

Evaluating Collaborative Planning: A Case Study of the Sea to Sky Land and Resource Management Plan

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Abstract

This study evaluates the Sea-to-Sky Land and Resource Management Plan developed using collaborative planning principles. A two-tiered model was implemented where First Nations only participated in the second tier of government-to-government negotiations. The Sea-to-Sky LRMP process resulted in a consensus agreement but the level of support for the process and final agreement differed between stakeholders from the two-tiers of the process. Second tier respondents supported outcomes of the process to a higher degree than respondents from the first tier. The higher level of support is attributed to restrictions on the mandate of the first tier and changes made to the recommendation package during the second tier of the process. Recommendations to clearly define the role of First Nations and encourage the development of First Nations land use documents prior to negotiations are made for improving the use of future two-tiered collaborative planning processes in BC.

Keywords: Collaborative planning; land use planning; Land and Resource Management Plan; Sea-to-Sky; government-to-government negotiations; First Nations

For my mom, dad, Lee-Anne, Jack and Hailey.

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Table of Contents

Approval.....	ii
Partial Copyright License.....	iii
Abstract.....	iv
Dedication.....	v
Acknowledgements.....	vi
Table of Contents.....	vii
List of Tables.....	x
List of Figures.....	xii
List of Acronyms or Glossary.....	xiii
1. Introduction	1
1.1. Research Context.....	1
1.1.1. The evolution of CP in Canada and British Columbia	1
1.2. Research Overview	2
1.2.1. Sea-to-Sky Region.....	4
1.2.2. Purpose and Objectives	6
1.2.3. Methodology	6
1.3. Report Outline	7
2. Collaborative Planning.....	8
2.1. Introduction.....	8
2.2. The Roots of Collaborative Planning	9
2.2.1. Technocratic Model.....	9
2.2.2. Advocacy Model.....	11
2.2.3. Mediation Model.....	11
2.2.4. Collaborative Model	12
2.3. Definition of Collaborative Planning	12
2.3.1. Planning and Public Participation	13
2.3.2. Collaboration.....	16
2.3.3. Negotiation.....	17
2.3.4. Consensus Building	17
2.3.5. Phases of collaborative planning processes: design and management.....	19
2.3.6. Claimed Benefits of Collaborative Planning.....	21
2.3.7. Criticisms of collaborative planning	22
2.4. Evaluating Collaborative Planning	25
2.4.1. Canadian case study evaluations.....	26
2.4.2. Non-Canadian case study evaluations	28
2.4.3. Summary of key findings	30
2.5. Evaluation framework	31
2.6. Empirical evaluation challenges.....	33

3.	Land Use Planning in British Columbia and the Sea-to-Sky LRMP	35
3.1.	Land use planning in British Columbia	35
3.2.	History of land use planning in British Columbia	36
3.2.1.	Early land use – staple products and extractive resource focus	36
3.2.2.	Ministry of Forests.....	37
3.2.3.	CORE and the new land use strategy	39
3.2.4.	Land and Resource Management Planning	42
3.2.5.	Sustainable Resource Management Planning.....	47
3.3.	First Nations and provincial land use planning.....	48
3.3.1.	Changing concept of “Aboriginal rights and title” and “duty to consult”	49
3.3.2.	The BC Treaty Commission	55
3.3.3.	The New Relationship	56
3.3.4.	First Nations participation in LRMP processes	57
4.	A Case Study: Sea-to-Sky LRMP	61
4.1.	Introduction.....	61
4.1.1.	Plan area geographic, physical and socioeconomic attributes.....	62
4.1.2.	The Sea-to-Sky LRMP process and participation	66
4.1.3.	Sea-to-Sky LRMP results	72
4.1.4.	Plan Implementation, Monitoring and Amendment	80
4.2.	Unique features of the Sea-to-Sky LRMP	82
4.2.1.	Restrictions on the recommendation of Protected Areas	82
4.2.2.	First Nations Participation	82
4.2.3.	Tourism and the 2010 Olympic Winter Games	83
4.3.	Conclusion	83
5.	S2S LRMP Evaluation and Results.....	85
5.1.	Introduction.....	85
5.1.1.	Stakeholder Survey.....	85
5.2.	Survey Results – Process Criteria	88
5.2.1.	Purpose and Incentives.....	89
5.2.2.	Inclusive Representation	90
5.2.3.	Voluntary Participation	91
5.2.4.	Self Design	92
5.2.5.	Clear Ground Rules	92
5.2.6.	Equal Opportunity and Resources.....	93
5.2.7.	Principled Negotiation and Respect	94
5.2.8.	Accountability.....	95
5.2.9.	Flexible, Adaptive, Creative.....	97
5.2.10.	High-Quality Information	97
5.2.11.	Time Limits	98
5.2.12.	Implementation and Monitoring	99
5.2.13.	Effective Process Management.....	100
5.2.14.	Independent Facilitation	101
5.3.	Survey Results - Outcome Criteria	101

5.3.1.	Perceived as Successful	102
5.3.2.	Agreement	103
5.3.3.	Conflict Reduced.....	103
5.3.4.	Superior to Other Methods	104
5.3.5.	Creative and Innovative	104
5.3.6.	Knowledge, Understanding, and Skills	105
5.3.7.	Relationships and Social Capital	106
5.3.8.	Information.....	107
5.3.9.	Second-Order Effects.....	107
5.3.10.	Public Interest	108
5.3.11.	Understanding and Support of SDM.....	109
5.3.12.	Affects of First Nations on Outcomes	109
5.4.	Process and Outcome Criteria Summaries	110
5.4.1.	Process Criteria Summary	110
5.4.2.	Outcome Criteria Summary	111
5.5.	Participant Feedback to Open-Ended Questions	112
5.5.1.	Achievements	112
5.5.2.	Who Benefitted?	113
5.5.3.	Strengths and Weaknesses of Process.....	114
5.5.4.	Strengths and Weaknesses of First Nations Participation	116
5.5.5.	Useful Information for Decision Making	118
5.5.6.	Recommendations for Improvement	119
5.5.7.	General Feedback	120
5.5.8.	Features Important for a Successful Process	121
5.6.	Discussion of Process Evaluation Results	122
5.7.	Discussion of Outcomes Evaluation Results.....	124
5.8.	Comparison with other LRMP Evaluations.....	125
5.9.	Overall Assessment.....	128
6.	Recommendations and Conclusions	132
6.1.	Recommendations.....	132
6.2.	Conclusions.....	137
	References.....	141
	Appendices.....	148
Appendix A.	Sea-to-Sky LRMP Survey.....	149
Appendix B:	Survey Results	158

List of Tables

Table 2.1.	Three phases of negotiation.....	20
Table 2.2.	Summary of non-Canadian CP case studies.....	28
Table 2.3.	Process and Outcome Criteria Descriptions.....	32
Table 3.1.	Agreements facilitating the LRMP process.....	38
Table 3.2.	Six phases of land use planning in BC since CORE.....	46
Table 3.3.	Landmark decisions of the Supreme Court of Canada in Aboriginal Law.....	54
Table 3.4.	First Nations Participation in CORE and LRMP Processes.....	59
Table 4.1.	Timeline of open houses used to inform the public.....	68
Table 4.2.	Major steps in Sea-to-Sky LRMP development.....	72
Table 4.3.	Parks existing in Sea-to-Sky plan area prior to LRMP.....	79
Table 4.4.	Size of Conservancies in the Sea-to-Sky LRMP.....	80
Table 5.1.	Number of Survey Responses by Sector.....	87
Table 5.2.	Level of Agreement for 'Purpose and Incentives' Survey Statements.....	89
Table 5.3.	Level of Agreement for 'Inclusive Representation' Survey Statements.....	91
Table 5.4.	Level of Agreement for 'Voluntary Participation' Survey Statements.....	92
Table 5.5.	Level of Agreement for 'Self Design' Survey Statements.....	92
Table 5.6.	Level of Agreement for 'Clear Ground Rules' Survey Statements.....	93
Table 5.7.	Level of Agreement for 'Equal Opportunity and Resources' Survey Statements.....	94
Table 5.8.	Level of Agreement for 'Principled Negotiation and Respect' Survey Statements.....	95
Table 5.9.	Level of Agreement for 'Accountability' Survey Statements.....	96
Table 5.10.	Level of Agreement for 'Flexible, Adaptive, Creative' Survey Statements.....	97

Table 5.11.	Level of Agreement for ‘High Quality Information’ Survey Statements.....	98
Table 5.12.	Level of Agreement for ‘Time Limits’ Survey Statements	99
Table 5.13.	Level of Agreement for ‘Implementation and Monitoring’ Survey Statements.....	99
Table 5.14.	Level of Agreement for ‘Effective Process Management’ Survey Statements.....	100
Table 5.15.	Level of Agreement for ‘Independent Facilitation’ Survey Statements.....	101
Table 5.16.	Level of Agreement for ‘Perceived as Successful’ Survey Statements.....	102
Table 5.17.	Level of Agreement for ‘Agreement’ Survey Statements	103
Table 5.18.	Level of Agreement for ‘Conflict Reduced’ Survey Statements.....	104
Table 5.19.	Level of Agreement for ‘Superior to other Methods’ Survey Statements.....	104
Table 5.20.	Level of Agreement for ‘Creative and Innovative’ Survey Statements.....	105
Table 5.21.	Level of Agreement for ‘Knowledge, Understanding, and Skills’ Survey Statements.....	105
Table 5.22.	Level of Agreement for ‘Relationships and Social Capital’ Survey Statements.....	106
Table 5.23.	Level of Agreement for ‘Information’ Survey Statements.....	107
Table 5.24.	Level of Agreement for ‘Second-Order Effects’ Survey Statements.....	108
Table 5.25.	Level of Agreement for ‘Public Interest’ Survey Statements	108
Table 5.26.	Level of Agreement for ‘Understanding and Support of SDM’ Survey Statements.....	109
Table 5.27.	Level of Agreement for ‘Affects of First Nations on Outcomes’ Survey Statements.....	110
Table 5.28.	Comparison of process criteria among all LRMPs.....	126
Table 5.29.	Comparison of outcome criteria among all LRMPs.....	127

List of Figures

Figure 3.1.	Hierarchy of the Provincial Land Use Strategy	43
Figure 3.2.	General Principles of the Land and Resource Management planning process.....	44
Figure 4.1.	Sea-to-Sky LRMP plan area.....	63
Figure 4.2.	Employment by sector.....	65
Figure 4.3.	Land use designations in the Sea-to-Sky LRMP	76
Figure 5.1.	Average scores for process criteria	111
Figure 5.2.	Average scores for outcome criteria.....	112
Figure 5.3.	Achievements of the Sea-to-Sky Process	113
Figure 5.4.	Who Benefitted Most From Outcomes of Sea-to-Sky Process?.....	114
Figure 5.5 .	Strengths of the Sea-to-Sky Process	115
Figure 5.6.	Weaknesses of the Sea-to-Sky Process	116
Figure 5.7.	Strengths of First Nations Participation in the Sea-to-Sky Process.....	117
Figure 5.8.	Weaknesses of First Nations Participation	118
Figure 5.9.	Information Useful for Decision Making.....	119
Figure 5.10.	Participant Recommendations for Improvement to Sea-to-Sky Process.....	120
Figure 5.11.	General Feedback	121
Figure 5.12.	Importance of Factors in Achieving a Successful Process and Outcome	122

List of Acronyms or Glossary

BC	British Columbia
BCTC	British Columbia Treaty Commission
CP	Collaborative Planning
CORE	Commission on Resources and the Environment
EOF	Elected Officials Forum
FN	First Nations
G2G	Government to Government
GDP	Gross Domestic Product
GMD	General Management Direction
ILMB	Integrated Land Management Bureau
LRMP	Land and Resource Management Plan
LUCO	Land use Coordination Office
LUP	Land Use Plan
MoF	Ministry of Forests
MSRM	Ministry of Sustainable Resource Management
PIC	Plan Implementation Committee
PT	Planning Table
PA	Protected Area
PAS	Protected Areas Strategy
RCAP	Royal Commission on Aboriginal Peoples
REM	School of Resource and Environmental Management
S2S	Sea to Sky
S2S LRMP	Sea to Sky Land and Resource Management Plan
S2S SEEA	Sea to Sky Socio-economic and Environmental Assessment
SRM Planning	Strategic Resource Management Planning
SRMS	Strategic Resource Management Plans
ToR	Terms of Reference
TSA	Timber Supply Area
U.K.	United Kingdom
WCED	World Commission on Environment and Development

1. Introduction

1.1. Research Context

Collaborative planning (CP) emerged in British Columbia during the 1990s as a viable alternative to the traditional technocratic methods for natural resource planning. The technocratic approach to resource and environmental planning has been challenged since the 1960s for both its failure to resolve the fundamental underlying disputes and lack of full participation from all stakeholders whom the plan was directly affecting. CP delegates decision-making responsibility to a multi-stakeholder group that engage in face-to-face negotiations to achieve consensus agreements (Cormick et al 1996; Innes and Booher 1999; Wondolleck and Yaffee 2000; Day et al. 2003; Gunton and Day 2003; Gunton 2006b; Cullen 2006; McGee 2006).

Intense environmental and resource disputes plagued British Columbia in the 1980s, known as the 'war in the woods'. Traditional technocratic approaches that relied on experts to make decisions with minimum public involvement failed to produce the desired results. The status of First Nations and their role in land-use decision making processes also contributed to the criticism of technocratic planning. Therefore, as a result of the intense conflict and the complexity of government decision-making regarding Crown land, the collaborative planning approach was adopted as a means for correcting the deficiencies in traditional planning methods (Gunton and Vertinsky 1991; Cullen 2006).

1.1.1. *The evolution of CP in Canada and British Columbia*

Collaborative planning is grounded in democratic theory and promotes the idea that those people affected by the plan should have full opportunity to participate in the plan's development and implementation processes. CP has been increasingly utilized as the preferred resource and environmental planning approach in a diverse range of

substantive areas such as watershed planning, regulatory rule making, forest and land use planning, and urban planning in the United States, Canada, Australia, and New Zealand (Carr, Selin, and Schuett 1998; Margerum 1999; Wondolleck and Yaffee 2000; Jackson 2001; Frame et al. 2002; McGee 2006).

In Canada during the 1980s, the federal government promoted a round table approach to resource and environmental planning stemming from the ideas produced in *Our Common Future* (WCED 1987; McAllister 1998; Cullen 2006). CP theory and best practice guidelines were further developed from the *British Columbia Roundtable on Economy and Environment* (1994) as well as by Cormick et al. (1996). The guidelines stress face-to-face negotiations and shared decision-making at the national, provincial, and local scales where deemed appropriate.

Starting in 1992, British Columbia adopted a policy of implementing the collaborative planning approach for the development of regional/sub-regional land and resource management plans (LRMPs) which today cover almost the entire land base of the province. Given that British Columbia is the only jurisdiction to systematically adopt a collaborative planning model for developing management plans, research focused on this region offers an ideal and unique opportunity to study the strengths and weaknesses of this innovative planning approach (Gunton, Day and Williams 2003; Frame et al. 2004).

1.2. Research Overview

Collaborative planning approaches for sustainable management are increasingly being advocated by researchers and practitioners for a variety of circumstances ranging from regional-scale plan development to local single-issue dispute resolution. As a relatively recent and innovative approach for the sustainable management of scarce natural resources these same researchers and practitioners are also calling for more comprehensive empirical evaluations of the strengths and weaknesses of the CP approach in order to gain a better understanding of the relative strengths and weaknesses of collaborative planning in relation to other more traditional approaches and best practice guidelines for its utilization (Innes and Booher 1999; Margerum 2002;

Frame 2002; Gunton and Day 2003; Frame et al 2004; Cullen 2006; McGee 2006). Knowing when and how to effectively use collaborative processes is of crucial importance for effective and efficient decision making. However, there is currently limited research on the scope and quality of collaborative planning processes (Innes and Booher 1999; Frame 2002; Gunton and Day 2003; Margerum 2004; Cullen 2006; McGee 2006).

Most research on collaborative planning strengths and weaknesses has been focused on individual case studies and groupings of similar processes by individual researchers. Very few systematic case study evaluations using a common methodology exist for researchers and practitioners to identify and improve the strengths and weaknesses of CP (Gunton and Day 2003). Each study contains its own evaluation criteria from which conclusions and recommendations are drawn. Therefore, more meta-analyses of CP is needed to provide clearer expectations for researchers and practitioners of what to expect from, and how to conduct, CP processes (Innes and Booher 1999; Gunton and Day 2003).

This study is part of a multiphase research project of land use planning at the School of Resource and Environmental Management (REM) at Simon Fraser University. The first phase of the research concentrated on three issue areas and objectives: (1) analytical methods, (2) theoretical approaches to shared decision making and alternative dispute resolution, and (3) institutional structure for land management. This research generated the knowledge needed to spark the initial policy orientation and implementation of CP for regional land use planning and management plans in British Columbia (Gunton and Vertinsky 1991; Gunton 1991; Gunton 1992; Gunton and Flynn 1992).

The second phase of this research project focused on evaluations of four land use plans completed before 1996 (Vancouver Island, Caribou-Chilcotin, West-Kootney, and East Kootney-Boundary). This phase also distinguished the planning experience in British Columbia from a number of different perspectives and priorities. The result of this phase was the incorporation of the findings toward improving the CP processes in the province.

The third phase of the research project consisted of an evaluation of 17 completed LRMPs using ex post participant surveys and a standard evaluation framework (Frame 2002). More LRMPs have been completed since 2002. Therefore the fourth phase of the research project is to complete single detailed case study evaluations of the five LRMPs completed since 2002 and not evaluated in the Frame study. Single case study evaluations allow for greater detail into the general and specific factors contributing to the success and failure of collaborative planning processes and have been argued as a necessary research field for improving the understanding of collaborative processes (Frame 2002). Also, completion of single case studies of plans completed since 2002 helps complete the data base on LRMP evaluations. The intent is to include all BC LRMPs in the database. Four of the five case studies have already been completed: the Central Coast LRMP (Cullen 2006), the North Coast LRMP (McGee 2006), Haida Gwaii (Astofooroff 2008), and Morice (Morton 2009). This study completes another case study of the Sea-to-Sky LRMP. The Sea-to-Sky LRMP case study uses the same methodological and evaluation framework employed in the other four case studies.

1.2.1. *Sea-to-Sky Region*

The Sea-to-Sky LRMP management area covers approximately 1,091,000 hectares situated north of Greater Vancouver and east of the Sunshine Coast. The plan area overlaps the Squamish Forest District and encompasses the majority of Garibaldi Park (S2S LRMP 2008). The plan area is also heavily forested and situated in a transition zone from the wet coastal zone to the drier interior zone in which each provides habitat for a wide variety of nationally and provincially significant fish and wildlife species (S2S LRMP 2008). The four major watersheds inside the plan area, wholly or partially, are: Indian River (drains into Indian Arm); Gates River System (drains into Anderson Lake); Squamish River System (drains into Howe Sound); and Lillooet River System (drains through Harrison Lake into the Fraser River) (S2S LRMP 2008).

The three major/large communities of Whistler, Pemberton, and Squamish are located within the plan area with a permanent resident population (2010) of approximately 33,000. The region, however, is an internationally renowned tourist

destination with yearly visits, in both winter and summer seasons, of over a million people (S2S LRMP 2008).

Seven First Nations have reserve lands and asserted traditional territory claims on the land within the Sea-to-Sky plan area: In-SHUCK-ch; Lil'wat (mount currie); Musqueam; Stat'imc (includes N'Quat qua); Squamish; Sto:lo; and Tsleil-Wauthuth Nation. Some First Nations groups within the plan area are currently in treaty negotiations with the federal and provincial government in which the outcome of a treaty takes precedence over the LRMP agreement. Changes in the relationship between the federal and provincial governments and First Nations in the province have also led to changes in the structure of LRMP processes which have adapted to try and engage First Nations more fully into the development and implementation of the plans. Four aspects of the Sea-to-Sky LRMP distinguish it from other LRMP processes in the province:

- The structure of the planning table was modified to recognize the special position of First Nations. The initial planning table consisted of representatives of 12 sectors with significant interests in the plan area who then produced recommendations to the provincial government. The provincial government then negotiated agreements with three First Nations on a government-to-government basis and thus modifying the original recommendations from the planning table. The Sea-to-Sky LRMP process is the only process in the province where First Nations participated only in the government-to-government negotiation stage of plan development.
- Only three First Nations signed agreements with the provincial government with one more First Nation opting to reach a specific watershed agreement. This is the first watershed specific agreement in lieu of the full range of issues within the plan area that has been reached through the LRMP process in the province. The three First Nations not participating in the LRMP process chose to focus their energies on treaty negotiations but were consulted throughout the plan development stages. The three First Nations who signed agreements with the provincial government developed land use plans for their claimed territory and used these plans as the basis for negotiations with the provincial government.
- The issue of protected areas was not part of the initial planning table options. The plan area already had 22% protected area, as a result of previous planning processes focused on increasing protected areas in the region, which is close to double the policy goal of 12% for each region of the province. Protected areas were on the table for discussions in the government-to-government negotiations however. This is due to the issue of protecting First Nations cultural values and areas of spiritual significance.

- Land use planning relating to the Vancouver 2010 Olympic and Paralympics Winter Games facilities in the Callaghan Valley was also negotiated. Major international events planning is a unique feature of the Sea-to-Sky LRMP.

An analysis of these four unique features of the Sea-to-Sky LRMP forms the basis of new information this case study provides to the existing database. Specifically, the new role of First Nations and their relationship with the provincial government is the major focus for providing insight as to the strengths and weaknesses of this adaptation from earlier processes.

1.2.2. Purpose and Objectives

The purpose of the Sea-to-Sky LRMP case study is to identify the strengths and weaknesses of the CP process based on the experience of the participants. Even though a final agreement was reached and supported by most of the stakeholders involved, not all stakeholders participated, and an agreement is only a partial reflection of the process's success. The evaluation focuses on the success of using an innovative structure for plan development and the other unique features mentioned above.

1.2.3. Methodology

Multiple steps were utilized as part of the case study methodology. This methodology was developed at REM by Frame (2002) and has been used throughout the third phase of the research project. The methodology is the product of a synthesis of five methodologies identified in the CP evaluation literature and complements a best practices framework. The methodology consists of the following steps:

1. Extensive literature review of collaborative planning theory and practice.
2. Review of the LRMP process in British Columbia.
3. Survey the participants of the Sea-to-Sky LRMP in order to compare this process to the established theory and previous collaborative planning agreements. The survey utilizes an evaluation method developed by the REM research team based on 25 outcome and process criteria, as well as nine open-ended questions (Frame et al. 2004). 24 questions test for the outcome criteria and 46 questions test the process criteria (appendix 1). The nine open-ended questions are used to test participant perceptions. From the open-ended

questions a coding system is used to tease out common themes and frequency of responses.

