elicitation of values from the community, government, and stakeholder groups?

F3-2 Does the model inform everyone of each others' values and interests?

F3-3 Does the model promote introspective reflection among individuals or groups into the currently existing values and interests of the community through techniques such as small group discussions?

F3-4 Does the model provide a mechanism by which the impacts of the proposed decision options on the generalized will can be characterized relative to the definition of the generalized will?

F4. The model should make certain that the factual implications of normative choices are considered in the practical discourse.

F4-1 Does the model provide a mechanism to evaluate the cognitive implications of proposed normative choices?

F4-2 Does the model make sure that all participants know the anticipated physical and social consequences of their normative preferences before making a decision?

F5. The model should promote, through rational and formal discourse procedures that build compromises, the discovery and development of a mutual understanding of values in order to formulate a generalized will.

- F5-1 Does the model provide flexibility in terms of the time available?
- F5-2 Does the model provide information or training to the participants on how to build compromise and resolve disagreements?
- F5-3 Does the model promote the use of small group discussions?
- F5-4 Does the model discourage people from prejudging the moral beliefs of others?
- F6. The model should make certain that normative choices are not inconsistent with themselves or with the general will.
- F6-1 Does the model provide a systematic structuring of values?
- F6-2 Does the model encourage the participants to pay attention to the consistency and contradictions among norms and to use these standards in judging others' claims?
- F7. The model should make certain that normative choices are not incompatible with laws.
- F7-1 Does the model provide a means to check that the decision choice is consistent with the intent of legal provisions?
- F8. The model should make certain that normative choices are compatible with present expectations.
- F8-1 Does the model provide the means to check that the decision choice does not violate a higher norm in pursuit of a lower one?
- F8-2 Does the model promote reciprocal validation of values and their interpretations between those who promote them and those who have to live with the consequences?

G. RULES FOR REDEEMING TRUTHFULNESS VALIDITY CLAIMS

- G1. The model should promote discussion about the authenticity of the speaker's expressive claims.
- G1-1 Does the model promote personal reflection?
- G1-2 Does the model provide participants with the opportunity to informally discuss their feelings with their friends and colleagues?
- G1-3 Does the model encourage the participants to try and emphasize with the speaker?
- G2. The model should promote an examination into the speakers' sincerity.
- G2-1 Does the model promote a discussion about the commitment of the participants to cooperation?
- G2-2 Does the model promote a discussion about the promises, past behavior, and future performance of the participants?
- G3. The model should promote an examination into the qualities of the situation.
- G3-1 Does the model promote a discussion about the organizational limitations that may impact on the project?
- G3-2 Does the model promote a discussion about the capability of the actors?
- G3-3 Does the model promote a discussion about or provide information about the availability and uncertainty of factual information when discussing expressive claims?
- G4. The model should provide individuals time enough to accurately state and defend their expressive claims.
- G4-1 Does the model provide speakers with time they need to discuss expressive claims?
- G5. The model should use a translation scheme that is acceptable to everyone.
- G5-1 Does the model promote the use and development of a method to translate expressive claims into cognitive or normative claims?
- G5-2 Is translation verified by the person expressing the claim?

H. ALL CATEGORIES

- H1. The model should reduce the misunderstanding before reaching for agreement.
- H1-1 Does the model encourage the participants to reach compromise on redeeming validity claims only after they have been clarified?
- H1-2 Does the model attempt to clearly state the existing consensus of the group?
- H1-3 Does the model feedback the final statement of verification?
- H2. The decision as to which validity claims are redeemed by the group should be made using a technique that was consensually pre-approved.
- H2-1 Does the model use a technique to resolve disagreement about validity claims that was pre-approved consensually?

APPENDIX VII

Resources considered for “Special Management” in the Slocan Valley Under the Kootenay-Boundary Land Use Plan *Implementation Strategy*

Resource	Management Objective	Management Strategy
Wildcraft	Provide opportunities for the extraction of wildcraft resources	Opportunities for consultation with the wildcraft sector during the Forest Development Plan process
Recreation	Maintain a range of recreation opportunities	Manage Wragge Beach as a roaded resource land campsite
Ungulates	Maintain the abundance of ungulates within the carrying capacity of their habitat	Maintain priority summer habitat within this unit through the application of the Forest Practices Code
Fisheries	Maintain wild fish stocks and habitat. Maintain stocked fish populations and habitat	Inventorying, maintaining stock levels, and issuing fishing licenses
General Biodiversity	Maintain regional connectivity corridor from Kokanee Park to Valhalla Park, and Kokanee Park to Goat Range Park Retain attributes for old growth dependent species and fur bearers	Establish priorities for Old Growth Management Areas Complete third year of the Enhancement Area Identification Project to identify enhancement opportunities that will consider the needs of all species
Wide Ranging Carnivores	Maintain sufficient seasonal habitat to retain the exiting grizzly populations	Complete Grizzly Bear Inventory project in the area north and east of Valhalla Park

Adapted from: *Kootenay-Boundary Land Use Plan Implementation Strategy*, Slocan Valley A-S04, 7.