4. Analyse the survey as a means of evaluating the LRMP and make recommendations based on this analysis.

1.3. Report Outline

Chapter 2 is a literature review of the basic components of collaborative planning. The various components of the approach are discussed in more detail and the best practices currently used are outlined. A history of land use planning in BC, and the evolution toward collaborative planning as the official BC policy framework, is the focus of chapter 3. Chapter 4 provides an overview of the social, economic and environmental characteristics of the plan area and a description of the LRMP process and outcomes. Chapter 5 summarizes the results of the participant survey analysis and provides the context for the discussion on the results and subsequent recommendations for the improvement of collaborative planning processes in chapter 6.

2. Collaborative Planning

2.1. Introduction

“One of the primary challenges to sustainable management is resolving disputes among competing stakeholders over the use of scarce natural resources” (Frame, Gunton and Day 2004, 57). In recent years, there has been growing advocacy and use of more collaborative processes for resolving environmental and resource planning disputes. The use of collaborative planning (CP) marks a fundamental paradigm shift away from traditional planning models where scientific experts developed and implemented plans according to objective scientific objectives and analysis, toward, greater public participation in which stakeholders collaboratively develop a plan and play a significant role in the implementation process (Yaffee and Wondolleck 2003). This shift in planning models, from an expert-based centralized model to a more collaborative model, has reflected the contemporary changes in social and scientific awareness of the complexity and uncertainty of resource and environmental problems as well as increasing demands on limited natural resources (Wondolleck and Yaffee 2000). While the collaborative planning model has been increasingly advocated and implemented in Canada, United States, and Australia there remains limited empirical examinations of the strengths and weaknesses of the collaborative planning process.

Defining the term ‘collaborative planning’, and tracing its evolution from planners’ reliance on more traditional win/lose models is the focus of this chapter. This chapter also, compares the relative strengths and weaknesses of CP, as well as discusses the problems associated with evaluation of collaborative planning processes identified in the literature. This literature review is the basis for a larger project used to evaluate the use of collaborative planning focused on the Sea-to-Sky Land and Resource Management Plan (S2S LRMP) through a detailed case study analysis. Therefore, it is important to identify the strengths and weaknesses of the collaborative planning approach in order to conduct a case study analysis which is meant to contribute to a better understanding of

the effectiveness of this relatively new approach in resolving environmental and resource disputes.

2.2. The Roots of Collaborative Planning

There have been fundamental changes in social values and approaches to planning practice and theory in North America over the past 50 years (McGee 2006). The traditional technocratic model was utilized as the preferred approach and the most efficient use of land and resources was the ultimate goal. The means for achieving these goals were devised by scientific experts who based their decisions on supposed objective principles and methods. In the 1960s this model was being challenged on the basis of new social values attributed to the environment and democratic principles.

Advocacy and mediation models emerged from these challenges as a means for empowering the social groups challenging the traditional technocratic approach and providing a forum for alternative dispute resolution. Both of these models were more effective at meeting the respective challenge they were meant to address but neither alone satisfied all the challenges. Collaborative planning emerged as an extension of the changing character of planning which incorporates both the empowerment and alternative dispute features of the advocacy and mediation models.

This section first describes the transition from the technocratic through the collaborative model as the preferred approach of planners and then describes the alleged benefits and criticisms from the planning literature. This leads into the next section which discusses the challenges of evaluating the collaborative planning approach.

2.2.1. *Technocratic Model*

Into the 1950s, professional government planning agencies held exclusive authority over planning processes and decision making (McGee 2006). This expert-based, top-down, and centralized model reflected the views of planning as a technical exercise in which independent experts would use scientific principles to provide the basis for infrastructure and management of resources (Day and Gunton 2003). The

planners, and therefore the process, were supposed to be free of political interference, and autonomous, in setting the direction of policy and implementing their developed plans. During the 1960s these planners and their plans were beginning to be increasingly challenged in the courts within the fields of resource management, conservation, urban development and transportation. Challenges were also increasing on the grounds that planning is an activity which is necessarily political in nature and some groups were receiving the benefits of the planning process while those with little power were bearing the costs. These challenges resulted in the compromised ability of technocratic planners to make plans and policy as well as implement them in a timely fashion (Wondolleck and Yaffee 2000).

Planners responded to these challenges by “formally acknowledging the role of democratically-determined goals and values as the principle force guiding planning” (Day and Gunton 2003). Therefore, science and experts changed their roles from controlling the entire process, from setting goals to developing and implementing plans, to the more restricted role of just identifying the appropriate means for achieving the politically determined objectives (Day and Gunton 2003).

Four interrelated factors have been identified as the reasons for the paradigm shift toward the introduction of two innovative models that sought to meet the needs and challenges of demands for more public participation in the planning process, and incorporation of the recognition that planning is essentially a political and value laden activity:

1. decline in the legitimacy of experts and agencies, along with calls for more public participation in objective setting;
2. better and more successful information;
3. changes in the perceived complexity of planning problems; and
4. stronger legal options available to challenge processes and outcomes (Yaffee and Wondolleck 2003).

The two models that developed in response to the challenges of the technocratic approach are: advocacy; and mediation.

2.2.2. Advocacy Model

The advocacy model recognizes there are competing interests relevant to the planning process and the technocratic approach usually benefited the most powerful interests. Therefore, the main idea behind advocacy is the empowerment of those less powerful and more vulnerable interests, individuals or groups, of society who are being affected by planning decisions (McGee 2006). Within this model advocacy planners are “those who aim to redistribute resources more fairly, increase social equity, and improve the quality of life for minority groups and the poor” (Susskind, Wansem, and Ciscarelli 2003). In this model, planners work in a similar fashion to lawyers as their work is primarily advocating on behalf of specific stakeholder groups and challenging the more traditional powerful groups in an open forum.

The advocacy model has been credited for empowering stakeholders who otherwise would not have had their voice heard. Criticisms of this model point out stakeholders who are being better represented in the planning process are usually narrow in scope and may not represent the broader views of a particular neighborhood or region (McGee 2006). Another criticism emphasizes the continuance of win/lose solutions between often polarized interest groups which fail to resolve the underlying disputes. The advocacy model assumes different outcomes from those resulting from technocratic planning but there is no guarantee this will be the case because the decision makers remain the same and win/lose outcomes are still probable. In part, as a result of the challenges associated with advocacy planning the mediation approach to planning and resolving disputes arose.

2.2.3. Mediation Model

The mediation model emerged in the 1970s as a means for alternative dispute resolution which sought to resolve the underlying disputes in a win/win fashion by achieving solutions that had mutual benefits. This approach is distinguished from the advocacy model and litigation in that it seeks mutually beneficial conflict resolution. The advocacy model is a reply to three broad criticisms of traditional planning approaches which include:

1. failure to resolve the fundamental dispute;

2. win/lose solutions to conflicts; and
3. high costs and few opportunities for effective public participation in dispute resolution (McGee 2006).

Planners act as mediators and are guided by the four principles of alternative dispute resolution and interest-based negotiation laid out in *Getting to Yes* (Fisher and Ury 1981). Since it was first introduced in the mid-1970s as an alternative to both technocratic and advocacy models, it has been institutionalized in environmental planning in a number of jurisdictions in Canada and the United States (Gunton and Day 2003). The collaborative planning model incorporates the benefits of both the advocacy and mediation models of planning.

2.2.4. Collaborative Model

The collaborative planning model grew out of both the mediation and advocacy models. Like the advocacy approach it recognizes the importance of empowering the stakeholders being affected by planning decisions. The provision to stakeholders of a forum for discussing shared interests and resolving disputes outside of the litigation process, and achieving mutually beneficial solutions, is taken from the mediation approach. Therefore, it has been argued that collaborative planning is a logical extension of both of these models (Gunton and Day 2003). As the purpose of this study is an evaluation of collaborative planning through a case study analysis, a more detailed discussion of cited theoretical and empirical benefits and challenges of CP is the topic of the remainder of this chapter.

2.3. Definition of Collaborative Planning

Collaborative planning is defined as the delegation of control of the planning process to all relevant stakeholders who engage in face-to-face negotiations to achieve a consensus agreement which meets the interests of all affected parties (Gunton and Day 2003; Gunton 2006b; Day et al. 2003). The collaborative planning approach emerged in response to the growing conflict among competing stakeholders over values and the allocation of natural resources. In conjunction with these growing conflicts was an increased demand for more public-participatory methods in the planning process that

reflects the complexity and uncertainty of the tasks, and the dominant democratic values of society (Innes and Booher 1999; Wondolleck and Yaffee 2000; and Yaffee and Wondolleck 2003). The increased delegated responsibility to prepare plans to the affected stakeholders is the primary distinction of CP from other planning models (Gunton and Day 2003).

The CP approach incorporates a number of different concepts and strategies taken from an interdisciplinary approach to solving complex problems. Therefore, it is useful to examine some of the fundamental concepts and process principles of collaborative planning. The key concepts that need to be examined are: planning and public participation; collaboration; negotiation; and consensus building. While each of these concepts are examined individually it must be stressed that each of them are dynamically incorporated into collaborative planning processes making the whole of the process greater than the sum of its individual concepts.

2.3.1. *Planning and Public Participation*

Including the public in the planning process is essential for both perceptions of the plan's legitimacy, and support for its implementation. Techniques used to engage the public vary according to the prevailing model being used, but the essential elements of planning remain constant. Planning is described as the "rational pursuit of goals by actions" (Gunton 2006c), which normally involves the following stages: identification of goals, objectives and targets; development and evaluation of alternative strategies to achieve goals; identification of the preferred strategy; implementation; monitoring; and adjustment of plans based on monitoring results (Gunton 2006c). Planning encompasses both substantive subject areas and process rules.

Some of the contemporary substantive subject areas involve urban planning, watershed planning and regional land use planning. The Land and Resource Management Plans (LRMP's) developed in British Columbia, covering almost the entire land base, are sub-regional plans designed to provide strategic direction for local development and environmental protection. This strategic approach to planning initiatives is also a relatively recent phenomenon.

Patsy Healy (2003) describes the traditional planning approach in the U.K. as the development of 'Blueprint Plans', that were implemented as a spatial blueprint "which would be translated into built form". These blueprint plans were perceived as useful for inner-city housing areas and other city projects but their implementation in areas outside of the city centers were, in the 1960s, being increasingly resisted by the general public as both incoherent and systematically benefiting the most powerful actors of society at the expense of the least powerful and most vulnerable (Healy 2003). In the United States, 'master plans' were also being criticized for failing to address many important socioeconomic, economic, and political concerns. Susskind et al. (2003) argue that through these plans the city was presented in its ideal form in the future without a clear implementation strategy for achieving that ideal state because these types of plans did not address the following issues:

1. affordability;
2. pollution prevention; and
3. implied unfairness of distributional 'gains and losses' that kept certain groups in poverty.

Development of strategic plans, which are "statements of policy principles and regulatory norms to guide land and development processes", resulted from increased public resistance to 'blueprint' and 'master plans'. These mechanisms were intended to guide local development but also allow for the contextual dynamics of local governance capacity (Healy 2003). The move toward strategic planning in the U.K. was mirrored in the United States around the same time within both the public and private sector. These organizations implemented strategic planning as a means for controlling expanding budgets and mitigating implementation limitations by allowing for continuous learning and adaptation in a complex and uncertain environment (Kapucu 2006). Strategic planning broadened to include more substantive areas of importance and resource and environmental subject areas are now an institutionalized form of planning in Canada, especially in British Columbia.

The trend from spatial blueprint planning to more policy-oriented goal setting complements the transition in procedural decision making rules guiding the planning process. Traditional land use planning focus was on the most efficient allocation of

resources. This process segregated land uses and used technical information to make decisions (Susskind et al. 2003). Conflicts emerged as to the fairness of these allocative decisions and an increased demand for public participation in the objective setting and decision-making process. As a result of the growing conflicts among the various interests and values associated with land use planning processes, public agencies began to adopt public consultation as a means of resolving disputes. Public consultation increased the likelihood of plan implementation while better meeting the principles of representative democracy (Jackson 2001).

One of the earliest and often cited authors on public participation, Arnstein (1969), argued that apparent 'public participation' is sometimes contrived as a means for public agencies to educate or cure the participants. Arnstein's argument focused on the idea that unless real power is delegated, or controlled, by the citizens themselves the image of public involvement is not valid. Arnstein's ladder of citizen participation, which describes the public involvement process, has eight rungs on a ladder which are labeled 'degrees of citizen power'. The bottom rungs begin with 'manipulation' and 'therapy' and move up the ladder to the seventh and eighth rungs labeled 'delegated power' and 'citizen control' respectively. This conceptual tool is useful for understanding the different levels and practices of public participation government agencies employ but it does not offer much guidance toward identifying when one level is better suited to a given context over another. Another, more useful, conceptual tool is Dorsey et al. (1994) spectrum of public involvement.

Dorsey's spectrum of public involvement also has eight levels of interaction, like Arnstein (1969), but differs in arguing that all levels of public involvement may be appropriate under certain circumstances and for specific stakeholders (Jackson 2001). Therefore, an important first step in the planning process is identifying the relevant stakeholders and analyzing their particular level of involvement by setting appropriate objectives. A comprehensive list of stakeholders is also important because collaborative planning is a value-based civics model and has emerged as a result of the traditional expert-based approaches not being able to incorporate the diversity of social values needed for effective results from the planning process.

2.3.2. Collaboration

Collaboration is the process by which stakeholders make “efforts to address problems too complex and too protracted to be resolved by unilateral action” (Gray 1989). The form of collaboration can be relationships, alliances, or stakeholders at a ‘planning table’. Participants can be either wholly public, private, or a combination of the two. Wondolleck and Yaffee (2000) summarize the definition of collaborative relationships as:

1. the pooling of appreciations/resources by two or more stakeholders;
2. solving a set of problems which no one can solve individually.

These authors caution against viewing collaboration as a panacea and appropriate for all planning and management activities because sometimes the traditional models of administrative or judicial decision making are easier or less costly (Wondolleck and Yaffee 2000). However, collaboration can be a useful tool for facilitating human interactions that face complex and shared issues of concern when those issues are urgent and there are limited resources available to try and solve them. Some proven benefits of collaborative processes are described by Wondolleck and Yaffee (2000) as:

1. enhancing peoples understanding;
2. narrowing the range of disagreements;
3. building concurrence about necessary action; and
4. producing on-the-ground environmental improvements.

Most of the research on collaborative relationships and alliances is based on case study analyses. This research enhances the understanding of the complex nature of collaboration and how these relationships and alliances can be sustained. Two major research questions arising from the case studies, which is directly relevant to the Sea-to-Sky LRMP case study are; “what are the expected outcomes of collaboration and what constitutes successful collaboration” (Gray 1989). These questions are addressed later within the discussion about some of the problems associated with evaluating the collaborative planning process.

2.3.3. Negotiation

Collaborative planning utilizes face-to-face interest-based negotiations which set out to 'expand the pie' through options for mutual gain. This model of negotiation was developed by Roger Fisher, founder of the Harvard Negotiation Project, as an alternative to positional, or power-based, bargaining (Erbe 2006). Interests, not positions, form the basis of the negotiations and offer the framework to create mutually beneficial options for all parties to meet their interests as opposed to the linear logic of the simple win/lose paradigm where the negotiating stakeholders can become polarized and focused on fixed-pie options (Erbe 2006). The four principles of interest-based negotiations are laid out in Fisher and Ury's *Getting to Yes* (1981):

1. Separate the people from the problem;
2. Negotiations must be focused on underlying interests and not on fixed positions;
3. Invent options for mutual gain; and
4. Establish objective criteria to evaluate the options generated by the table.

These principles are structured around both the principles of consensus decision making and interest-based negotiations. The three phases of negotiation within collaborative planning processes are discussed following a brief examination of consensus-building processes.

2.3.4. Consensus Building

Generating consensus agreement among participating stakeholders is a unique characteristic of the CP model. Collaborative planning utilizes consensus-building techniques as a means for resolving underlying conflicts, while also generating high-quality agreements and second and third-order effects which may actually be the crucial factor for sustainable management of natural resources (Innes and Booher 1999; Margerum 2002; Gunton and Day 2003; Frame et al. 2004; Innes 2004). Consensus building is a relatively new strategy for conflict resolution which entails face-to-face interest-based negotiations which seek to meet the needs of all stakeholders and in which all parties are not assumed to enthusiastically support the agreement (Frame et

al. 2004). However, the basis of consensus building is the exploration of various options with the goal of meeting at least some of the fundamental interests of every stakeholder.

In the consensus building literature, the process is the main feature and involves experimentation, learning, change, and building shared meaning among all the stakeholders (Innes and Booher 1999). Reaching agreement is certainly a fundamental goal of the consensus building process and it is argued that consensus agreements are of higher quality and more likely to be implemented (Innes and Booher 1999; Gunton and Day 2003; Day, Gunton and Williams 2003; Cormick et al. 1996). Consensus decisions are not about finding the 'middle ground' and the distinguishing feature is "clear and direct roles in decision making of diverse and often differing interests" (Cormick et al. 1996) where the formal decision makers and implementers, usually government agencies and elected officials, are directly involved in the negotiation and consensus process. The consensus process may be adapted to fit a variety of situations and can be applied to predicted conflicts, emerging conflicts, and existing hardened conflicts.

Cormick et al. (1996) identify three distinct benefits of consensus processes which are needed for the development and implementation of sustainable management policies and practices:

1. able to manage 'people' differences;
2. within the context of the best scientific and technical information; and
3. develop a collective commitment to manage scarce resources wisely.

As the process is the main feature of consensus building efforts it is usually important for a third-party neutral facilitator to manage the process effectively in order to achieve its desired results. Therefore, best-practices guidelines and identification of the most important factors for success are important information that potential and practicing facilitators should understand and make explicit to the parties of a consensus process. The main focus on the process itself presents some problems for evaluating the strengths and weaknesses of consensus-based processes. Most critics of this approach to problem-solving and dispute resolution continue to present their dissatisfaction based strictly on outcome criteria and possible misunderstandings of what exactly a consensus

process is. These issues are addressed later in more detail as part of the discussion on evaluation of the process, but for a brief description now Innes (2004) sets out eight criteria which must be met in order for a process to be appropriately labeled consensus building:

1. Inclusion of a full range of stakeholders
2. A task that is meaningful to the participants and that has promise of having a timely impact
3. Participants who set their own ground rules for behavior, agenda setting, making decisions, etc.
4. A process that begins with mutual understanding of interests and avoids positional bargaining
5. A dialogue where all are heard and respected and equally able to participate
6. A self-organizing process unconstrained by conveners in its time or content and which permits the status quo and all assumptions to be questioned
7. Information that is shared and fully accessible among participants
8. An understanding that 'consensus' is only reached when all interests have been explored and every effort has been made to satisfy these concerns.

2.3.5. *Phases of collaborative planning processes: design and management*

It has been widely acknowledged that success of the collaborative planning approach is dependent upon effective design and management of the process (Innes and Booher 1999; Margerum 2002; Gunton and Day 2003; Susskind, Wansem, Ciscarelli 2003; Innes 2004). Therefore, it is important to examine the three phases of collaborative planning processes which are: pre-negotiation; negotiation; and post-negotiation. Each of the steps within the respective phase contributes to the chances of success and it is important for facilitators and stakeholders to understand each of them and their contribution to the overall goals and objectives of collaborative planning.

Table 2.1. Three phases of negotiation

Steps/Phase	Phase One: Pre-Negotiation	Phase Two: Negotiation	Phase Three: Post-Negotiation
Step One	Background Information <ul style="list-style-type: none"> • form a professional convening team • identify potential stakeholders who participate • complete a conflict assessment, evaluate the nature of the conflict, and potential options for resolving the conflict 	Identify the interests of the stakeholders	Achieve the required approvals for implementation of the agreement (ex: the necessary legal and legislative changes and approvals)
	Appoint representatives for stakeholder participants	Use procedures such as brainstorming and idea mapping to identify a broad range of options	Create a monitoring process to evaluate the implementation of the agreement Followed by renegotiation of agreement components that may be necessary due to changing circumstances
Step Three	Prepare draft rules and Terms of Reference <ul style="list-style-type: none"> • outline objectives, rules of procedure, roles and responsibilities, timelines, and logistics 	Can also use sub groups and joint fact finding (to mitigate information deficiencies) for the more contentious issues	
	Identify the relevant facts and information required by the planning table	Select the preferred options	
Step Five		Develop a single-text document	
		Bind the parties to an agreement and ensure that both the representatives and the organizations they represent ratify the agreement	

2.3.6. Claimed Benefits of Collaborative Planning

Advocates of collaborative planning processes have cited many benefits of this approach. Most claimed benefits are centered on three basic themes: higher-quality agreements; creation of social, political, and human capital; and ecological and sustainability benefits. Each of the three general benefits has many components to them which are discussed in more detail below.

The first benefit cited in the literature is the generation of high-quality agreements which are more likely to be implemented. Advocates argue the collaborative approach achieves higher-quality agreements that are more just and in the public interest because of the process' highly inclusive nature and the fact this approach uses dynamic interest-based negotiations to reach a consensus (Innes and Booher 1999; Margerum 2002; Gunton and Day 2003; Frame et al. 2004; Innes 2004; Cullen et al. 2008). Because the knowledge base of every stakeholder is used to generate multiple alternative options, the dynamic interaction of stakeholders through negotiation and consensus rules helps to develop a wider range of creative solutions that meet at least some interests of all the stakeholders. Allowing for a broad range of stakeholders' interests to be met, and ensuring they have a stake in the outcome by virtue of their participation, is claimed to facilitate easier implementation of the agreed upon plan.

The second benefit cited in the literature is the creation of social, human, and political capital (Innes and Booher 1999; Margerum 2002; Gunton and Day 2003; Cormick et al. 2003; Frame et al. 2004; Innes 2004; Cullen et al. 2008). Creation of these three types of capital is dependent upon an effective process: it does not necessarily mean an agreement among all of the stakeholders has to be reached (Innes and Booher 1999). These benefits include a better understanding of the issues involved, the sectors and interdependent dynamics of the community, and possible formation of spin-off partnerships outside of the process. These are more long-term benefits which may be the necessary building blocks for sustainable development (Innes and Booher 1999). Developing these types of capital and the institutional capacity for alternative dispute resolution may be the greatest contribution collaborative planning has to offer as an innovative approach to effective and efficient environmental and resource planning. Innes (2004) also argues that criticisms of collaborative processes focus too much on

whether or not an agreement was reached when the contribution of CP lies more in developing long-term social capital that benefits society.

The third benefit attributed to the collaborative planning approach is ecological improvements and the institutionalization of sustainable practices. Collaborative planning is designed to find common ground and mutually-acceptable decisions which increase the probability of implementing various elements of the plan (Cormick et al. 2003). Therefore, as a result of economic and environmental interests both reaching a mutually acceptable plan along with the greater likelihood of implementation, it is more likely that this process should result in short-term and long-term improvements to the local environment.

Measuring the success and effectiveness of long-term environmental improvements and creation of social and political capital among participating stakeholders as the result of collaborative planning processes is difficult. Some criticisms of collaborative planning processes are a direct reply to the evaluation challenges and also the short-term focus of many individuals. However, not all criticisms derive from these impediments and they need to also be expressed in order to address the criticisms and develop improved collaborative planning processes.

2.3.7. *Criticisms of collaborative planning*

Integrating the benefits, and mitigating the challenges, of traditional planning models into CP are the primary reasons CP has become the preferred approach in many jurisdictions. However, the CP model does face challenges. Criticisms of the collaborative planning approach cited in the literature generally fall under these five headings: assumes stakeholders want and have the capability to negotiate; doesn't serve the public interest; lowest-common denominator agreements; serious logistical challenges; and limited applicability. The first two criticisms involve issues of power and representation while the final three are directly related to the inherent process characteristics of this type of approach.

The first criticism stems from an inherent assumption within the collaborative planning approach that all relevant stakeholders will be committed to this type of decision-making process. All relevant stakeholders are needed for a proper process but

not all relevant stakeholders may be willing or able to negotiate. They may have a better alternative to a negotiated agreement (BATNA) such as a greater perceived chance of achieving their interests through litigation or 'going it alone' through alternative means (Innes and Booher 1999; Gunton and Day 2003; Innes 2004; McGee 2006).

Asymmetrical power imbalances among the relevant stakeholders, in terms of resources and negotiating skills, may also cause challenges if the more powerful stakeholders are allowed to dominate the process and generate inequitable outcomes. In these cases, the weaker stakeholders may withdraw from the process altogether (Gunton and Day 2003). These challenges may be mitigated in the pre-negotiation phase by assuring the weaker stakeholders have enough resources to participate for the duration of the process and through negotiation methods workshops to ensure all stakeholders possess at least an adequate negotiation skill-set. Power imbalances at the table may also be mitigated by effective facilitation by a neutral third-party to ensure the interests are reciprocal. In effect, everyone needs to be actively involved in negotiations to meet their interests (Innes 2004).

Collaborative planning processes have also been criticized for reaching agreements which meet the interests of the stakeholders at the table but do not represent the interests of the general public who usually are not directly represented at the planning tables (Margerum 2002; Gunton and Day 2003; McGee 2006). To remedy this problem, the special role of the general public, and the need to incorporate their interests, may be achieved by designing public participation strategies such as frequent open-houses and ensuring the participation of relevant elected government officials who are then politically accountable to the process and its decisions.

A third criticism of collaborative planning, which is geared more toward the consensus building aspect of the process, is that such agreements may result in nothing more than "compromise and lowest common denominator solutions, often reached through peer pressure" (Innes 2004,13). These criticisms assume that conflict is inherently incompatible with consensus processes and the only mandate of the process is to reach an agreement. However, conflict, tension, and dialogue of interests with other stakeholders helps ensure that all interests are heard and attempts are made to dovetail interests into an agreement that is better for the stakeholders compared to if they had 'gone it alone'. If stakeholders were simply to accept proposals for

compromise, and lowest common denominator solutions, then a consensus-building process would be unnecessary (Innes 2004). The most important aspect that helps to ensure lowest common denominator agreements are not reached is the fact that all stakeholders have an “exit option” and should be encouraged to re-evaluate their BATNAs both inside and outside of the process on a routine basis. If stakeholders feel their interests may be served better by alternative means, then they have the option to leave the consensus process and pursue their interests accordingly.

Another criticism is that reaching consensus agreements may require using vague language that hides differences in the effort to get all stakeholders to agree. Vague agreements are difficult to implement. When a provision of an agreement is not clear the person[s] responsible for implementation will either have to interpret the provision themselves or ask for clarification from the stakeholders. In the former situation, stakeholders may not be in agreement with the interpretation of the implementing group; in the latter situation stakeholders have to address the conflict explicitly and come to a clearer solution before the provision may be implemented. In both cases, agreement on ‘vague’ solutions simply delays the conflict and fails to resolve the underlying dispute. Therefore, it is not in the interests of stakeholders to produce vague agreements and a skilled facilitator should make all participants aware of the potential consequences down the road.

Collaborative planning processes face major logistical challenges. Ensuring commitment to the process over the needed length of time, along with the limited enthusiasm of planners who have had to abdicate their traditional decision-making authority, is a very difficult task. Therefore, elements of the process design, such as skilled facilitation and ensuring adequate long-term funding for all stakeholders, may be necessary in order to maintain the commitment and enthusiasm of the group and to resolve potentially fatal logistical challenges.

The final general criticism of collaborative planning processes is that it may have limited applicability. Issues involving fundamental value differences, hardened ideological differences, and legal rights may not be appropriate to try and solve by negotiation (McGee 2006). In such cases, normal political channels and the courts may be the most appropriate and legitimate avenues for making decisions.

Evaluating collaborative planning processes has developed information necessary to assess some of the criticisms, and mitigate some of the challenges, that hinders the effectiveness of this approach to resolving environmental and resource disputes. However, evaluation of these processes presents its own challenges. The next section focuses on these challenges and their impact on identifying the strengths and weaknesses of collaborative planning, as well the identification of best-practices guidelines to ensure facilitation of these processes is as effective as possible. Future research needs are also suggested.

2.4. Evaluating Collaborative Planning

There are few empirical evaluations identifying the strengths and weaknesses of collaborative planning, the appropriate areas for application, or strategies and best practice guidelines for overcoming the approach's challenges and limitations (Innes and Booher 1999; Margerum 2002; Gunton and Day 2003; McGee 2006). The small number of empirical evaluations is due in part to its relatively recent emergence as a preferred approach. In addition, evaluating this kind of planning process is challenging. Case study evaluations are the preferred method for evaluation and some interesting case study analyses are available to guide future planning processes.

This section reviews two case study analyses that focus on land use planning in BC and also provides a summary of selective collaborative planning evaluations conducted outside of Canada. The first case study, by Frame et al. (2004), systematically evaluated 17 LRMP processes in the province of British Columbia. This research identified two major findings of this process: 1) the successful outcome of reaching consensus agreements within a highly conflict-laden setting and 2) social capital benefits may be the most important outcome from participating in the process. This research developed the methodology which is used for the Sea-to-Sky LRMP case study and stresses the need to use multi-objective criteria as the basis for evaluation. The second directly related case study, Cullen et al. (2008), also used the Frame et al. (2004) methodology in a case study of the Great Bear Rainforest Agreement. It involved a two-tier assessment model in response to the need to include First Nations in the planning process.

The major findings of each of these case studies are reviewed next. In addition, best practices guidelines are identified to overcome the challenges in designing and managing effective collaborative planning processes. Then areas for future research cited in the literature and the relative challenges of using the Frame et al. (2004) methodology are discussed. Finally, an overview of the 25 outcome and process criteria that the survey used to measure the strengths and weaknesses of the collaborative approach in the Sea-to-Sky LRMP case study evaluation is presented.

2.4.1. Canadian case study evaluations

Frame et al. (2004) undertook a comprehensive evaluation of 17 LRMP processes in British Columbia. The British Columbia experience is unique in that it is the only known jurisdiction to systematically apply collaborative planning for almost the entire land base. This case study uses a new evaluation methodology incorporating parts of five different evaluation frameworks existing in the literature. A survey was sent to all available participants in the 17 LRMP's encompassing 25 process and outcome criteria in order to meet the need of multi-objective evaluation criteria (14 process criteria defined desirable design features and 11 outcome criteria defined desirable outcomes). This survey was developed within a larger research project at REM, Simon Fraser University, and forms the methodological basis of the Sea-to-Sky LRMP case study evaluation.

Frame et al. (2004) report that the collaborative processes were successful in reaching agreement in areas characterized by fundamental value differences. Generally, participants were satisfied with the process. The most beneficial long-term outcome of the process may be the creation of social, human, and political capital and not necessarily the agreements. The case study also identified the essential management design feature of maintaining default decision processes, such as unilateral government decision making, to discourage delaying tactics and ensuring the motivation of the participants in continuing on within the process. The study also identified the heavy influence of external factors on the participants' BATNA's which are a very important factor for coordinators to understand when determining whether or not to proceed with the collaborative planning approach and the relative chances of success. The LRMPs evaluated in the Frame et al. study used a one tier process design, where

all participants negotiated together at the same multi-stakeholder table. First Nations did not actively participate in these processes.

The second Canadian case study examined by Cullen et al. (2008) evaluated the Great Bear Rainforest (GBR) planning process in British Columbia. The GBR planning process was different from other LRMP planning processes in the sense that the planning process evolved into a two-tier process to accommodate the special position of First Nations in British Columbia. Therefore, this study evaluated innovative features of this unique process. The GBR was successful in achieving consensus agreement on major outcome objectives and was able to more successfully engage First Nations that had not participated in earlier CP processes in the province. Understanding the dynamics of cross-cultural negotiation was also acknowledged as a major research need in designing and managing effective collaborative planning process. However, even though the process achieved many of the outcome and process criteria, process limitations remained. In light of their special position, conferred by having distinct aboriginal rights and land claims, First Nations groups were less supportive of the process. They were confused as to their role in the two-tier model, and were “not convinced of the superiority of collaborative planning relative to alternative means of meeting their interests, such as direct government-to-government negotiations” (Cullen et al. 2008, no page). The study also cautions against equating reaching a consensus agreement with enthusiastic support of the plan as only about one-half of the survey respondents agreed that the plan met the interests of their stakeholder group. A similar percentage of respondents in the Frame study agreed the negotiated plan met the interests of their stakeholder group. The nature of negotiation, involving compromise as a necessary component of reaching an agreement regardless of how the process is designed, can be partially attributed to the un-enthusiastic result.

Case studies of the other two-tier LRMP processes for the North- (McGee 2006) and Central Coasts (Cullen 2006), Haida Gwaii (Astooroff 2008) and Morice (Morton 2009) areas of British Columbia used the same methodology and reported similar results to both the Frame (2004) and Cullen (2008) evaluations.

2.4.2. *Non-Canadian case study evaluations*

Non-Canadian case studies are included to identify the major findings, challenges and benefits of collaborative planning which may be inherent to the approach and not a result of the particular political or cultural environment in Canada or British Columbia. Several case studies of collaborative planning processes in the United States and Australia are briefly examined in the table below.

Table 2.2. Summary of non-Canadian CP case studies

Author/Title	Study Area/ Participants/ Methodology	Key Findings	Benefits and challenges of CP identified, best practices and/or recommendations
<p>Carr, Selin and Shuett (1998), “Managing public forests: Understanding the role of collaborative planning”.</p>	<p>Evaluation of a collaborative process for managing the US national forest initiated by the US Forest Service</p> <p>Study analysed the primary barriers to implementation</p> <p>Personal interviews and phone surveys of 113 forest service employees and 15 different stakeholder groups</p>	<p>Civic literacy is a necessary component of the process;</p> <p>Collaborative planning is crucial to the evolution of the USFS</p> <p>Risk-taking and trust-building are two-way streets.</p>	<p>Benefits:</p> <p>Improved relationships and increased knowledge</p> <p>Reduced lawsuits and appeals.</p> <p>Challenges:</p> <p>Institutional structure of the USFS (e.g. personal reward structure, constraining regulations,).</p>
<p>Leach et al. (2002), “Stakeholder Partnerships as Collaborative Policymaking: Evaluation Criteria Applied to Watershed Management in California and Washington”.</p>	<p>Evaluation of 44 collaborative watershed management processes in California and Washington between 1995 and 1999.</p> <p>Evaluated collaborative planning using multiple criteria of success (e.g. perceptions of stakeholders, extent of agreement reached, monitoring, implementation, etc.).</p>	<p>Participants agreed consensus-based approaches were most suitable strategy for resolving their watershed issues.</p> <p>Participants agreed the process increased human and social capital.</p> <p>Long-standing partnerships appear to score higher on all</p>	<p>Recommendation:</p> <p>48 months is a reasonable time to reach agreement and begin implementation, education, and monitoring.</p>

Author/Title	Study Area/ Participants/ Methodology	Key Findings	Benefits and challenges of CP identified, best practices and/or recommendations
		criteria than younger processes.	
<p>Susskind, Wansem and Cicarelli (2003), "Mediating land use disputes: Pro and con".</p>	<p>100 cases of mediated land use disputes across six distinct fields of planning</p> <p>Cases were randomly chosen as a stratified sample across the Midwest, the North, the Pacific Coast, the Rockies, and the southern United States.</p> <p>Two-thirds of the cases chosen for evaluation were settled and the remaining third had yet to reach an agreement.</p> <p>Used participant interviews.</p> <p>Four core areas evaluated:</p> <p>Satisfaction of stakeholders with both the process and outcomes;</p> <p>The resolution of underlying issues and the improvement of stakeholder relations;</p> <p>Time and cost of the process;</p> <p>Importance of the mediator.</p>	<p>Stakeholders were generally satisfied with the process.</p> <p>Creative solutions were developed to try and create the best possible outcome for involved parties.</p> <p>Stakeholders believed the collaborative process saved time and money relative to other available options (e.g. lawsuits and appeals).</p> <p>Mediator was a crucial component of reaching an agreement.</p>	<p>Recommendations for when not to use CP:</p> <p>When a decision is precedent-setting;</p> <p>When rights of all parties are not recognized;</p> <p>When participants are in a positional deadlock or total stalemate; and</p> <p>When mediation is used to stall or delay rather than to promote mutual agreement.</p>
<p>Margerum (1999), "Getting past yes: From capital creation to action".</p>	<p>15 cases in Australia and 8 in the United States which used collaborative planning processes for watershed management.</p> <p>Survey of 550 Australian participants and 100 US participants using both open-ended and closed survey questions.</p> <p>Interviews and secondary literature also used in evaluation.</p> <p>3 components of evaluation:</p>	<p>Majority of cases resulted in improved social capital, networks, shared knowledge, and a general enthusiasm for the process.</p> <p>Many participants were concerned about a lack of progress beyond the initial agreement.</p>	<p>Challenges:</p> <p>Lack of strategic direction;</p> <p>Lack of adequate community involvement and support; and</p> <p>Lack of stakeholder commitment and agency enthusiasm.</p>

Author/Title	Study Area/ Participants/ Methodology	Key Findings	Benefits and challenges of CP identified, best practices and/or recommendations
	achievements, products, and outcomes.		

2.4.3. Summary of key findings

Findings from various case studies of collaborative planning processes outside of Canada supports the claim that this innovative approach is a useful tool for resolving environmental disputes. It creates the conditions necessary for the development and institutionalization of sustainable management. A general overview of the key findings refutes some criticisms of the collaborative planning approach. These factors include:

- high stakeholder satisfaction with the outcomes and processes, as well as support of participating in these types of processes in the future
- achieving high-quality agreements, by addressing the serious issues and support for implementation, in the face of highly complex technical challenges and fundamental value differences, and
- creation of intangible benefits such as social, human, and political capital which form the basis of sustainable management practices.

All of these case studies have also been reviewed in order to identify key best practice guidelines for effective process design and management. These include:

1. ensure inclusive representation;
2. remain flexible and adaptive;
3. reduce inequities among stakeholders, including resources and negotiation skills;
4. provide clear ground rules at the beginning of the process;
5. ensure process accountability, both to the public and stakeholders' constituency;
6. provide sound process management;
7. provide realistic timelines;
8. provide implementation and monitoring processes; and
9. use multiple-objective evaluation criteria (McGee 2006).

This summary of key findings from collaborative planning case study evaluations presents some key insights into the value of this approach as an alternative to traditional planning approaches. It also suggests how to effectively design and manage such processes to increase the chances of success. However, it must be re-emphasized that advocates of collaborative planning do not regard this technique as a panacea and a careful assessment of each situation and its relative chances of success need to be conducted before proceeding (Gunton and Day 2003). It must also be noted that while these case study evaluations are used as evidence for the value of collaborative planning and strengths/weaknesses comparisons with other approaches, significant challenges remain regarding empirical evaluations of these processes. The next section examines some empirical evaluation challenges and research needs to address them.

2.5. Evaluation framework

This project is based on the methodological and evaluation framework developed at REM by Frame et al. (2004). This framework was developed by incorporating and enhancing many of the evaluation frameworks proposed in the literature. A survey was developed integrating 25 process and outcome criteria proposed in the literature as effective tools for evaluation and sent to all stakeholder participants. The survey questions are designed as statements that request participants to select a response on a Likert four-point scale of agreement or disagreement (Frame et al. 2004). Averages are calculated for all responses to provide an overall percentage agreement result for each criterion. These results are interpreted, by comparing the level of agreement with other LRMP case study results, and interpretations as to the success or failure of each criterion are made. The results are then aggregated in order to interpret the success and failure of the overall process in meeting its objectives. Also included in the survey are nine open-ended questions designed to assess each participant's perceptions. These responses are evaluated in order to calculate the frequency of each response. Finally, general themes are identified to help interpret their meaning and relevance as to the strengths and weaknesses of the LRMP process.

Of the 25 evaluative criteria, 14 are process criteria meant to define the desirable features of process design, and 11 are outcome criteria designed to define desirable

outcome objectives. The limitations of this approach are described in the next section and descriptions of the criteria are provided in the table below.

Table 2.3. Process and Outcome Criteria Descriptions

Process and Outcome Criteria Description
Process Criteria Description
<i>Purpose and Incentives:</i> The process is driven by a shared purpose and provides incentives to participate and to work towards consensus in the process.
<i>Inclusive Representation:</i> All parties with a significant interest in the issues and outcome are involved throughout the process.
<i>Voluntary Participation and Commitment:</i> Parties who are affected or interested participate voluntarily and are committed to the process.
<i>Self-design:</i> The parties involved work together to design the process to suit the individual needs of that process and the participants.
<i>Clear Ground Rules:</i> As the process is initiated, a comprehensive procedural framework is established including clear terms of reference and operating procedures.
<i>Equal Opportunity and Resources:</i> The process provides for equal and balanced opportunity for effective participation of all parties.
<i>Principled Negotiation and Respect:</i> The process operates according to the conditions of principled negotiation including mutual respect, trust, and understanding.
<i>Accountability:</i> The process and its participants are accountable to the broader public, to their constituents, and to the process itself.
<i>Flexible, Adaptive, and Creative:</i> Flexibility is designed into the process to allow for adaptation and creativity in problem solving.
<i>Time Limits:</i> Realistic milestones and deadlines are established and managed throughout the process.
<i>High-Quality Information:</i> The process incorporates high-quality information into decision making.
<i>Commitment to Implementation and Monitoring:</i> The process and final agreement include clear commitments to implementation and monitoring.
<i>Effective Process Management:</i> The process is co-ordinated and managed effectively and in a neutral manner.
<i>Independent Facilitation:</i> The process uses an independent trained facilitator throughout the process.
Outcome Criteria and Descriptions
<i>Agreement:</i> Process reaches an agreement accepted by parties.
<i>Perceived as Successful:</i> The process and outcome are perceived as successful by the stakeholders.
<i>Conflict Reduced:</i> The process reduces conflict.
<i>Superior to other methods:</i> The process is perceived as superior to other approaches.
<i>Innovation and Creativity:</i> The process produced creative and innovative ideas and outcomes.
<i>Knowledge, Understanding and Skills:</i> Stakeholders gained knowledge, understanding, and skills by participating in the process.
<i>Relationships and Social Capital:</i> The process created new personal and working relationships, and social capital among participants.

Information: The process produced improved data, information, and analyses through joint fact-finding that stakeholders understand and accept as accurate.

Second-Order Effects: The process had second-order effects including changes in behaviours and actions, spin-off partnerships, umbrella groups, collaborative activities, new practices or new institutions. Participants work together on issues or projects outside of the process.

Public Interest: The outcomes are regarded as just and serve the common good or public interest, not just those participating in the process.

Understanding and Support of CP: The process resulted in increased understanding of, and participant support for the future use of CP approaches.

Source: Frame et al. 2004

2.6. Empirical evaluation challenges

The increasing use of collaborative planning, and case study evaluations of these processes, has generated a better understanding of the strengths and weaknesses of this approach to alternative models of planning. However, relying on participant responses as the basis for evaluating the process and outcome criteria – not the specific outcome criteria of reaching an agreement – presents unique challenges in both identifying the relevant strengths and weaknesses as well as comparing the results to alternative models.

The first limitation of this type of research is the absence of a control group from which to compare the results with a collaborative planning process. Because there cannot be two processes operating simultaneously with the same participants it is impossible to have a control group and an experimental group to compare the results. Second, evaluations must account for potential participant biases inherent in any study relying on survey data for the basis of evaluation. Participants may not have been exposed to alternative planning practices beforehand thus limiting their ability to compare the collaborative process to other processes (Innes and Booher 1999; McGee 2006; Cullen et al. 2008). Finally, evaluating the success and failures of collaborative processes involves judgments as to what defines success and failure. It has been argued previously that intangible benefits are the most important determinant of success, and not necessarily the achievement of a consensus agreement. However, the relative perceptions of participants as to the scope of learning and capital generated as a result of the process itself is very difficult to compare across individuals and across case

studies (Innes and Booher 1999; Frame et al. 2004; McGee 2006; Cullen 2006; Cullen et al. 2008). For this reason, a multi-criteria evaluation framework is used in this study.

Other limitations to the empirical evaluation of collaborative planning processes are:

- Defining with statistical certainty the keys to success (Cullen et al. 2008)
- Using a single snapshot, where evaluation is conducted from a single point in time, versus an ongoing evaluation
- Supporting claims of environmental, social and economic conditions on the ground vis a vis higher quality decisions (Coglianese 2003),and
- Lack of a common set of criteria for performance evaluation (Gunton and Day 2003).

As an attempt to try and mitigate these empirical evaluation challenges, REM faculty and students developed a research project that uses a common methodology to systematically evaluate the LRMP processes in the province. While it does not solve all limitations of this type of research, it does support a systematic evaluation across similar case studies and a meta-analysis. These provide the grounds for generating a better understanding of the inherent qualities of the collaborative approach and stronger comparisons of the relative strengths and weaknesses to other planning approaches. This type of research is needed to adequately inform potential participants about the possible benefits and as a means of encouraging them to commit to the collaborative process. As the focus of this research project is a single collaborative process, the Sea-to-Sky LRMP, its general applicability is limited. Therefore, the contribution of this project is its inclusion in the existing LRMP database, and contributing to the development of a meta-analysis of this innovative planning approach.

3. Land Use Planning in British Columbia and the Sea-to-Sky LRMP

3.1. Land use planning in British Columbia

This chapter outlines the historical socio-political, institutional and economic context from which the contemporary system of land and resource planning in British Columbia, based on the objective of rural sustainability, emerged. The chapter is divided into three sections, together providing the necessary background information for an evaluation of the Sea-to-Sky LRMP. Both the process and the outcomes of the Sea-to-Sky LRMP are discussed.

The first section reviews the challenges and conflicts land use planners faced stemming from the historical dominance and resource management practices of the Ministry of Forests (MoF). The major source of tensions was the MoF's inability, or unwillingness, to incorporate non-timber values into their decision-making processes. The major conflicts between development and preservation advocates necessitated a reassessment of the values associated with the land and its resources. Eventually this led to a new land-use strategy for the entire Crown land base of the province in 1992.

The second section discusses the implications for land use planners of the historical provincial Crown-First Nation's relationship. There were major changes to this relationship as a consequence of recent court decisions that increased uncertainty regarding the 'ownership' and legal administration of most of the provincial land base. An overview of First Nations participation in the development of LRMPs generally, and the Sea-to-Sky LRMP more specifically, is presented.

The third section reviews the Sea-to-Sky LRMP process and the associated outcomes. Unique features of the Sea-to-Sky LRMP process such as the nature of First Nations participation, the restriction on the planning table (PT) for recommending the

establishment of new Protected Areas (PAs), and venues for the 2010 Olympic Winter Games located in the plan area are the focus of the final section.

3.2. History of land use planning in British Columbia

Land use planning “seeks to outline future intentions for the use of land and resources, providing a predictable basis for land use allocation, development approval and environmental management” (Wood, no date). British Columbia’s contemporary land use planning program is based on the recognition for the need to balance social, economic and environmental values on crown land to meet the stated objectives of sustainability. This new type of planning is a recent development, adopted by the province in the early 1990s, as a tool to ease conflict between the various industrial sectors, resource agencies, First Nations, and the general public. This tool was also adopted as a means for implementing the province’s newly established *Protected Areas Strategy* (BC MNRO 2011). This planning approach differs significantly from earlier management and planning practices used in BC

3.2.1. *Early land use – staple products and extractive resource focus*

When British Columbia became a province in 1871, the official population was 36,247 (Bone 2000). With a small population and a large land base, characterized by the economic potential for extraction of abundant and diverse natural resources, regulated land management for the early settlers was not a pressing issue. Private property rights, land tenures and markets for their primary products was the major concern of settlers. Economic development based on the extraction of natural resources with limited processing was the primary interest of the province (Gunton 1998).

In the next few decades there was unprecedented growth and modernization of the forest industry allowing companies with advanced technology to harvest vast amounts of timber in a very short period of time (Wood, no date). The land base of the province was divided into suitable lots for the supply of timber and other resource extraction activities. Professional land managers allocated the harvest through analytic and technocratic decision-making processes (Wood, no date). Values competing with

the forest industry's sole concern of managing adequate timber supplies were not calculated as part of this equation.

Stakeholders who traditionally had limited input into the planning process began to protest for the incorporation of non-extractive values into the decision making calculus. The process for deciding how to incorporate non-extractive values eventually led to the adoption of an integrated land use framework. The new land use framework curtailed the power of the Ministry of Forests' (MOF) and included other stakeholders into the decision making process.

3.2.2. Ministry of Forests

From the end of the Second World War until the adoption of CORE in 1992, land use planning in BC was the primary domain of the Ministry of Forests (Gunton, Day and Williams 1998; Jackson and Curry 2004). Until the adoption of CORE, the British Columbia *Forest Act* granted MoF management responsibilities for provincial forests. The MoF's planning system consisted of sub-regional plans, which are referred to as Timber Supply Areas (TSA's), and were developed in order to fulfill their mandated focus on timber production (Gunton, Day and Williams 1998). These sub-regional plans were developed by MoF in relative isolation from other governmental ministries and the public. Other government ministries provided informal consultation and review, while public input consisted of a consultative role near the end of the process. (Gunton, Day and Williams 1998). Only the forest industry was in constant dialogue with the MoF throughout the planning process. This form of centralized techno-corporatist management of the land base resisted initiatives for including alternative land use values into the planning process.

Other resource values were included in future planning processes as a result of changes made to the MoF mandate. The mandate of MoF was expanded in 1977, to incorporate values such as the production of timber with fisheries, wildlife, outdoor recreation, among others. The new mandate also included coordination of MoF plans with other government industries and the private sector (Jackson and Curry 2004). These changes reflected the recommendations of the 1976 Pearse Commission but ultimately failed as the MoF could not reconcile their mandate of sustained timber

production with the requirements of their new responsibility for integrated resource management (Jackson and Curry 2004).

At the end of the 1980s, citizen's protesting and erecting blockades on Vancouver Island were advocating for new MoF management practices for old growth forests in particular, and clarification of aboriginal rights/title. Boycott campaigns of natural resource companies to hamper their access to foreign markets also generated momentum toward the need for changes to the status quo way of managing crown lands. Many different groups formed coalitions, and became central figures in, the social movement advocating for change in land use planning processes and forest management practices. Even though many different groups with various interests and demands participated in these coalitions, their primary sources of discontent were: mistrust of centralized decision-making; absence of meaningful public participation and a growing mix of non-traditional forest values; and increasing concerns over growing resource scarcity and the long-term sustainability of the forest industry (Gunton, Day and Williams 1998).

These concerns were incorporated into the framework for establishing a new land use strategy for the province. After a decade of Round Table discussions and commissions (table 3.1) the new provincial government created the Commission on Resources and Environment (CORE) in 1992 (Gunton, Day and Williams 1998).

Table 3.1. Agreements facilitating the LRMP process

1988	Dunsmuir Agreement
1989	Forest Resources Commission
1990	BC Roundtable on Environment and Economy
1992	CORE created in response to recommendations of Dunsmuir Agreement, Forest Resources Commission, and BC Roundtable on Environment and Economy Land Use Coordination Office (LUCO) and Integrated Resource Planning Commission (IRPC) created Provincial Protected Areas Strategy released
1993	LRMP's formally endorsed by the provincial government (12 LRMP's in progress)
1994	CORE completed four regional plans (the four)
1995	Cabinet approves implementation of 4 regional plans recommendations

1996	CORE abolished and LRMP process taken over by LUCO SRMP added to the provincial strategic planning process
2001	Ministry of Sustainable Resource Management (MSRM) takes over from LUCO
2005	Integrated Land Management Bureau (ILMB), and agency of the Ministry of Agriculture and Lands takes over responsibility for land use planning

Table taken from Cullen (2006).

3.2.3. **CORE and the new land use strategy**

A newly-elected NDP provincial government signaled the beginning of a transitional period in the province. The new government set course toward the goal of diffusing the intense conflicts and implementing a strategy for sustainable development in the province, with the creation of the Commission on Resources and the Environment (CORE). This Commission was created when the provincial government realized the changing realities of natural resource demands because of the intense conflicts over the past decade (Gunton, Day and Williams 1998). Integrating existing and new resource values into land use plans was an integral part of diffusing the intense conflicts in the province. Integrating alternative values was also a primary component of the new planning and policy framework designed to achieve long-term sustainability objectives (Gunton, Day and Williams 1998). To realize this goal, three key initiatives were introduced by the provincial government:

- *Protected Areas Strategy (PAS)*: set the goal of doubling the protected land base from 6% to 12% (Frame, Gunton and Day 2004);
- *Strategic Land Use Plans*: a new strategic planning system was designed around local stakeholder tables to implement PAS and defuse conflict over land use on Crown lands (Jackson and Curry 2004); and
- *The BC Treaty Commission*: was established to settle the outstanding land claims of BC First Nations against the provincial government, and to integrate any new First Nations communal holdings established by the treaty process into the new land and resource management system for Crown lands (McGee 2006).

To signify the importance of these three initiatives, they were soon given the force of law. The *Commission on Resources and Environment Act* (1992) was passed by the provincial legislature to “assist the transition to sustainability through the development of an overall provincial strategy, regional strategic land use plans,

increased public participation and aboriginal involvement, improved government coordination, and dispute resolution processes” (Owen 1998). CORE was created as an independent and permanent body and given the legal responsibility to develop a BC-wide land use strategy and related resource and environmental management structure for consideration by the public and government (Cullen 2006).

CORE’s work started in the developmental phase which was completed in 1995 with the publication of the four-volume *Provincial Land Use Strategy* series (CORE 1994, 1994a, 1995, 1995a). Subsequently, the BC provincial government approved four strategic regional land use plans (Vancouver Island, Cariboo-Chilcotin, West Kootenay-Boundary, and East Kootenay Regions) (Owen 1998). These four areas were chosen as the initial areas for implementing this new land use strategy because they were the most contentious conflict areas in the province (Frame et al. 2004).

The work by CORE fell within two related mandates set out in the *CORE Act*. The first was to act as a catalyst for sustainability and be completed by 1995. This phase involved: the development of the provincial strategy, land use plans, and local planning processes that balances social, economic, and environmental interests; the coordination of initiatives within and among governments; and a high degree of public participation (Owen 1998). The second mandate reflected the intended independent and overview function in which CORE was to provide ongoing sustainability oversight through its duty to advise government in an independent and public manner on land use and related resource and environmental issues, and on the need for related legislation, policies, and practices (Owen 1998). The British Columbia government abolished CORE in 1996, following approval of the four regional plans. The Land Use Coordination Office (LUCO), which was the lead government agency managing the concurrent Land and Resource Management Planning (LRMP) process continued to develop strategic land use plans for all of the areas outside of the CORE areas. Even though CORE existed for a very short period of time the work the agency completed under the first of their mandates set the foundation for sustainable land use planning in the province.

One product of CORE’s work was the identification of five essential components in the development of a sustainable land use strategy:

1. A clear government vision of sustainability, expressed through principles set out in a Land Use Charter, and through a legislative and policy framework;
2. Meaningful public participation, emphasizing consensus-seeking processes in the development of land use and resource management plans, to encourage stable and sustainable land uses that balance a range of values;
3. Careful coordination among all government agencies involved in resource and environmental management;
4. A comprehensive, consistent, and accessible system for the resolution of disputes and appeals against decisions; and
5. Independent oversight of the progress of the strategy towards achieving sustainability.

All but the fifth component of the strategy has been maintained in subsequent planning processes. This led some to argue that a major gap was created in which “an overarching monitor was not available to observe and integrate the complex and interconnected aspects of sustainability initiatives throughout rural areas of the province” (Owen 1998; Day, Gunton, and Frame 2003).

The four CORE land use plans followed the collaborative planning principles outlined in chapter 2. These areas were deemed to be the most controversial regions in the province and an 18-month completion period was imposed on the participants. A round table negotiation and shared decision-making approach was adopted in which all affected parties were invited to participate in the development of regional land use plans that would identify appropriate zoning for various degrees of development, including establishment of protected areas in which no development activity would be allowed. The designation of protected areas immune from development was part of the provincial government’s policy of protecting 12% of the land base in accordance with the recommendations from the World Commission on Environment and Development (WCED 1987).

None of the four CORE areas were able to reach consensus on a final land use plan. Due to a lack of a consensus agreement among all the parties for the entire land use plan within the 18-month time limitation for completion, government ministries completed the plans based on informal negotiations with stakeholders and other relevant information produced at the planning table. The provincial government approved all of

them by the spring of 1995; just two and a half years after CORE began its work (Owen 1998).

Two reasons were cited for the lack of a consensus agreement on the CORE plans. The short completion time frame imposed on the process of 18-months was unrealistically short, and significantly shorter than the approximately 4 years needed to reach agreements in most of the LRMP processes (Frame 2004). Further, the areas involved were the most contentious in British Columbia.

Even though the four regional planning tables were unable to reach a consensus agreement on the entirety of the land use plan, significant progress had been achieved toward reaching agreements. While some criticized the process as a failure, the enduring legacy of CORE and its shared decision-making approach to strategic land use planning went “a long way down the road to redefining the role of the public in decision making” (McAllister 1998). Indeed, land use decisions based on consensus processes became entrenched in the public’s expectations and viewed as legitimate only if the public has a major participatory role in the development, or at the very least, adequate on-going consultation of the plan (McAllister 1998). This is a fundamental shift away from the behind closed-door and technocratic approach which was a major source of discontent in the region during the previous decades. The adoption of meaningful dispute resolution, review and appeal mechanisms also helped shift the mindset of the government and public from intense conflict to one of developing options for mutual gain in the shared pursuit of provincial sustainability.

3.2.4. Land and Resource Management Planning

Land and Resource Management Planning processes were initiated concurrently with the CORE processes to develop strategic land use plans for rural areas of the province not covered by CORE (Day, Gunton and Frame 2003). A six-part hierarchy of planning units was adopted in the *Provincial Land Use Strategy* (fig. 3.1).

Figure 3.1. Hierarchy of the Provincial Land Use Strategy

Provincial Principles and Policies
Provincial Land Use Strategy
Regional Strategies Regional Plans Basin Management Initiatives
Sub Regional Plans Land and Resource Management Plans
Local Plans

(BC IRPC, 1993, taken from Wood, no date).

In January 1994, the provincial government established the Land Use Coordination Office (LUCO) as the central agency to manage the LRMP processes. In managing the LRMP processes, LUCO coordinated the work of the planning tables with other provincial ministries with land and resource related mandates in order to enhance the efficiency and effectiveness of the process. A main function of government ministries within this planning framework was the production and provision of sound technical information to meet the needs of the planning table and representation of the government’s interest. LUCO based the processes on the same collaborative principles as those used to develop the CORE plans (Day, Gunton and Frame 2003).

LRMPs are strategic plans designed and developed in accordance with collaborative planning principles to establish strategic resource management direction to a defined land area, usually 15 000 to 25000 square kilometres. This was achieved by designating land use zones and providing written direction through objectives and strategies (Frame 2002; McGee 2006). Each of the LRMP boundaries reflects provincial Forest Districts and TSAs. Future land and resource plans, as well as other related land and resource activities, such as recreation and timber harvesting, are to follow the strategic direction set out in the approved LRMP (Frame 2002).

An effective CP process for land use planning on a regional scale demands many complementary components. Development of these plans requires an inclusive participation framework, or multi-stakeholder planning table, which includes all affected sectors of society within the plan area. Also required, is effective coordination across

the various government ministries and agencies with land and resource related mandates. These plans also have legal recognition as Higher Level plans under the *Forest and Range Practices Act*, (formerly the *Forest Practices Code*), which allows for legal enforcement of plan objectives (Cullen 2006). While not all of the LRMP's in the province were developed in the same way, they shared similar features (fig. 3.2).

Figure 3.2. General Principles of the Land and Resource Management planning process

- LRMP is guided by provincial policies and approved regional plans. The LRMP process is used to implement these plan and policies at the subregional level.
- Land and Resource Management Plans provide direction for more detailed resource planning by government agencies and the private sector, and provide a context for local government planning.
- All resource values are considered in the LRMP process to ensure that land use and resource management decisions are based on a comprehensive assessment of resource values.
- Public Participation is required in each LRMP. The public, aboriginal groups and government agencies negotiate an agreement on the objectives and methods of public participation at the outset of each LRMP project.
- Aboriginal people are encouraged to actively and directly participate in LRMP's to ensure that decisions are sensitive to their interests. The LRMP process is consistent with the recognition of aboriginal title and the inherent right of aboriginal people to self-government. LRMP processes occur without prejudice to treaty negotiations.
- LRMP is based on resource sustainability and integrated resource management. Land use and resource management recommendations must be within the environmental capacity of the land to sustain use.
- The objective is consensus on decisions and recommendations in LRMP's. A definition of consensus is one of the first decisions required in a LRMP process.
- LRMP projects are prepared within the constraints of available information, funding and participants time.
- The goal of the LRMP process is to present Cabinet ministers, designated by the Cabinet Committee on Sustainable Development, a recommended consensus agreement including a description of any scenarios considered. If consensus agreement is not possible, decision makers must be presented with options for land and resource management options.
- Land and Resource Management Plans will be prepared for all Crown Lands. The target is to complete the first round of LRMP's for British Columbia by 2002.
- Land and Resource Management Plans will be reviewed and revised regularly when major issues arise.

Source: BC IRPC, 1993s, p. 3, in Frame et al. 2004

LRMP processes have been effective in reaching consensus agreements in the province. As of 2009, 25 LRMPs have been completed which, together with the four CORE plans, cover approximately 85% of the provincial land base (BC MAL 2009).

Most of the processes reached consensus agreements. Those that did not submitted to the provincial government a report on the areas that did reach agreement, and recommended options for the areas that did not reach agreement. All of the consensus plans were approved by the provincial government.

The LRMP planning processes took an average of four years to complete. While many resource and management recommendations are made within the plans, the critical recommendations are those that allocate the land base into a land use zone. The land use designations “span a continuum from conservation-oriented land uses (e.g., protected areas) to development-oriented land uses (e.g., enhanced/intensive development zone)” (BC ILMB 1997). Different LRMP and CORE processes used both a different number, and definitions, for land use designations and the permitted activities within each zone. For example, three land use zones were designated in the Sea-to-Sky LRMP which divided the land base into one of: All Resources Permitted Zone; Wildland Zone; or Protected Areas. By contrast, the Kootenay-Boundary Land and Resource Management Plan utilized four land use designations: Protected Area; Special Resource Management; Integrated Management; and Enhanced Resource Development (BC ILMB 1997). In general, all LRMPs designated areas into three broad categories of land uses that emphasized different objectives. First, where conservation was emphasized, resource extraction was prohibited and other activities limited or excluded (protected areas). Areas suitable for intensive resource extraction are the second type of zone, and emphasize regional economic development and employment stability. These areas allow most, if not all, traditional resource extraction and exploitation activities (resource extraction). The final category of land use designation represents areas with high concentrations of regionally significant and sensitive resource values. Both conservation and resource development are balanced through extra restrictions or conditions placed on resource development activities (special management).

These recommendations, and subsequent approval by the provincial government, made significant changes to the percentages of land use within the province. Protected areas increased from 5.6% to 12.5%, special management zones increased from 0% to 16.4%, and general and intensive resource extraction decreased from 91.6% to 67.6% (Frame 2004).

It has been over 20 years since the inception of the contemporary land use planning regime in British Columbia and many significant changes have been made to both the allocation of land use and public perceptions about the legitimacy of land use decision-making processes. These processes evolved over this period and six distinct phases are identified by the provincial government (fig. 3.3). The later processes were modified to address weaknesses and mistakes of the previous processes. An important change was a stronger effort to include First Nations in the LRMP process.

Throughout the evolution of the LRMP processes, the role of First Nations in the development of the plans changed dramatically as a result of attempts to mitigate the weaknesses of earlier processes identified in the case study analyses. First Nations initially participated only at the planning table with all of the other stakeholders. Resolving outstanding issues and final approval of plans was reserved for the provincial government to ensure political accountability for the planning outcomes. First Nations perceive themselves as self-governing, not a single stakeholder. So the process was changed in the next phase of processes to a two-tier model in which First Nations again participated at the initial planning table with the other stakeholders. Subsequently, they pursued negotiations with the provincial government on a government-to-government basis to resolve outstanding issues. This type of process led to confusion on behalf of the First Nations as to their primary role as a government for their interests and their people (Cullen 2008). Therefore, in the last round of LRMPs, the process was modified again to allow First Nations the option of no longer participating at the first planning table with other stakeholders. Instead they were permitted to independently develop their own land use plan to use as the basis for government-to-government negotiations between the province and the individual First Nations. The provincial government again reserved the right for final approval in order to ensure political accountability for the results of the plan.

Table 3.2. Six phases of land use planning in BC since CORE

Phase	Description	Time Period
I	CORE land use plans for majority of public land on Vancouver Island and the Cariboo-Chilcotin and Kootenay-Boundary regions. Forest Practices Code of British Columbia Act developed.	Early 1990s
II	Development and implementation of first suite of LRMPs.	Mid -1990s

Phase	Description	Time Period
	Completion of CORE regions.	
III	Completion of most of the interior LRMPs Forest and Range Practices Act (FRPA) and Land Amendment Act with accompanying regulations replaced the repealed Forest Practices Code. Introduction of local-level plans known as Sustainable Resource Management Plans (SRMPs) typically focusing on watershed-sized areas.	Mid-1990s to 2001
IV	Continued development of Central Coast, North Coast, Morice, Sea-to-Sky and Lillooet LRMPs and the Haida Gwaii/Queen Charlotte Islands Land Use Plan. Increased levels of First Nations participation. Central Coast and North Coast land areas combined to form the "Coast Land Use Decision" involving both areas, and supported by specific FNs and government land use planning agreements.	2001 to mid-2000s
V	Conclusion of G2G negotiations with FNs on the planning table recommendations for Morice, Sea-to-Sky and Lillooet LRMPs. Legacy plans for Haida Gwaii in development.	Mid-2000s
VI	Implementation of the New Direction and more emphasis on First Nations collaborative engagement. Land use plans are expected to be one tool to support government to government engagements with First Nations.	Late – 2000s to present.

(Adapted from: BC, ILMB, 2009).

3.2.5. Sustainable Resource Management Planning

A new land use planning program was recently developed by MSRM, Sustainable Resource Management Planning (SRM Planning). Smaller-scale plans are developed for implementing the management directives of the larger LRMPs. These plans cover areas of an approximate medium-sized watershed, 50 000 to 100 000 ha as compared to 100 000 ha and above for LRMPs. They include a variety of planning processes including: watersheds, landscape units, local resource uses and coastal areas. These plans are more landscape oriented and based on technical and design-based processes with public input following a review and comment approach rather than consensus agreement. They are intended to supplement the LRMPs, which establish the allocation of management zones and objectives, with the aim to balance economic development and environmental integrity.

This type of planning process was used as the basis for a government-to-government Land Use Agreement between the province and the Tsleil-Waututh First Nation in the Sea-to-Sky LRMP plan area. The Tsleil-Waututh Nation did not want to participate in the larger LRMP process but decided to negotiate with the provincial government on the decision to collaboratively develop a land and resource management plan for the Indian watershed. This was the first such watershed plan developed on a government-to-government basis through this provincial planning process. The Sea-to-Sky LRMP also adopted an access management process as part of the sustainable resource management planning initiative in which all First Nations affected by the plan are to be consulted, and the province will seek to address their interests.

3.3. First Nations and provincial land use planning

In a 2006 census, approximately 196,000 individuals in British Columbia identified themselves as Aboriginal and of those, approximately 135,000 identified themselves as North American Indian (BC Stats 2006). First Nations communities in BC are a significant proportion of the rural population and they are currently asserting land and treaty rights and title to land in all regions of the province. This is a consequence of the absence of treaty agreements signed with the Crown during the early stages of European settlement in British Columbia. While there are similar circumstances in portions of the Maritime Provinces, British Columbia is a special case in that the majority of the mainland lacks treaty agreements. Underlying title to the land is a primary condition for claims of sovereign authority to make land use and resource decisions over a given jurisdictional boundary. Thus it is necessary to understand the legal context of First Nations in the province to help explain the evolution of First Nations participation in the LRMP processes across the province.

Active participation by First Nations in resource and land use planning was a key goal of the CORE processes. However, the prevailing view of most First Nations was that they were not like the other sector-based stakeholders at the planning table. First Nations generally view themselves as independent nations that exist within Canada and therefore expect to negotiate with the provincial and federal governments at the level of independent governments (Wilson et al. 1996). Historically, British Columbia refused to

formally acknowledge the existence of traditional Aboriginal rights and title. BC instead asserts the sovereignty of the Crown as justification for land use decision-making authority. Therefore First Nations are recognized as a stakeholder similar to that of an extractive resource or resource conservation sector. Concurrently, Aboriginal law was in a period of significant change, to the advantage of Aboriginal peoples, due to precedent setting decisions at the highest levels of the Canadian judicial system. As a result, First Nations decided to forego participation in CORE and early LRMP processes. Instead they pursued their interests through the courts as this seemed to be the most effective means by which aboriginal rights and title would be formally recognized by the Crown (Isaac 2004).

First Nations participation in LRMP processes evolved in BC, from non-participation in the early phases to individual Nations developing their own land use plans (LUPs) as the basis for defining their rights and title. Subsequently these plans were used as the basis for government-to-government negotiations: a direct result of recent court decisions and a subsequent change of provincial policy with regard to the relationship between Aboriginals and non-Aboriginals. The remainder of this section briefly describes the most important court decisions, in terms of the changes to the concepts of “aboriginal rights and title” and “duty to consult.” Subsequent implementation of the “*New Relationship*” policy by the provincial government, and the development of Nation-specific land use plans became the core documents for negotiating with the provincial government. Each of these three elements are discussed in terms of how each had an effect on the level of First Nations participation in the development of LRMPs across the province.

3.3.1. *Changing concept of “Aboriginal rights and title” and “duty to consult”*

Until the *Constitution Act, 1982* recognized and affirmed existing Aboriginal and treaty rights, such rights existed in a sort of vacuum as they were not well understood and were always subject to changes without Aboriginal consent (Isaac 2004). The inclusion of S.35 of the *Constitution Act* (1982) was a significant moment in the history of Aboriginal law with the effect that “constitutional recognition and affirmation provides Aboriginal and treaty rights protection from infringement by governments” (Isaac 2004,

1). Questions of Aboriginal rights, and a subset of Aboriginal rights – Aboriginal title – were however being brought to the Supreme Court of Canada before the inclusion of S.35 into the Constitution. In the *Calder v. BC* (1973) case, the Nisga'a Nation of BC filed a land claim for the entire portion of the Nass Valley which the Nation claimed was its traditional territory. The land claim was premised upon the fact the Nisga'a had held exclusive occupancy of the land in question prior to European contact and at the time when the Crown asserted sovereignty over the area. Since no treaty had been signed between the Nisga'a and the Crown, the Nisga'a claimed title to their traditional territory had not been extinguished. The Crown claimed that Aboriginal title was extinguished as part of British Columbia entering Confederation in 1871. The Court's decision was unanimous in that the Nisga'a had once held title to the land, but was split four-to-three in its decision on the substantive question of whether or not the title was extinguished¹. As a result, the Court would proceed with the principle that underlying title to the land was vested in the Crown, but the issues of Crown sovereignty and legislative power, and how they interact with the existence of Aboriginal title, still remained unresolved.

The 1973 Supreme Court of Canada's decision in *Calder v. BC* opened the door for further legal action by First Nations. The questions this decision raised, opened an alternative avenue for pursuing land claims, and potentially sovereignty, through the judicial system as opposed to being subjected to unilateral action by the Crown under the *Indian Act*. Both the federal and the provincial governments were forced to reassess their previous assumptions of underlying title to all of the land base of Canada and therefore seek alternative means for defining the scope and meaning of Aboriginal rights and title. The introduction of S.35 of the *Constitution Act* was important in that it protected "existing" Aboriginal and treaty rights, including title, from infringement by the Crown. But the Court also defined "existing" in terms of those Aboriginal rights which had not been extinguished and as the *Calder* case shows, the issue of whether or not

¹ The decision was actually four to three that Nisga'a Aboriginal rights with respect to their traditional lands were in fact extinguished, but one Justice deciding with the majority made the decision based on procedural reasons and therefore the decision on the substantive issue was split three-to-three.

First Nations' rights have been extinguished in the absence of a treaty still remained unclear. The important implication is that recognizing Aboriginal title exists and is protected by law can “serve as a backdrop to complex nation-to-nation negotiations concerning ownership, jurisdiction and co-management” (RCAP 1996, 568). Thus Aboriginal title can “support broader-based negotiations that involve self-government, as evidenced by the treaty negotiations underway in British Columbia” (Isaac 2004, 2).

The post Constitution 1982 era of Aboriginal law has begun to define other important aspects regarding Aboriginal rights and title, and the duty to consult and accommodate. Several of the major cases in Aboriginal law that have impacted land use planning in the province are briefly described below and the provincial response, to initiate the BC Treaty Commission and then the New Relationship, is also discussed. Finally the evolution of the changing nature of First Nations participation in the LRMP process is outlined.

- ***R. v. Sparrow, [1990] 1 S.C.R. 1075***

Although the Constitution (1982) provides “recognition and affirmation” of Aboriginal and treaty rights, the Sparrow case “was the first decision from the Supreme Court of Canada to deal substantively with s.35(1)” (Isaac 2004, 375). The Crown retained underlying title to the land and therefore has sovereign authority and legislative power over these lands. In the post Constitution era however, the Crown would have to “justify” an infringement of Aboriginal rights and title. The Sparrow case decision asserts that the Crown must pass a two part test for justifying an infringement on Aboriginal rights. The first part of the test states an infringement must have a substantial legal objective, an example of which may be for conservation of resources. The second part of the test states that the infringement must meet the fiduciary relationship between the Crown and Aboriginal peoples. As a consequence, the Court made it clear that it prefers, and also would be in the interests of both the Crown and Aboriginal communities, to negotiate a settlement when the issue of potential infringement of Aboriginal rights and title is in question. This marked the beginning of the legal duty to consult.

- *Delgamuukw v. British Columbia. [1997] 3 S.C.C. 1010*

The Delgamuukw decision provided advice and clarification on the nature of Aboriginal rights and title and also the duty of government for consultation. The Court decided that First Nations wishing to assert a claim of Aboriginal title would first have to pass a three-part test. The three parts of the test are:

1. Prior to the British assertion of sovereignty, the land must have been occupied by the ancestors of the Aboriginal group claiming title;
2. Continuity between existing and pre-sovereignty occupation must be demonstrated when existing occupation of the lands in question is being offered as proof of pre-sovereignty occupation; and
3. At the time of sovereignty, the occupation by the Aboriginal group must have been exclusive (Delgamuukw 1997).

Chief Justice Lamer also wrote in the decision for the majority that the federal and provincial governments may infringe upon Aboriginal rights, including Aboriginal title, where such an infringement may be justified. The justification provided in the Sparrow case was upheld, and the Court added three other factors that are relevant:

1. Aboriginal title is a right to the exclusive use and occupation of the land;
2. Aboriginal title provides to the holders of the title the right to choose how the land may be used, subject to the land not being used for purposes that would destroy the land for future generations of Aboriginal people; and
3. The lands to which Aboriginal title apply invariably have an economic element integral to them (Delgamuukw 1997).

The Court reiterated the fact that litigation is probably not the best route for finding solutions to the issues of how Aboriginal and non-Aboriginal people are to live together. The Court also stated a preference to see these issues resolved through mechanisms that support reconciliation (Isaac 2004).

Another aspect of the Court's decision is that compensation for the infringement of Aboriginal title would be in "keeping with the duty of honour and good faith on the Crown" and "the amount of compensation payable will vary with ... the nature and severity of the infringement and the extent to which Aboriginal interests were

accommodated” (Delgamuukw 1997). Two issues emerge from this part of the decision. First, where Aboriginal title is proven to exist, resource extraction activities may continue as it would be a justifiable infringement. However, governments must accommodate proven Aboriginal title by, for example, “ensuring that Aboriginal people participate in resource development by way of leases and licenses, and negotiate forms of impact and benefit agreements with Aboriginal people or by Crown compensation” (Isaac 2004, 21). The second issue concerns the potential costs of compensation. The potential costs are not easily calculable and could be a very large sum. Therefore, in BC where the issues of Aboriginal title are more uncertain than in other parts of the country, governments have attempted to reach negotiated settlements as a means for mitigating the potential costs of compensation.

- ***Taku River Tlingit First Nation v. Ringstad et al. [2002] B.C.C.A. 59* and *Haida Nation v. British Columbia (Ministry of Forests) (2004) SCC 73***

This case is important because the Court decided the government has a duty to consult with a First Nation even if a right or title has not yet been proven in court (*Taku River Tlingit First Nation v. Ringstad et al. [2002] B.C.C.A. 59*). The Tlingit went to provincial court to argue the government had breached its fiduciary duty under the “justification for infringement” test decided in *Sparrow* (1990), as a result of the Nation’s unheard concerns over the construction of a mining access road that cut through Tlingit traditional territory. The Tlingit were invited to sit on a project review committee, but the Nation felt their concerns were not accommodated justly. The provincial judge agreed with the Tlingit Nation that the *Sparrow* (1990) test applied even in cases where Aboriginal rights and title had not been proven in court, and therefore an injunction to stop the construction of the access road was ordered. This case also went to the BC Court of Appeals and was decided that the original judge was correct and the appeal was denied.

The *Haida Nation v. British Columbia (Ministry of Forests) (2004)* is a significant case in contemporary Aboriginal law. This case reaffirmed, in both a BC Court of Appeal and Supreme Court of Canada decision, the duty of the government to consult and accommodate an infringement of Aboriginal rights and title even in cases where such rights and title have not been proven in court (Astooroff, 2008). Other landmark Supreme Court of Canada decisions in Aboriginal law are outlined in table 3.3.

Since the Calder case, where the existence of Aboriginal title was first decided, and the incorporation of s.35 (1) of the Constitution Act, 1982, where existing Aboriginal and treaty rights were “recognized and affirmed”, the meaning of concepts and the duties and obligations of the parties in the relationship between Aboriginal and non-Aboriginal peoples has begun to take shape. Even though some meaning to the relationship has been defined through litigation, much uncertainty remains. Indeed, the Supreme Court of Canada has continuously stressed the need for a political settlement of these issues through a reconciliation and negotiation paradigm. As a result, two BC government initiatives – the BC Treaty Commission and the *New Relationship* policy - have been created as a means to provide structure and certainty to the duties and obligations within the Aboriginal and non-Aboriginal relationship.

Table 3.3. Landmark decisions of the Supreme Court of Canada in Aboriginal Law

Decision	First Nation	Implication
Calder v. Attorney General of BC, 1973	Nisga'a	Canadian law recognizes that aboriginal title to the land existed prior to colonization and that pre-existing aboriginal rights were independent of Canadian law, derived from their own indigenous logic. Federal government now required to settle aboriginal claims.
Guerin v. Regina, 1984	Musqueam	Aboriginal title extends not only to reserve lands but also to “traditional tribal lands”.
R. v. Sparrow, 1990	Musqueam	Protects First Nations against infringement of aboriginal rights as per s.35 of Constitution. (But contains a test by which those rights can be infringed for justifiable action such as conservation). Marked the beginning of legal duty to consult.
R. v. Nikal, 1996	Wet'suwet'en	Requires governments to demonstrate that a “reasonable effort” to “inform and consult” First Nations.
R. v. Gladstone, 1996	Heiltsuk	Aboriginals can claim rights to fish for commercial purposes. Government efforts to accommodate are “relevant” in determining infringement of aboriginal rights.
R. v. Van der Peet, 1996	Sto:lo	Legal test is defined for determining existence of aboriginal rights. Requirement for reconciliation.
Delamuukw v. BC, 1997	Gitksan and Wet'suwet'en	Legal test is defined for determining existence of aboriginal title; further expansion and definition of duty to consult.
Taku River Tlingit First Nation v. BC	Taku River Tlingit	Government has a duty to consult and where appropriate

Decision	First Nation	Implication
(BCCA 2002; SCC 2004)		accommodate prior to proof of aboriginal rights.
Haida Nation v. BC (BCCA 2002; SCC 2004)	Haida	Government has a duty to consult and where appropriate accommodate prior to proof of aboriginal rights. Industry has no duty to consult, only government.
Musqueam Indian Band v. BC, 2005	Musqueam	Refines the definition of consultation and accommodation.
Canada v. Mikisew Cree First Nation, 2005	Mikisew Cree	Canada has a duty to consult with First Nations even if their lands were surrendered pursuant to treaty.

(Morton 2009)

3.3.2. The BC Treaty Commission

Uncertainty surrounding land claims, and the nature of the government’s “duty to consult”, had a tremendous impact on the provincial government’s ability to develop a long-term plan for land use in the province. Therefore, a major part of the new government’s strategy for improving land use planning in the province, and reduce conflict, was to improve relations with First Nations. The BC Treaty Commission (BCTC) was established as an institution to both improve relations with First Nations and provide certainty to the issues of Aboriginal rights and title.

The Treaty Commission and the treaty process were both created at the Canada, BC, and First Nations Summit in 1992. The Treaty Commission is guided by agreements made at the Summit and the 1991 *Report of the BC Claims Task Force*. These documents set a blueprint for the “made-in BC treaty process” (BCTC 2011). The neutral and facilitative role of the Commission, and the six-stage treaty process, are designed to provide transparency and fair negotiations for long-lasting agreements. The six stages in the treaty process are:

1. Statement of intent to negotiate.
2. Readiness to negotiate.
3. Negotiation of a Framework Agreement.
4. Negotiation of an Agreement in Principle.
5. Negotiation to finalize a treaty.

6. Implementation of the treaty.

As of August 2011, 60 First Nations are participating in the BC treaty process. Forty-three First Nations are in Stage 4, and eight First Nations are in Stage 5 negotiations, including the In-SHUCK-ch Nation who participated in the Sea-to-Sky LRMP process. In all, approximately 66 percent of Aboriginal people in BC are represented in the BC treaty process (BCTC 2011).

Under the *Indian Act*, First Nations are “wards of the federal government, living on reserve land to which they have no ownership. Indian reserves cover just 0.4 per cent of the BC land base – a tiny portion of First Nations traditional territory. In some cases, reserve land is not even within a nation’s traditional territory” (BCTC 2011). The treaty process presents the opportunity for First Nations to negotiate ‘ownership’ of lands within their traditional territory but for “most First Nations, treaty settlement lands – area of land that will be owned and managed by First Nations pursuant to a treaty – will likely comprise only a percentage of their traditional territory” (BCTC 2011). Although only a small portion of the asserted traditional territory of a First Nation will likely become treaty lands, and therefore owned by the Nation, two other important elements of the treaty negotiations are appealing enough for the majority of First Nations in the province to enter into the process.

The first element is that the treaty process offers an avenue for self-government arrangements to be designed, established and administered by First Nations themselves. An inherent right to self-government is constitutionally protected and treaties will “replace *Indian Act*-imposed band governments with a government authority for all members of a nation” (BCTC 2011). The second element is that co-management rights may also be included in a treaty for areas outside of the treaty lands that are still within the Nation’s traditional territory. As a result, First Nations retain some decision making power over not just lands owned by the Nation but also within the larger area of their traditional territory.

3.3.3. The New Relationship

The *New Relationship* was a policy implemented by the BC government as a result of the changing legal landscape that imposed additional duties on governments’

regarding First Nations. The *New Relationship* is an agreement on “a new government-to-government relationship based on respect, recognition and accommodation of aboriginal title and rights” (BC New Relationship 2008). The policy also states a commitment to “reconciliation of Aboriginal and Crown titles and jurisdictions” (BC New Relationship 2008), language that follows the advice and guidance of the Supreme Court decisions described above.

The most important aspect of the *New Relationship*, in terms of its effect on First Nations participation in LRMP processes, is that the province agrees to a “government-to-government” relationship” and to establish “processes and institutions for shared decision-making about the land and resources” (BC New Relationship 2008). As a result of these changes in policy, a second tier of negotiations were added to subsequent LRMP processes. The addition of a second tier for the last cluster of LRMPs, where First Nations and the provincial government would negotiate on a government-to-government level, would have significant impacts for both First Nations and the stakeholders at the planning tables.

3.3.4. First Nations participation in LRMP processes

The nature of First Nations participation in land and resource decisions on their traditional territory has evolved dramatically as a result of contemporary court decisions and subsequent changes in government policy. The Court’s decisions and remaining uncertainties surrounding the concepts of Aboriginal rights and title, and the nature of the Crown’s fiduciary responsibilities, provided the impetus in BC for establishing formal institutional arrangements that agree to shared decision-making on land and resource issues on a government-to-government basis. While most First Nations participation has occurred outside of CP processes, such as in treaty and co-management arrangements, the introduction of the second tier of government-to-government negotiations in the final cluster of LRMPs developed in the province has had the effect of significantly increasing First Nations participation in CP processes.

Overall, only about 10% of BC’s 274 First Nations were represented at CORE and LRMP processes. However, approximately three-quarters of all First Nations participation occurred after the introduction of the *New Relationship* and the related

addition of a second tier of government-to-government negotiations in the final six LRMPs (Morton 2009). The primary reason for the low First Nations participation in the early CORE and LRMP processes was that First Nations view themselves as a government and not as stakeholders. Therefore, First Nations decided to direct their energies and resources towards those institutions that provided recognition and access to negotiate with the Crown on a government-to-government basis. The early CORE and LRMP processes did not include this essential element for participation, and therefore, these CP processes were significantly weakened as a result.

Differences in the nature of First Nations participation were also evident within the final cluster of the five LRMPs that implemented a second tier of government-to-government negotiations.² In three of the processes, Haida Gwaii and the Central and North Coast LRMPs, some First Nations participated at both the initial planning table and in government-to-government negotiations, while in the Morice LRMP only one First Nation chose to participate in the first tier process and four in the second tier. The Sea-to-Sky LRMP process is unique in that none of the First Nations participated in the first tier of negotiations and instead decided only to participated in the second tier of government-to-government negotiations. Table 3.4 summarizes First Nation participation in all of the CP processes in BC.

Two First Nations developed their own Nation-specific land use plan, which makes the Sea-to-Sky process unique. These plans were used as the basis for negotiations with the province. A practical reason for First Nations developing land use plans for their claimed territories was the “recognition of the need to define their rights and title by developing a land use plan” (BCTC 2011). Allocating resources to the development of a nation-specific land use plan, and enhanced recognition in the courts and by the provincial government as a self-governing entity, further entrenched the First Nations’ position that they were not just a stakeholder. Therefore, if they were going to

² The Lillooet LRMP did not originally design a second tier of negotiations but only resorted to it after the initial planning table failed to reach a consensus so this case is not included in this part of the discussion.

participate it would be at the final decision making table on a government-to-government basis.

The new two tier structure of the LRMP processes was effective at increasing the level of First Nations participation compared to earlier LRMP processes. Some First Nations who participated in both tiers of previous processes were not satisfied with how they participated, as their role was not well understood. Changes in process design also had a negative impact for some of the other stakeholders. Results from evaluations of the Haida Gwaii and Morice LRMPs indicated that several planning table stakeholders were dissatisfied with their inability to contribute to the government-to-government negotiations (Astooroff 2008; Morton 2009). Some stakeholders in the Sea-to-Sky LRMP, in both the first and second-tiers, were also frustrated and dissatisfied with the lack of communication between the participants in each of the respective tiers. In the case of the Sea-to-Sky LRMP, this issue is addressed in further detail in chapter five.

Table 3.4. First Nations Participation in CORE and LRMP Processes³

Process	First Nations Representation at Stakeholders Tables	First Nations Role in CP Process	First Nations Representation at Government to Government Negotiations
CORE			
Cariboo-Chilcotin CORE	n/a	n/a	n/a
West Kootenay-Boundary CORE	1	Observer	n/a
East Kootenay CORE	1	Observer	n/a
Vancouver Island CORE	1	Observer	n/a

³ First Nations participated in the CORE and LRMP processes in different capacities. For the 'Role of First Nations in CP Process' column, the label G2G means First Nations contributed to the process with the government only and not as a stakeholder at the multi-stakeholder table. Where the Multi-Stakeholder label is used, the First Nations participated as a stakeholder at the multi-stakeholder table and where Both is labeled, the First Nations participated at both the Multi-Stakeholder table and subsequent G2G negotiations when the two-tier design was implemented.

Process	First Nations Representation at Stakeholders Tables	First Nations Role in CP Process	First Nations Representation at Government to Government Negotiations
LRMP			
Kispiox LRMP	0	G2G	n/a
Kamloops LRMP	1	G2G	n/a
Fort Nelson LRMP	0	G2G	n/a
Fort St. John LRMP	0	G2G	n/a
Vanderhoof LRMP	0	None	n/a
Bulkey LRMP	0	G2G	n/a
Robson Valley LRMP	0	G2G	n/a
Lakes District LRMP	0	G2G	n/a
Dawson Creek LRMP	0	G2G	n/a
Fort St. James LRMP	0	G2G	n/a
Prince George LRMP	0	n/a	n/a
MacKenzie LRMP	2	Multi-Stakeholder	n/a
Cassiar-Iskut-Stikine LRMP	1	Multi-Stakeholder	n/a
Okanagan-Shuswap LRMP	0	G2G	n/a
Kalum South LRMP	0	G2G	n/a
LRMPs with Government to Government Negotiations			
Lillooet LRMP	1	Both	1
Central Coast LRMP	10	Both	17
North Coast LRMP	8	Both	7
Morice LRMP	1	Both	4
Sea to Sky LRMP	0	G2G	4
Haida Gwaii LRMP	1	Both	1
TOTAL	28		33

(Adapted from Morton 2009)

4. A Case Study: Sea-to-Sky LRMP

4.1. Introduction

The Sea-to-Sky LRMP process was initiated in 2000 by the provincial government to provide greater certainty for local economic development and the long-term sustainability of ecological, social and cultural values (S2S LRMP 2008). The approved Sea-to-Sky LRMP provides strategic direction for the management and use of all provincially administered lands and resources within the designated plan area. The LRMP does not apply to federally administered lands and resources, Indian Reserves, private lands, or areas administered by municipal or regional governments (S2S LRMP 2008). The Plan provides direction for management and use of resources while serving as the guide for operational plans such as Forest Stewardship Plans and management plans developed by commercial recreation operators (S2S LRMP 2008).

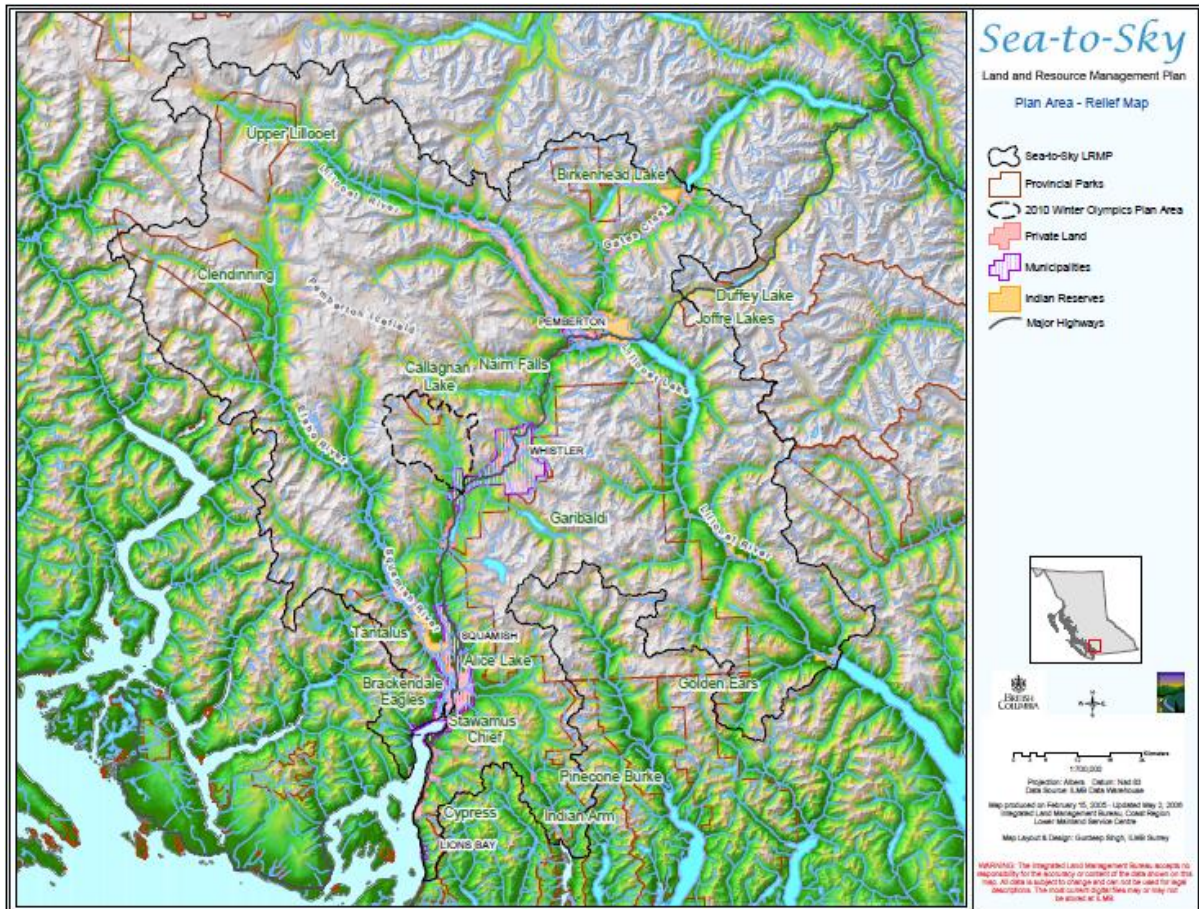
The first-tier of the Sea-to-Sky LRMP produced recommendations developed by a “planning forum” consisting of 12 sector representatives, comments provided by local elected officials via an Elected Officials Forum (EOF), and provincial natural resource agencies. These recommendations were developed using a multi-stakeholder, interest-based, and consensus agreement approach. The report of formal recommendations produced by this forum was presented to the provincial government in October 2004. The final recommendations were prepared by the province in April 2006 and were used as the basis for subsequent government-to-government (G2G) discussions with First Nations who have asserted traditional territory or reserved lands within the plan area (S2S LRMP 2008). Along with the outcomes from the G2G discussions with participating First Nations, the Sea-to-Sky LRMP includes the outcomes of land use planning related to the Vancouver 2010 Olympic and Paralympics Winter Games Nordic facilities in the Callaghan Valley (S2S LRMP 2008).

The Sea-to-Sky LRMP was officially approved by the provincial government in April 2008. The final Plan includes: the allocation of the land base into three zones allowing for various degrees of development activity or protected areas; objectives and management direction for key values identified within the plan area; the established monitoring, implementation, and amendment processes; three Land Use Agreements with individual First Nations; and one Partnership Agreement with the Tsleil-Waututh Nation to establish an Integrated Land and Resource Management Plan for the Indian Watershed. Three other First Nations have asserted traditional territory, or have reserve lands, within the plan area but did not participate in the development of the final Plan. The province has stated they will continue to respect their duty to consult and accommodate the interests of all First Nations with asserted traditional territory or reserve lands within the plan area.

4.1.1. *Plan area geographic, physical and socioeconomic attributes*

The Sea-to-Sky LRMP plan area is located north of Greater Vancouver and east of the Sunshine Coast (fig. 4.1). The area overlaps the Squamish Forest District and includes the majority of Garibaldi Park. The approximate size of the plan area is 1 091 000 ha (S2S LRMP 2008).

Figure 4.1. Sea-to-Sky LRMP plan area



(Sea-to-Sky LRMP 2008)

The plan area has extensive forested lands that transition from coastal forests of wet Coastal Western Hemlock along Howe Sound to much drier Interior Douglas Fir zones in the Lillooet River Watershed. Steep mountains dominate the area, with glaciated terrain such as the Pemberton Icefields, and ecosystems in the area provide habitat for a variety of fish and wildlife species of provincial and national significance (S2S LRMP 2008). These ecosystems also provide the area with the foundation for a thriving resource extraction and nature-based tourism economy. Four major watersheds are within the plan area:

- Indian River (draining into Indian Arm);
- The Gates River System (draining into Anderson Lake);
- The Squamish River System (draining into Howe Sound); and

- The Lillooet River System (draining through Harrison Lake into the Fraser River) (S2S LRMP 2008).

The three larger communities in the plan area are Squamish, Whistler, and Pemberton. The plan area has a current population of 33,000 (2010), which has more than doubled over the last 25 years. Continued strong growth is expected (S2S SEEA 2008). The local population growth strategy adopted in Whistler, characterized by regulation on future development in accordance with a cap on the number of beds and residential units in the city, has an impact on future population growth in that prescribed area. Similar growth limit policies have not been adopted in the other communities within the plan area. A regional-growth strategy has been created and revised to address the population growth issue affecting the Lower Mainland. In combination with the three larger communities, there are a number of smaller communities and First Nations with reserve lands and asserted traditional territory.

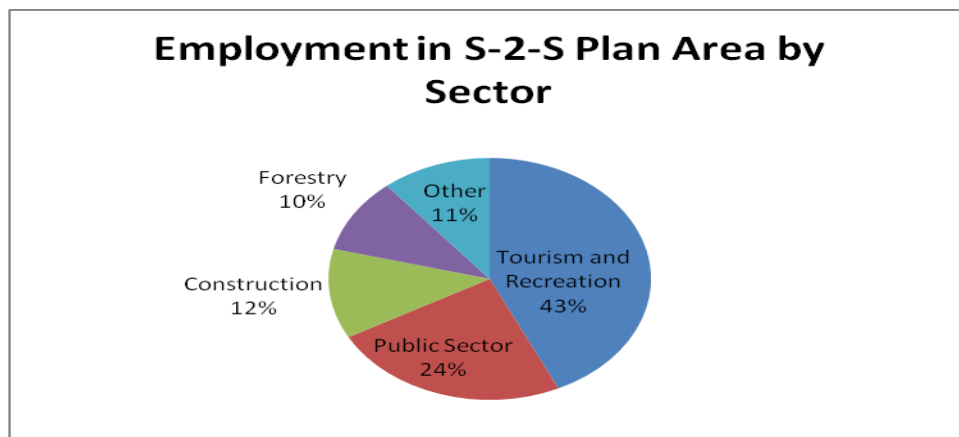
The plan area is a provincial and international tourist destination which attracts about 2 million visitors a year. The majority of these visitors are from the Greater Vancouver Area who takes advantage of the short distance and transportation system to spend the day making use of the vastly available tourism and recreational activities. Some visitors choose to stay overnight while a minority, yet significant percentage of the visitors to the region, stay for an extended period of time (S2S SEEA 2008).

Since 1981, the plan area's economy has experienced a gradual and consistent shift in its job base away from goods producing sectors and towards a service orientation (S2S SEEA 2008). The forest industry was once the dominant sector of the area which provided the most significant contribution to the local and provincial economy in terms of both income and employment. The forest industry has recently lost many primary and manufacturing jobs and closure of the two remaining mills in the area has all but eliminated its processing capacity (S2S SEEA 2008). Forestry contributes about 10% of total community income for the area and only remains a significant industry in Squamish and the rural areas of the plan area (S2S SEEA 2008).

The Sea-to-Sky plan area is unique in the province as the only region where tourism and recreation is the single largest sector of the economy. In 2001, tourism and recreation accounted for 43% of the local employment and 28% of the before-tax

individual income (S2S SEEA 2008). Figure 3.5 shows the percentage of employment by sector in the plan area. The Sea-to-Sky plan area is also a major contributor to the provincial economy. In 2003, the plan area contributed about 12% of provincial tourism GDP, and supported about 11% of all BC tourism employment (S2S SEEA 2008). The tourism industry is expected to continue to grow in the future as the 2010 Vancouver Olympic and Paralympics Games are expected to enhance the international profile of the region as a preferred tourist destination.

Figure 4.2. Employment by sector



(BC ILMB 2005).

The construction and public sectors are the only other significant sectors of the plan area's economy at this time. Housing construction in the region as a result of the area's economic and recreation opportunities, as well as public investments to infrastructure improvements and growth pressures on the Lower Mainland, are the key drivers of both these sectors. The area's residents are comparatively well-off with other regions of the province, with family incomes 9% higher than the provincial average and lower levels of economic dependency (ex: social assistance and employment insurance rates) (S2S SEEA 2008).

Seven First Nations have reserve lands and asserted traditional territory within the plan area:

- In-SHUCK-ch Nation;

- Lil'wat (mount currie) Nation;
- Musqueam Nation;
- Statímc (including N'Quatqua) Nation;
- Squamish Nation;
- Sto:lo Nation; and
- Tseil-Waututh Nation (S2S LRMP 2008).

Three First Nations (In-SHUCK-ch, Lil'wat (mount currie), and Squamish First Nations) participated in the Sea-to-Sky LRMP process through G2G negotiations with the province. The Lil'wat and Squamish Nations created their own land use plan as their basis for negotiations. These negotiations resulted in the three participating Nations, Squamish, In-SHUCK-ch, and Lil'wat, signing a Land Use Agreement with the province. The Tseil-Waututh Nation also participated in the LRMP process but only with regard to land use decisions affecting the Indian River Watershed. An Agreement in Principle was reached between the Province and the Tseil-Waututh Nation for the collaborative development of an integrated land and resource management plan for the Indian River Watershed. The Musqueam, Statímc (including N'Quatqua), and Sto:lo Nations did not formally participate in the Sea-to-Sky LRMP process.

First Nations with territories overlapping the plan area are at various stages in the treaty negotiation process with the provincial and federal governments. All land use agreements with the province are without prejudice to the treaty process, and where any inconsistency between a treaty and the direction under the LRMP occurs, the treaty takes precedence. Also, in cases where there is an inconsistency between the land use agreements and the direction of the LRMP, the land use agreement takes precedence.

4.1.2. *The Sea-to-Sky LRMP process and participation*

The formal Sea-to-Sky LRMP process consisted of two stages of development. The first stage was formally initiated in September 2002 with the convening of the “planning forum”. The planning forum included representatives of 12 sectors identified by the provincial government at the beginning of the process, (fig. 3.5). The majority of planning forum participants reached agreement on a number of issues within the first two years and authorized the Ministry of Sustainable Resources Management planning

staff to produce a draft report of their recommendations to the provincial government in October 2004. This report outlined the key elements that the participants felt should be included in the Legal/Higher Level Plan Objectives of the final plan approved by Cabinet (S2S LRMP recommendations 2004). Also included was a section dedicated to areas/issues outstanding as a result of non-agreement. The document also clearly indicated an acknowledgement by the participants that changes would be made as a result of the G2G negotiations with the respective First Nations. The planning forum participants did ask for consultation on any changes made as a result of these negotiations.

The formal recommendation package from the planning table was presented to the provincial government in October 2004. The provincial government for the next year and half revised the recommendation package and this document served as the core document in the G2G negotiations and harmonization efforts between the provincial government and First Nations (S2S Consultation Draft 2006).

The initial planning forum meeting on 28 September 2002 was an information provision session. The MSRM provided a package of all relevant technical and policy/legal related information that each participant would need in order to understand their role in the process and enabled them to effectively make recommendations based on a sound scientific and policy/legal basis. One important feature of this process was the requirement that no more areas could be designated protected at this table. The provincial *Protected Areas Strategy* outlined the objective to designate 12% of the province as protected areas, which would be relatively evenly distributed across the plan areas, but the Sea-to-Sky plan area already consisted of approximately 22% protected areas. The high percentage of protected areas, which was almost double the policy's objectives, is a result of previous planning processes.

The production and distribution of the information package at the beginning of the first phase of the process was the result of learning from previous processes that lacked this element, and relied on the participants to request the information themselves. The information package was a production of commonly requested information from other planning processes and consisted of: a Socio-Economic Environmental Base Case, Map Atlas, and a "Rolling Binder" (Public Forum Meeting Agenda 2002).

The second meeting, in October 2002, provided negotiation skills training to the participants. Providing these skills are a necessary component of an effective process design in order to counter the imbalance of skills each participant would come to the table with. Another key feature of the second meeting was the adoption of the Terms of Reference (TOR). This document set out the planning forum's role within the larger LRMP process and also the objectives of the process. Many definitions, such as consensus, had to be negotiated and agreed upon by the participants as well as other process mechanisms. A draft Terms of Reference was provided to the participants for review and approval.

General public participation was encouraged throughout the LRMP development process. Open house forums for the public in Squamish, Pemberton, and Whistler were established in 2002 to present drafts of the plan and provided an opportunity for the public to make comments. These comments from the public were considered during each phase of plan development and review but were not binding on any of the parties involved in the formal negotiations. Open house forums were also established in 2007, to allow the public to make suggestions at the later stages of the draft plan's development. The general public were also allowed to attend the planning forum's meetings but did not participate in the formal negotiations.

Table 4.1. Timeline of open houses used to inform the public

Stages in planning process where open houses were used to enhance public participation.	Date	Description
	2001 Open House	<ul style="list-style-type: none"> • Held in Pemberton, Whistler, Squamish and North Vancouver • 70 organizations were represented (approx. 240 participants) • Opportunity for the public to learn about the LRMP process, review maps and other technical information, meet members of the provincial government planning team, and provide comments on issues in the Sea-to-Sky plan area • Comment forms were provided at the open houses to encourage members of the public to record any concerns and comments • Key issue areas were forestry, tourism/recreation, environmental, community services/infrastructure, mining/energy, and First Nations
	2002 Open	<ul style="list-style-type: none"> • Held in Pemberton, Whistler, and Squamish • Purpose was to present the government's proposed model

	House	for participation in the LRMP to the public and to receive feedback on this proposal <ul style="list-style-type: none"> • Aimed to identify additional organizations with potential interest in the process
	2007 Open House	<ul style="list-style-type: none"> • Presented maps of government-to-government agreement areas, land use designations and cultural sites
	2008 Open House	<ul style="list-style-type: none"> • Pemberton, Squamish, and North Vancouver • Opportunity for the public to view the final LRMP document • Staff available to answer questions and discuss next steps

(Sea to Sky LRMP Group Site, <http://sites.google.com/site/s2sgroups/site/sea-to-sky-lrmp-context/history>)

The second phase of the Sea to Sky LRMP development was initiated in 2005. This phase consisted of government-to-government negotiations between the provincial government and individual First Nations whose territories overlapped the Sea to Sky LRMP plan area. Earlier attempts to engage First Nations in the LRMP process had failed. This failure was due in part to the perception by many First Nations that their limited resources could be utilized more effectively through treaty negotiations. To encourage more First Nation participation in LRMPs, the provincial government allocated more resources in the form of grants.

The purpose of G2G negotiations was to harmonize the land stewardship/land use plans of participating First Nations with the LRMP Consultation Draft (April 2006) produced by the planning forum and revised by the province. The G2G negotiations maintained consistency with the *New Relationship*, which sets out a vision and principles for a government-to-government relationship between the Province and First Nations (S2S LRMP 2008).

The result of increased funding for First Nations in the Sea-to-Sky plan area was increased effective engagement with First Nations. Three land use planning agreements and one agreement in principle to develop an integrated land and resource management plan for the Indian Watershed was the result of the increased resource base and effective G2G process design. Sections of the Sea-to-Sky LRMP (2008) explaining the contents of the agreements are reproduced verbatim below.

In-SHUCK-ch Nation

In-SHUCK-ch Nation and the Province signed a Strategic Land Use Planning Agreement on July 6, 2007. The agreement states that the two parties will continue to collaborate on a G2G basis for the implementation and other matters relating to the Agreement and the LRMP. Each party agreed to complete a consultation protocol which is meant to facilitate improved information sharing. The protocol is also meant to address the conservation of cultural and heritage resources within areas of integrated resource management that are of historic and contemporary significance to the Nation. The In-SHUCK-ch Nation Land Stewardship Statement also describes the views of the Nation on land stewardship and lists places within the Nation's territory and the Plan area that are of particular importance for the protection of cultural and traditional use values.

If the Nation finalizes their treaty negotiations, they are in stage five, the provisions of the LRMP will also no longer apply to Treaty Settlement Lands (S2S LRMP 2008).

Lil'wat Nation

In 2006 the Nation prepared the Lil'wat Land Use Plan to express their interests and values associated with the land and resources within Lil'wat Nation Traditional Territory. This plan identified a number of zones across the territory some of which were deemed essential for the preservation of traditional cultural activities and continued expression with their connection to the land. The Lil'wat Plan constituted the basis of their harmonization negotiations with the Province and the (Spirited Grounds) zoning established within the Plan became the focus areas for the creation of LRMP Conservancies, Cultural Wildland Zones, and Cultural Management Areas.

An Agreement on Land Use Planning was signed between the Lil'wat Nation and the Province in 2008. The Agreement includes new strategic zoning and management direction to harmonize Lil'wat cultural, economic, and conservation interests within the LRMP area. Provisions for processes and projects (ex: small-scale forestry program), added protection of old-growth and sensitive ecosystems, and commercial recreation development opportunities were all incorporated into the Agreement.

The Agreement also identifies (Spirited Ground Areas), which are places with high cultural value. When a developer/proponent encounters these areas, the Nation requests they contact the Lil'wat Lands and Resources Department to gain knowledge of the specific interests in that area.

The Agreement did not resolve land use zoning and management direction for the Mkwil'ts/Ure Creek Area but both parties will continue to

seek a resolution and the LRMP will be amended to reflect the nature of the resolution once it is reached.

Squamish Nation

A Land Use Planning Agreement was signed between the Squamish Nation and the Province on July 26, 2007. The Agreement outlines a jointly agreed management direction for a portion of Squamish Nation Territory within the S2S Plan area in the categories of: Squamish Nation Wild Spirited Places; Cultural sites; Village sites; and Cultural training areas. Recommendations for commercial recreation zones were also included.

The Squamish Nation completed the Xay Temix w Land Use Plan in 2001 which presents their vision for the protection, management, and use of land and resources within the relevant portion of Squamish Nation Territory overlapping the S2S Plan area. The Land Use Planning Agreement is the basis for harmonization of the Squamish Land Use Plan with the S2S LRMP.

Tsleil-Waututh Nation

On December 9, 2005 the Tsleil-Waututh Nation and the Province signed a Partnership Agreement to develop an Integrated Land and Resource Management Plan for the Indian River Watershed. The provisions in the Partnership Agreement state that the Plan should be guided by the Nation's vision for the watershed and the Province's general framework for strategic land use plans. The Plan should also: address the interests of the Nation, Province, and other stakeholders in the Indian River Watershed Plan area; provide objectives for sustainable development and conservation of environmental values in the watershed; and expand upon the general management direction for the watershed specified in the S2S LRMP.

In July 2007, the Nation completed a "Bioregional Atlas" for the Indian Watershed. This is a living document which serves as a comprehensive collection of information on the resources and values in the watershed by drawing on scientific and traditional sources of knowledge. The Atlas is meant to inform the development of the Indian River Watershed Integrated Land and Resource Management Plan.

The Provincial Government reviewed a socio-economic and environmental assessment (SEEA 2008) study before formally approving the LRMP. The SEEA consisted of a comparison between the projected socio-economic and environmental future of the area under 'status-quo' conditions versus projected conditions with the

adoption of the LRMP. When the projected conditions under the LRMP scenario were deemed to be preferable, or at least acceptable, approval of the LRMP became imminent.

4.1.3. Sea-to-Sky LRMP results

The Minister of Agriculture and Lands approved the final Sea-to-Sky Land and Resource Management Plan in April 2008. This document took over five years to complete since the first formal planning meeting took place in September 2002. Figure 3.9 summarizes the major steps in the planning process.

Table 4.2. Major steps in Sea-to-Sky LRMP development

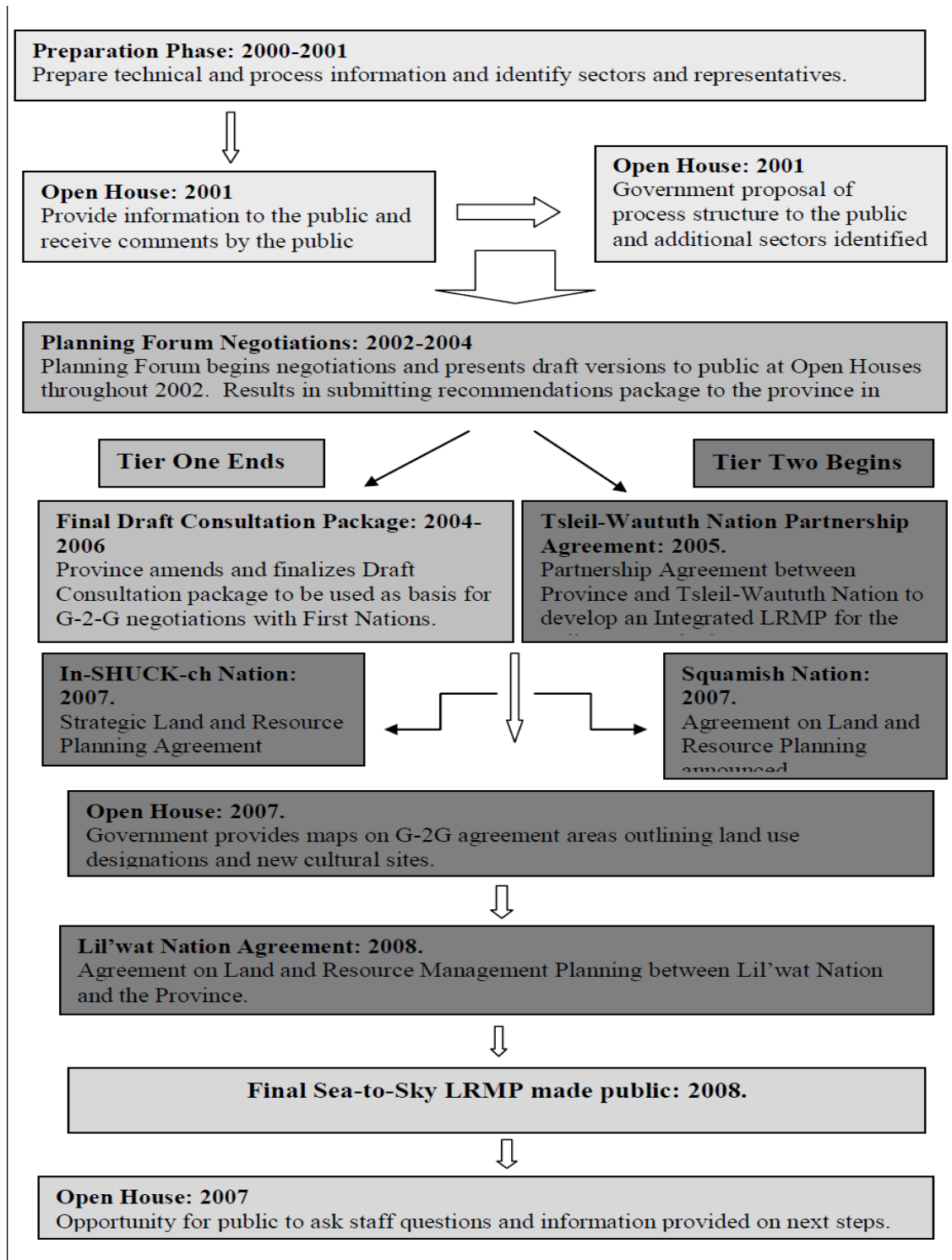
Phase in Process	Major Steps	Time Frame
Preparation Phase	<ul style="list-style-type: none"> Responsible government ministries begin preparing technical and process information for the initiation of the S2S LRMP process. Sectors and their representatives were chosen. 	2000 -2001.
Public Involvement	<ul style="list-style-type: none"> Open House in four communities with 70 organizations represented. Information session with the opportunity for the public to submit comments. 	2001.
Public Involvement	<ul style="list-style-type: none"> Open House in three communities where the government proposed structure of LRMP process and received feedback on this structure. Additional sectors with direct interests identified. 	2001.
Planning Forum	<ul style="list-style-type: none"> The Planning Forum began negotiations and submitted their final recommendations to the provincial government. 	2002 – 2004.
Provincial finalization of Public Forum recommendation package	<ul style="list-style-type: none"> The province revised the Public Forum recommendation package and finalized the Draft Consultation package to be used as the basis for G2G negotiations with participating First Nations. 	2004 – 2006.
Tsleil-Waututh Nation Agreement	<ul style="list-style-type: none"> The province and the Tsleil-Waututh Nation agreed to a Partnership Agreement to develop an Integrated Land and Resource Management Plan for the Indian Watershed. 	December 9 th , 2005.
In-SHUCK-ch Nation Agreement	<ul style="list-style-type: none"> The province and the In-SHUCK-ch Nation announced a Strategic Land and Resource Planning Agreement. 	June 6 th , 2007.

Phase in Process	Major Steps	Time Frame
Squamish Nation Agreement	<ul style="list-style-type: none"> • Agreement on Land and Resource Management Planning between the Squamish Nation and the province. 	June 14 th , 2007.
Public Participation	<ul style="list-style-type: none"> • Open House to provide the public with maps of government-to-government agreement areas, land use designations and cultural sites. 	2007.
Lil'wat Nation Agreement	<ul style="list-style-type: none"> • Agreement on Land and Resource Management Planning between the Lil'wat Nation and the province. 	April 2008.
Final Sea-to-Sky LRMP	<ul style="list-style-type: none"> • The final Sea-to-Sky LRMP was made public. 	April 2008.
Public Participation	<ul style="list-style-type: none"> • Open House for the public to view the Final LRMP document and for staff to answer questions and state next steps. 	2008.

(Sea to Sky LRMP Group Site, 2012)

The following chart outlines the major LRMP development steps above by highlighting developments in the first tier of negotiations (medium grey) and the second tier of government-to-government negotiations (dark grey) (fig. 4.3). Steps where the Province acted alone in either gathering information or presenting information to the general public are also highlighted (light grey).

Figure 4.3. Flow chart of major steps in the LRMP development process



The planning forum's recommendations, and agreements made between the provincial government and four participating First Nations with territories overlapping the plan area, served as the core documents in an attempt to harmonize the interests and visions of all the groups into a Land and Resource Management Plan: a plan that would serve as the guiding force for the region's shift toward economic, social, and environmental sustainability. Results of the plan in terms of changes to land use and management are summarized below.

Two levels of management direction were approved. The first general management direction applies for the range of land and resource values throughout the plan area, and is provided under these sixteen headings:

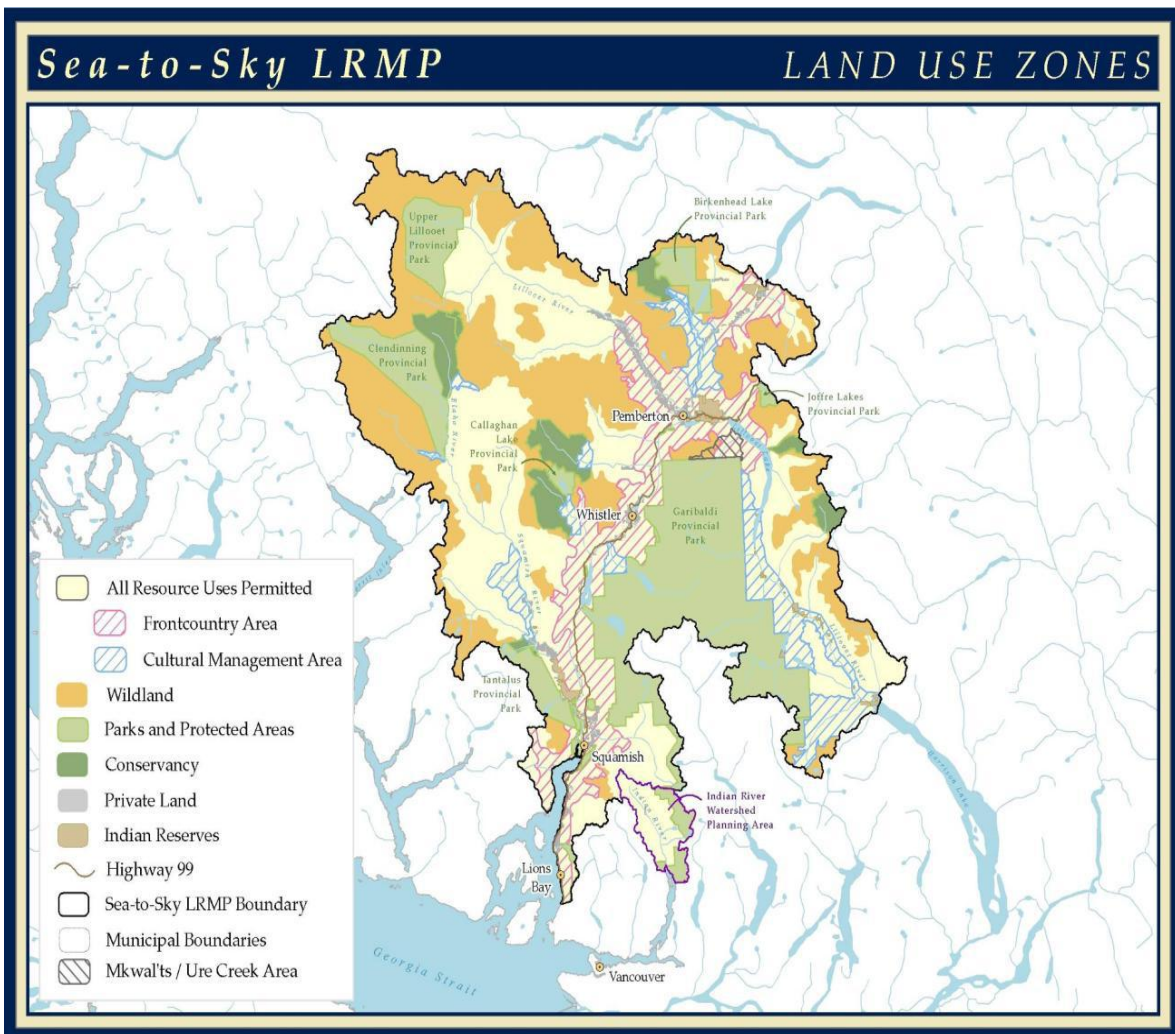
- Access;
- Cultural heritage Values;
- Forest health;
- Recreation;
- Riparian and aquatic habitats;
- Water;
- Wildfire management;
- Wildlife and biodiversity;
- Moose;
- Bald eagle;
- Deer;
- Grizzly bear;
- Mountain goat;
- Marbled murrelet;
- Spotted owl; and
- Visual quality.

Under each heading, the General Management Direction (GMD) provides a brief description of the resource and/or use within the plan area. Short and long-term goals and objectives for the resource/use are identified, and measures/indicators are outlined for tracking progress toward a specified target result. Further contextual information is also included for guidance on future planning and management activities. All of these

management directions reflect the harmonization efforts of the G2G negotiations, and are subject to other relevant legislation, policies, and land use agreements with First Nations.

The critical component of LRMPs is the designation of the land base into specified zones of development. Three land use zones were designated for the Sea-to-Sky plan area and are briefly described below. All figures are taken directly from the Sea-to-Sky LRMP (2008).

Figure 4.3. Land use designations in the Sea-to-Sky LRMP



(Sea to Sky LRMP 2008).

1. All Resources Permitted Zone – 47% of the plan area

This is the largest zone within the plan area and comprises the lands outside of parks, Conservancies and Wildland (mining and tourism permitted) zones. Within this zone the full range of activities is permitted subject to other relevant legislation, policy and land use agreements with First Nations.

Timber harvesting, mineral and energy production, as well as public and commercial recreation opportunities exist in these zones. Therefore, these differing values are subject to integrative management where First Nation interests and public/private interests intersect. Two specific sub-areas exist within the All Resource Permitted zone which is subject to incremental management direction: Frontcountry and Cultural management areas.

The Frontcountry area encompasses the major transportation corridors and the majority of residential housing. Intensive public and commercial recreation occurs in the area so visual quality and recreation values are the primary focus of management in these areas. The Callaghan Valley is situated in this area and management direction for this area is also focussed on visual quality and recreation values.

Cultural management areas are the result of G2G negotiations and have high First Nation cultural values. Any development in these areas must respect the signed land use agreements and be conducted in a manner that protects both First Nations values and ecological integrity. There are nine Cultural management areas within the plan area.

2. Wildland (mining/tourism permitted) Zones: 27% of the plan area

These zones have been chosen in recognition of their high First Nations cultural value, high wildlife habitat values, backcountry recreation values, and remote, natural, and wilderness characteristics. These zones permit subsurface resource development and tourism while attempting to maintain these values. Commercial timber harvesting and independent power projects are not permitted.

One of four emphases has been placed on each zone to reflect the primary resource values of the particular zone:

- **Cultural:** First Nations spiritual, cultural, and traditional renewable resource harvesting activities.
- **Recreation:** Non-commercial (public) recreational activities.
- **Tourism:** Commercial recreational (guided adventure tourism) activities.
- **Wildlife:** Functional habitat for wildlife.

3. Protected Areas (Parks and Conservancies) – 26% of the plan area

a. Existing Parks – 22% of the LRMP area

Existing provincial parks were identified at the beginning of the planning process and were not discussed as part of the public planning process or G2G negotiations. During the 1990s, over 81, 000 hectares of new parks were created through the Province's *Protected Areas Strategy* (1992) and the *Lower Mainland Nature Legacy* (1995). Combined these processes had the effect of exceeding the province's goal of 12% protected area in each region. Therefore, the creation of new parks was not an issue to be negotiated at the planning table. Existing parks within, whole or part, of the plan area are listed in table 4.3.

Table 4.3. Parks existing in Sea-to-Sky plan area prior to LRMP

Park	Area (ha)
Alice Lake Park	404
Baynes Island Ecological Reserve	45
Birkenhead Lake Park	10,053
Blackcomb Glacier Park	244
Brackendale Eagles Park	710
Brandywine Falls Park	146
Callaghan Lake Park	2,693
Clendenning Park	29,182
Cypress Park (portion)	838
Garibaldi Park (portion)	144,093
Golden Ears Park (portion)	2,079
Indian Arm Park (portion)	2,934
Joffre Lakes Park	1,480
Murrin Park	24
Nairn Falls Park	180
Pinecone-Burke Park (portion)	6,520
Porteau Cove Park	17
Porteau Cove Recreation Area	1
Shannon Falls Park	88
Stawamus Chief Park	522
Tantalus Park	10,935
Upper Lillooet Park	19,996
TOTAL	232,963

b. Conservancies 4% of the plan area

There are eight Conservancies in the plan area which are listed below (table 4.4). These areas have high cultural value to First Nations and do not permit industrial resource development activities. Interim strategic direction and management within

these areas has been agreed to on a G2G basis and when more specified final agreements are reached they will be incorporated into the LRMP through amendments.

Table 4.4. Size of Conservancies in the Sea-to-Sky LRMP

Conservancy	Approximate area (ha)
Callaghan	8,223
Estétiwilh / Sigurd Creek	1,082
I7loqaw7 / 100 Lakes	1,028
K'zuzált / Twin Two	2,127
Qwalímak / Upper Birkenhead	4,806
Upper Elaho	10,128
Upper Rogers Kólji7	3,898
Upper Soo	9,993
TOTAL	44,887

4.1.4. Plan Implementation, Monitoring and Amendment

The goals and objectives set out in the Sea to Sky LRMP may only be realized if they are effectively implemented. Effective implementation requires monitoring and making adjustments when the results of monitoring require specific amendments. Implementation may take the form of:

1. Projects: which are discrete activities such as more detailed area- or issue-specific studies or plans that help in meeting LRMP objectives;
2. Tasks: are miscellaneous activities to be undertaken by agencies as part of plan implementation; or
3. Practices: the ongoing, on-the-ground activities of government agencies and proponents. Practices must conform to the direction provided in the LRMP, and meet the requirements of relevant legislation and regulations, policy and professional reliance (Ministry of Natural Resource Operations, 2011).

Monitoring of the LRMPs implementation and achievement of objectives is the duty of government agencies who prepare annual monitoring reports that are made

available to the public. Monitoring of the LRMP also occurs through a Plan Implementation Committee (PIC). The PIC is open to all stakeholder representatives who participated in the development of the LRMP. The purpose of the PIC is to:

1. Provide a communication forum between the province and the PIC on land use plan implementation progress.
2. Review and provide recommendations on plan implementation monitoring reports.
3. Identify emerging issues and new information (BC MNRO 2011).

All PIC meeting minutes, technical and implementation reports, and recommendations are made publically available. The first monitoring report was made available to the public in 2009. A second *Implementation Progress Report*, an update on the implementation items that have changed and/or progressed from the initial report, was made available in January 2010. Of a total of 348 implementation items, only 140 are monitored and reported. The 208 items not reported are classified as non-legal Practices and are those that do not require a new legal Order to bring them into effect. They are implemented instead through existing regulatory tools and policies. The Sea-to-Sky LRMP monitoring approach differs from other LRMPs in that it “simply focuses on the state of implementation progress for the 140 key implementation items, as reported by provincial agencies. It does not explore the effectiveness or validation of the Sea-to-Sky LRMP implementation strategies” (BC ILMB 2009). The number of implementation items categorized into one of the three groups are: Projects (total of 22), Tasks (total of 14), and Legal Practices (total of 104) (BC ILMB 2010). Highlights of the two reports include:

- 111 of the 140 items have not been completed
- 87 items have shown progress
- Implementation of 10 (45%) of the Projects have been initiated
- Implementation of 4 (29%) of the Tasks have been initiated, and
- Over 90% of legal Practices have been initiated and over a third of the items are over half-way completed.

4.2. Unique features of the Sea-to-Sky LRMP

Three features are unique to the Sea-to-Sky LRMP as compared to all of the other LRMPs developed in the province. First, the planning table was restricted from making recommendations for the establishment of new protected areas. Secondly, Land Use Planning Agreements were signed between the government and the four First Nations who participated in the LRMP process. Three of the four First Nations only participated in tier two of the process. And finally, the Sea-to-Sky LRMP is the only plan area where tourism is the leading economic sector, and a significant goal of the province was to highlight the Sea-to-Sky plan area as a world-class tourism destination during the 2010 Olympic Winter Games.

4.2.1. *Restrictions on the recommendation of Protected Areas*

The designation of protected areas immune from development was part of the provincial government's policy of protecting 12% of the land base in accordance with the recommendations from the World Commission on Environment and Development (WCED 1987). The *Protected Areas Strategy* (1992) was intended to be implemented through the LRMP process (BC 1993).

The Sea-to-Sky LRMP plan area had approximately 22% of the land base designated as protected in the form of parks prior to the initiation of the planning forum. As the goal of 12% of the land designated as protected had already been achieved, the province restricted further designation of protected areas in the form of parks in both the first and second-tiers of the process. A further 4% of the plan area was protected in the final plan however, under the designation of conservancies, which are areas of high cultural importance to First Nations. These areas were designated during government-to-government negotiations.

4.2.2. *First Nations Participation*

The nature of First Nations participation in LRMP processes evolved dramatically from the earlier to the later phases. The Sea-to-Sky LRMP was in the last cluster of LRMPs that used a second tier in the process, in the form of government-to-government negotiations between the province and individual First Nations. Although other

processes used the two-tier structure, the Sea-to-Sky LRMP is the only process in the province in which First Nations only participated in the second tier. The four First Nations who participated in the second tier of the process each signed a Land Use Planning Agreement with the province for their territory within the plan area without any formal channels for communication with the planning table stakeholders. This lack of communication was also highlighted by stakeholders from both tiers of the process as a major weakness.

4.2.3. *Tourism and the 2010 Olympic Winter Games*

The Nordic skiing venues of the 2010 Olympic and Paralympics Winter Games were hosted in the Callaghan Valley within the Sea-to-Sky plan area. One of the goals of hosting the Games in the Sea-to-Sky region was to enhance the tourism sector through favourable media attention throughout the Games. Therefore, one of the objectives for the province during the development of the LRMP was to prevent underlying land and resource conflicts from erupting during the Games and keep the media's attention on the beauty of the region, rather than on public protests and dissatisfaction with management practices. There was no land and resource-related unfavourable media attention during the Games. The circumstance of knowing the region was going to host a major international event during the LRMP development process is unique to the Sea-to-Sky process.

4.3. Conclusion

The Sea to Sky LRMP was successful in achieving a consensus agreement, and was approved by the Provincial Government in April 2008 after almost six years since its formal initiation. A number of innovative and adaptive process design features helped facilitate the necessary agreements which enabled approval of the plan.

First Nations engagement was greatly enhanced from previous strategic planning processes. The area's transition to a service-based economy since the early 1980s, centred on vast nature-based tourism and recreational opportunities from a staple export and manufacturing orientation, may be enhanced by the results of the plan. Collaborative agreement in designating zones for development and enhanced

management direction for both the entire area and sub-area/value specific basis provides greater understanding between, and among, the various interest groups/sectors, the Provincial Government and First Nations. The plan also mitigates the chances of future extreme conflicts within the area as it adopted open and formal dispute resolution mechanisms. These features of the plan, in combination with adoption of adaptive management principles for implementation and monitoring, provides greater certainty for economic, social, and environmental sustainability that probably could not have been imagined only a few decades ago.

5. S2S LRMP Evaluation and Results

5.1. Introduction

In this chapter the Sea to Sky LRMP planning process is evaluated for effectiveness based on the analysis of participant survey responses. The survey was created based on the process and outcome criteria developed by Frame (2002) as discussed in chapter 2. The survey has since been used and amended by Cullen (2006), McGee (2006), Astofooroff (2008), and Morton (2009) to evaluate collaborative land use planning processes in the province of British Columbia. Limitations of empirically evaluating a CP process is discussed first, followed by an analysis of the effectiveness of the Sea-to-Sky LRMP planning process beginning with an evaluation of the results for the 'closed question' portion of the stakeholder survey and followed by an analysis of the 'open-ended' portion of the stakeholder survey results. Where appropriate, statements made by respondents to the open-ended questions are used to supplement the analysis of the closed-question responses.

5.1.1. Stakeholder Survey

Electronic surveys were sent to 10 sector representatives, 3 First Nations representatives, and 3 government negotiators, for a total of 16 representatives of the Sea-to-Sky LRMP planning process. Thirteen sector representatives participated in the planning table process as the primary sector representative (mining had two primary representatives). A number of sectors also had alternate representatives. Due to a lack of information on who participated and in what capacity, along with a lack of updated contact information, only representatives who signed the Planning Table Draft

Agreement (2004) were contacted to request their participation in this study⁴. Additional participants who were designated as a representative in one of the LRMP documents but did not sign the Planning Table Draft Agreement (2004) were also contacted but did not receive a survey due to their minimal involvement in the formal planning table negotiations. Primary representatives of two sectors who did not sign the recommendations package, and one participant who signed the Draft Agreement (2004) as a co-representative, could not be contacted.

Of the ten sector representatives who were contacted to participate in the study, eight completed and returned the survey and are included in the analysis (80% response rate). The three First Nations representatives contacted to participate in the survey, of the total of four First Nations who participated in varying degrees in the Sea-to-Sky LRMP planning process, were chosen on the grounds that they were the most comprehensive participants in the process by signing a Land Use Agreement with the province for their respective claimed territories⁵. Two of the three First Nations surveys were completed and returned with the third First Nation representative declining to participate (response rate of 66%).

The three government negotiators requested to participate represented the government in one of the three harmonization processes with the three First Nations mentioned above. All three government representatives contacted returned a completed survey (response rate 100%). In total, 16 representatives were contacted to participate in the survey and 13 surveys were completed and returned (81% response rate). Of the 18 respective interests represented in the Sea-to-Sky LRMP planning process, 12

⁴ I was given two sets of contact information for the participants in the Planning Table section of the planning process which were significantly out of date. Many of the email addresses and phone numbers I received were no longer in service. There was some overlap in the two sets and a number of participants were listed as alternate in the first set and primary representative in the second. Therefore, in order to determine the primary representative I chose only those participants who signed their name to the Planning Table Draft Agreement.

⁵ A fourth First Nation, the Tseil-Waututh, participated in the planning process but only in relation to a specific watershed.

sectors and three each of First Nations and government officials, surveys were completed and returned for 13 of them⁶ (72% interests represented in analysis).

The sector representatives who completed the survey are included in table 5.1. The stakeholder survey and tabulated responses are in appendix B.

Table 5.1. Number of Survey Responses by Sector.

S2S Representation by Sector	# of Responses
Fish and Wildlife	1
Mining	2
Labour	0
Energy	0
Tourism (backcountry)	1
Tourism (frontcountry)	0
Forestry (TFL)	0
Forestry (TSA)	1
Recreation (non-motorized)	1
Recreation (motorized)	1 (same survey as Recreation non-motorized)
Agriculture	1
Environment and Conservation	1
First Nations (three Bands)	2
Government Negotiators	3
Total	13

The survey is designed in five parts – A, B, C, D, and E. For sections A, B, and C participants were asked to respond to a series of statements regarding their experiences at the S2S LRMP based on a four point Likert scale. Options available to participants were ‘strongly agree’, ‘somewhat agree’, ‘somewhat disagree’, ‘strongly disagree’, and ‘not applicable’. Part D of the survey utilized a similar Likert scale, where participants were asked to rate the importance of factors in determining the performance of a collaborative process. Participants were asked to rank each factor as either ‘very

⁶ One Planning Table participant signed the Draft Agreement (2004) as a representative of one sector and as a co-representative of a different sector.

important', 'important', 'somewhat important', or 'not important'. Finally, in section E of the survey, participants were asked a series of open-ended questions regarding their experiences with the S2S LRMP planning process.

For sections A, B, and C percentages were calculated for each question based on the frequency of each response (frequency of response divided by total number of responses). In cases where a participant chose 'not applicable', their response was excluded from the equation. To determine the degree of agreement to each of the questions, the percentage of stakeholders who gave a positive response ('strongly agree' or 'somewhat agree') to each question is reported. Agreement for each process and outcome criteria were calculated based on the average of the responses to each of the individual questions measuring the specific criteria.

For section D, the Likert responses were assigned a numeric value, with 0 representing 'not important', 1 being 'somewhat important', 2 being 'important', and 3 being 'very important'. Section E was analysed by grouping similar responses together into categories to further interpret and evaluate research findings from sections A, B, C, and D.

5.2. Survey Results – Process Criteria

As discussed in chapter 2, there are 14 process criteria used to evaluate collaborative land use decision making processes. These include:

1. Purpose and Incentives
2. Inclusive Representation
3. Voluntary Participation
4. Self-Design
5. Clear Ground Rules
6. Equal Opportunity and Resources
7. Principled Negotiation and Respect
8. Accountability
9. Flexible, Adaptive, Creative
10. High Quality Information

- 11. Time Limits
- 12. Implementation and Monitoring
- 13. Effective Process Management
- 14. Independent Facilitation

The following section reviews the results of the survey in relation to the process criteria.

5.2.1. Purpose and Incentives

One-hundred percent of respondents surveyed stated that they became involved in the process because they agreed it was the best way to achieve their goals with respect to land use planning (table 5.2). Respondents recognized the issues they were dealing with were significant problems that required timely solutions (92%) and that there were significant values differences among participants (92%). The lowest agreement rating for this criterion centered on participants not quite understanding the process fully in the initial stages. Only 62% of respondents stated they had clear goals in mind when they first became involved in the process and only 58% responded they had a clear understanding the provincial government would make the final decision if consensus was not reached. Once the process had moved beyond the initial meetings, the participants seemed to gain a better understanding of what was to be accomplished and worked collectively to identify and agree upon clear goals and objectives (70%).

Table 5.2. Level of Agreement for ‘Purpose and Incentives’ Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
A1 - I became involved in the process because I/my organization felt it was the best way to achieve our goals / with respect to land use planning.	100%	100%	100%
A2 - I had clear goals in mind when I first became involved in the LRMP process.	50%	80%	62%

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
B2 - There were significant differences in values among participants	100%	75%	92%
B5 - The process participants collectively identified and agreed upon clear goals and objectives.	57%	100%	70%
B10 - Stakeholders had a clear understanding that if no consensus was reached, the provincial government would make the decisions.	63%	50%	58%
B26 - The issues we were dealing with in the LRMP process were significant problems requiring timely resolution.	100%	75%	92%
Average Rate of Agreement for all Statements	78%	80%	79%

5.2.2. Inclusive Representation

Respondents were not satisfied with the way First Nations were involved in this process (table 5.3). The two-tier model used in this process, where the planning table provides recommendations and the final agreement is the result of G2G negotiations between the provincial government and the participating First Nations, was viewed as inadequate by stakeholders in the first tier because of the lack of communication between the two tiers. Many respondents, from all groups, were satisfied that First Nations participated in the process, but were not satisfied with the format this participation was required to take. Difficulties and dissatisfaction with the structure of the two-tier format is discussed in section E.

Table 5.3. Level of Agreement for ‘Inclusive Representation’ Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
B1 - All appropriate interests or values were represented in the process.	50%	100%	67%
B3 - All government agencies that needed to be involved were adequately represented.	63%	100%	75%
B8 - I am satisfied with the way First Nations were involved in the process	37%	80%	54%
Average Rate of Agreement for all Statements	59%	93%	65%

5.2.3. Voluntary Participation

A full 100% of respondents stated they were fully committed to making the process work, but only 38% agreed all the other participants were fully committed to the process (table 5.4). This indicates a significant difference between the stated intentions of the respondents and how they were perceived by their fellow respondents.

There are two possible reasons for the disparity in the perception of commitment levels. First is that two sector representatives did not sign the Draft Agreement (2004), and only decided to support the plan after the provincial government made a decision regarding the contentious issue of run-of-the-river energy projects in the region. Secondly, many respondents stated in the open-ended cluster of questions they were frustrated with other members of the planning table for not ‘giving’ or “understanding” on the issue of creating buffer zones for extraction around provincial parks. The terms of reference for the Sea-to-Sky LRMP stated that all areas outside of existing parks were to be open for mineral exploration, and respondents with differing perspectives found this issue a major source of tension. Disparity in the second tier may be the result of the nature of negotiations and the lack of clarity surrounding First Nations rights and title in the province.

Table 5.4. Level of Agreement for ‘Voluntary Participation’ Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
A3 - I was fully committed to making the process work.	100%	100%	100%
B4 - All participants were committed to making the process work.	37%	40%	38%
Average Rate of Agreement for all Statements	69%	70%	69%

5.2.4. Self Design

Only one-half of respondents agreed this criterion was met (table 5.5). Almost two-thirds (64%) agreed that they were able to influence the process on an ongoing basis. This low level of overall agreement can be attributed to the G2G stage of the process where the objective was to harmonize the respective plans and not design a LRMP process per se.

Table 5.5. Level of Agreement for ‘Self Design’ Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
A4 - I was involved in the design of the LRMP process (i.e. ground rules, roles, procedures).	71%	0%	50%
A5 - On an ongoing basis, I was able to influence the process used in the LRMP.	71%	50%	64%
Average Rate of Agreement for all Statements	71%	25%	57%

5.2.5. Clear Ground Rules

While the majority of respondents (62%) agreed that this criterion was met, there was considerable uncertainty pertaining to the two-tier structure of the process and significant differences between the planning table and G2G negotiation stages. The

planning table representatives were unclear as to the role of First Nations in the process. Some respondents indicated they did not know the final decision would be made as a result of the G2G negotiations without the planning table having the ability to adjust their recommendations. In the G2G stage of the process, there was a clear lack of an understanding toward the procedural ground rules to be used for negotiation. None of the government negotiators and First Nations agreed with statement B9.

Table 5.6. Level of Agreement for ‘Clear Ground Rules’ Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
B6 - Participant roles were clearly defined.	63%	75%	67%
B7 - First Nations Roles were clearly defined	50%	75%	58%
B9 - The procedural ground rules were clearly defined.	86%	0%	60%
Average Rate of Agreement for all Statements	66%	50%	62%

5.2.6. Equal Opportunity and Resources

While 83% of the respondents agreed their participation made a significant difference in the outcomes of the LRMP process, about one-half did not agree to the question asking if they had received adequate funding or training in order to participate to their full potential. Many planning table representatives received pre-negotiation training which was reflected in their responses to question A6 but not all of them were present from the beginning of the process and missed this training session. First Nations did not participate in the pre-negotiation training sessions because they did not participate in the first-tier of negotiations and subsequently did not receive the same negotiation and skills training in plan development as the other participants.

There was also very low agreement that the process helped reduce power imbalances among participants and provided the opportunity for equal influence of all interests/perspectives at the planning table.

Table 5.7. Level of Agreement for ‘Equal Opportunity and Resources’ Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
A6 - I had or received sufficient training to participate effectively.	63%	0%	50%
A7 - I had or received sufficient funding to participate effectively.	50%	67%	55%
A8 - My participation made a difference in the outcomes of the LRMP process.	75%	100%	83%
B11 - All interests/perspectives had equal influence at the LRMP table.	37%	0%	27%
B12 - The process reduced power imbalances among participants.	25%	50%	33%
Average Rate of Agreement for all Statements	50%	43%	50%

5.2.7. Principled Negotiation and Respect

Encouraging open communication about individual stakeholder’s interests to the group was a definite strength of the process (92%). However, only about two-thirds of the respondents agreed that the other participants demonstrated a clear understanding of their interests (67%). Disparity in agreement between the two questions is a result of the planning table where only 50% agreed compared to 100% of the G2G respondents for the latter question. The low level of agreement from the planning table may be partially attributed to the frustration they stated in the open-ended questions regarding the fact that some sector representatives attempted to negotiate issues that were not within the Table’s Terms of Reference. Overall, when the two tiers are combined there is a relatively high level of agreement that the process cultivated principled negotiation and respect.

Table 5.8. Level of Agreement for ‘Principled Negotiation and Respect’ Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
B13 - The process encouraged open communication about participants' interests.	88%	100%	92%
B14 - All participants demonstrated a clear understanding of the different stakeholder interests around the table.	50%	100%	67%
B15 - The process was <i>not</i> hindered by a lack of communication and negotiation skills ⁷ .	71%	50%	64%
B16 - The process generated trust among participants.	63%	75%	67%
B17 - The process fostered teamwork.	63%	75%	67%
Average Rate of Agreement for all Statements	67%	80%	71%

5.2.8. Accountability

All participants (100%) agreed that in general all the other participants were accountable to their constituencies. Seventy-eight percent responded the process allowed them to effectively communicate with, and gain support of, their constituency, but only 50% stated the process helped *ensure* they were accountable to their constituency. Statements relating to the effectiveness of the process toward

⁷ B15 - Question inverted from original survey statement. Original statement was “The process was hindered by a lack of communication and negotiation skills” with an agreement rate of 36%. The statement has been inverted to fit the data set.

communicating with the public (64%), and representing the public interest (64%), generated about equal levels of agreement.

Table 5.9. Level of Agreement for ‘Accountability’ Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
A9 – The process allowed for me to effectively communicate with and gain support of my constituency ⁸ .	71%	100%	78%
A10 - The process helped to ensure I was accountable to the constituency I was representing.	37%	100%	50%
A11 - The organization /sector/ group I represented provided me with clear direction throughout the process.	63%	100%	67%
B18 - Generally, the representatives at the table were accountable to their constituencies.	100%	100%	100%
B19 - The process had an effective strategy for communicating with the broader public.	43%	100%	64%
B20 - The process was effective in representing the interests of the broader public.	50%	100%	64%
Average Rate of Agreement for all Statements	61%	100%	71%

⁸ A9 – Question inverted from original survey statement. Original statement was “Due to constraints of the process, I was unable to effectively communicate with and gain support of my constituency” with an agreement rate of 22%. The statement has been inverted to fit the data set.

5.2.9. *Flexible, Adaptive, Creative*

Results indicate respondents were satisfied with the flexibility of the process to adapt to new information or changing circumstances (75%). Asking if respondents were given the opportunity to periodically assess the process and make adjustments as needed received a little less support (70%).

Table 5.10. Level of Agreement for ‘Flexible, Adaptive, Creative’ Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
B21 - The process was flexible enough to be adaptive to new information or changing circumstances.	75%	75%	75%
B22 - Participants were given the opportunity to periodically assess the process and make adjustments as needed.	71%	67%	70%
Average Rate of Agreement for all Statements	73%	71%	73%

5.2.10. *High-Quality Information*

The majority of respondents were satisfied with the quality of the information needed to make decisions (table 5.11). The usefulness of the overlay of resource values on maps technique received unanimous support among respondents (100%) as valued high-quality information. The overall 55% agreement level of high quality information for the entire process indicates the other sources of information for decision making were not as highly valued.

One restriction placed on the planning table was that they were prohibited from designating any areas as parks or protected areas because the region had already exceeded the provincial 12% Protected Areas guideline. Therefore, questions B34 and B35 had very little significance in the outcome of the recommendations package. Also, the multiple accounts method was not used in this process to evaluate land use options.

Table 5.11. Level of Agreement for ‘High Quality Information’ Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
B33 - The process had adequate high quality information for effective decision making ⁹ .	43%	75%	55%
B34 - The setting of the Provincial guide of 12% Protected Areas was helpful to reaching consensus.	29%	0%	25%
B35 - The process was well prepared with the information needed to accommodate protected areas within the LRMP.	57%	67%	60%
B36 - The overlay of resource values on maps was a useful technique for evaluating land use options.	100%	100%	100%
B37 - The multiple accounts method was a useful way of evaluating land use options.	N/A	N/A	N/A
Average Rate of Agreement for all Statements	57%	61%	60%

5.2.11. Time Limits

Results indicate respondents were satisfied with the time limits for the Sea-to-Sky planning process. The process had a detailed project plan for the negotiation process which included clear milestones (75%) and deadlines that were helpful for moving the process along (83%). Time allotted to complete the process was agreed to

⁹B33 – Question inverted from original survey statement. Original statement was “The process lacked adequate high-quality information for effective decision-making” with an agreement rate of 45%. The statement has been inverted to fit the data set.

as realistic by the majority of respondents (67%). Statements made in the open-ended questions revealed that those who disagreed had diverging opinions, as some respondents from the planning table stated the process was too long and others stated the limit on time for the planning table portion should have been doubled (table 5.12).

Table 5.12. Level of Agreement for ‘Time Limits’ Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
B23 - The process had a detailed project plan (for the negotiation process) including clear milestones.	63%	100%	75%
B24 - Deadlines during the process were helpful in moving the process along.	75%	100%	83%
B 25 - The time allotted to the process was realistic.	75%	50%	67%
Average Rate of Agreement for all Statements	71%	83%	75%

5.2.12. Implementation and Monitoring

The majority of respondents agreed the process had a strong commitment for plan implementation (62%), but that the process lacked a clear strategy for plan implementation (table 5.13). Planning table respondents in particular did not agree there was a clear plan for implementation, in part because they did not participate in the second phase of the process and some of the recommendations they made were going to be changed as a result of the G2G negotiations.

Table 5.13. Level of Agreement for ‘Implementation and Monitoring’ Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
B38 - The table developed a clear strategy for plan implementation.	43%	50%	45%
B39 - At the end of the	63%	60%	62%

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
process, the table participants shared a strong commitment to plan implementation.			
Average Rate of Agreement for all Statements	53%	55%	54%

5.2.13. *Effective Process Management*

The respondents agreed the process was managed very effectively (table 5.14). The process was not hindered by a lack of structure (83%) and process staffs were skilled at running meetings, and the agency responsible for managing the LRMP acted in a neutral and unbiased manner (92%).

Table 5.14. *Level of Agreement for ‘Effective Process Management’ Survey Statements*

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
B27 - The process was not hindered by lack of structure ¹⁰ .	88%	75%	83%
B28 - Process staff acted in a neutral and unbiased manner.	100%	75%	92%
B29 - The agency responsible for managing the LRMP process acted in a neutral and unbiased manner.	100%	75%	92%
B30 - Process staff (including facilitator(s) if used) were skilled in running	88%	75%	83%

¹⁰ B27 – Question inverted from original survey statement. Original statement was “The process was hindered by a lack of structure” with an agreement rate of 17%. The statement has been inverted to fit the data set.

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
meetings.			
Average Rate of Agreement for all Statements	94%	75%	88%

5.2.14. Independent Facilitation

There was very high agreement among respondents that the independent facilitator/mediator was a critical component in the success of the process (91%) (table 5.15).

Table 5.15. Level of Agreement for 'Independent Facilitation' Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
B31 - The presence of an independent facilitator / mediator improved process effectiveness.	100%	67%	91%
B32 - The independent facilitator / mediator acted in an unbiased manner.	100%	67%	91%
Average Rate of Agreement for all Statements	100%	67%	91%

5.3. Survey Results - Outcome Criteria

As discussed in chapter 2, there are 11 outcome criteria by which to evaluate collaborative land use decision making processes. These include:

1. Perceived as Successful
2. Agreement
3. Conflict Reduced
4. Superior to Other Methods
5. Creative and Innovative
6. Knowledge, Understanding, and Skills

7. Relationships and Social Capital
8. Information
9. Second-Order Effects
10. Public Interest
11. Understanding and Support of SDM

The following section reviews the results of the survey in relation to the outcome criteria, by examining to what extent the Sea-to-Sky LRMP respondents agreed their process met each criterion. All relevant survey questions and responses are included in the discussion.

5.3.1. Perceived as Successful

There is a high level of agreement that the Sea-to-Sky LRMP process was successful in the overall outcomes (77%), and a positive experience for those who responded (77%) (table 5.16). A lower level of agreement for the question concerning personal satisfaction of the outcomes (62%) may reflect the nature of the negotiation process in which respondents are not able to attain all of their objectives, and must acknowledge and respect the interests involved in the complex issues.

Respondents from the G2G negotiation phase of the process unanimously perceived the process to be successful with a 100% agreement rate for all three questions for this criterion. Again, the lower rate of agreement from the planning table respondents may be attributed to the lack of consultation after the G2G negotiation phase of the process where their recommendations were changed without consultation and any recourse of action.

Table 5.16. Level of Agreement for 'Perceived as Successful' Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
C1 - The LRMP process I participated in was a success.	63%	100%	77%
C2 - The LRMP process was a positive experience.	63%	100%	77%

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
C3 - I am satisfied with the outcome of the process.	37%	100%	62%
Average Rate of Agreement for all Statements	54%	100%	72%

5.3.2. Agreement

A small majority of respondents (56%) agreed the resulting plan addressed the needs, concerns, and values of the group they represented. However, when the responses are broken down further, it is revealed that 100% of respondents who participated in the G2G negotiation phase agreed to the statement while only 43% from the planning table phase responded in agreement (table 5.17). This discrepancy can be attributed to the structure and mandates of the two phases as discussed in section 4.3.1.

Table 5.17. Level of Agreement for ‘Agreement’ Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
C4 - The resulting plan addressed the needs, concerns, and values, of the group I represented.	43%	100%	56%
Average Rate of Agreement for all Statements	43%	100%	56%

5.3.3. Conflict Reduced

Sixty-four percent of respondents agreed conflict has been reduced in the plan area after the completion of the process. Again, the agreement rate between the two phases of the process diverged dramatically as 100% of participants in the G2G negotiation phase responded in agreement that conflict was reduced after negotiation, while only 33% of planning table respondents agreed land use conflict in the area has decreased (table 5.18). The restrictions on the mandate of the planning table as well as the nature of the final decision making structure may be significant factors attributing to the discrepancy.

Table 5.18. Level of Agreement for ‘Conflict Reduced’ Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
C6 - As a result of the LRMP process, conflict over land use in the area has decreased.	33%	100%	64%
Average Rate of Agreement for all Statements	33%	100%	64%

5.3.4. Superior to Other Methods

Respondents overwhelmingly agreed the collaborative planning process was the best way of developing a land use plan (90%) (table 5.19). However, only 56% of respondents agreed their interests had been accommodated better through participation in the LRMP process than perhaps could have been met by other means. Breaking the data down into the two phases again, the results show the G2G negotiation phase respondents unanimously agreed the LRMP process was superior and accommodated their interests better than other methods (100%), while the planning table respondents indicate another model of land use decision making may have accommodated their interests better (43% agreement to original C8 question).

Table 5.19. Level of Agreement for ‘Superior to other Methods’ Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
C7 - The LRMP process was the best way of developing a land use plan.	80%	100%	90%
C8 - My / my organization's interests have been accommodated better through the LRMP process than they would have been through other means.	43%	100%	56%
Average Rate of Agreement for all Statements	62%	100%	73%

5.3.5. Creative and Innovative

Results indicate only 54% of respondents agreed the planning process produced creative ideas for action (table 5.20).

Table 5.20. Level of Agreement for ‘Creative and Innovative’ Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
C9 - The planning process produced creative ideas for action.	50%	60%	54%
Average Rate of Agreement for all Statements	50%	60%	54%

5.3.6. Knowledge, Understanding, and Skills

All respondents (100%) agreed that as a result of the process they had a good understanding of the interests of the other participants. Ninety-two percent of respondents also indicated they had gained new or improved skills as a result of their involvement in the process which is a major benefit argued by advocates of the collaborative planning model. A better understanding of how government works with respect to land use and resource management, as well as a better understanding of the Sea-to-Sky region, was also indicated by 83% of respondents (table 5.21).

Table 5.21. Level of Agreement for ‘Knowledge, Understanding, and Skills’ Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
C10 - As a result of the process, I have a good understanding of the interests of other participants.	100%	100%	100%
C11 - As a result of the process, I now have a better understanding of how government works with respect to land and resource management.	75%	100%	83%
C12 - As a result of the process, I have a better understanding of my region.	88%	75%	83%
C13 - I gained new or improved skills as a result of my involvement in the	88%	100%	92%

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
process.			
Average Rate of Agreement for all Statements	88%	94%	90%

5.3.7. Relationships and Social Capital

Increased social capital, as measured in part by developing better and new relationships with other interests in the region, is also argued to be a major benefit of the collaborative planning model. Results for the Sea-to-Sky LRMP planning process measuring these variables support this claim (table 5.22). Respondents indicate that new and better relationships were developed among the process participants (85% for both C15 and C16) and these better relationships were also noticed by other members of the process (82% for C14).

Table 5.22. Level of Agreement for 'Relationships and Social Capital' Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
C14 - The relationships among table members improved over the course of the process.	88%	67%	82%
C15 - I have better working relationships with other parties involved in land use planning as a result of the LRMP process.	75%	100%	85%
C16 - Contacts I acquired through my participation in the LRMP process are useful to me and / or my sector / organization.	75%	100%	85%
Average Rate of Agreement for all Statements	79%	89%	84%

5.3.8. Information

Ninety-two percent of respondents have used information generated through the LRMP process for purposes outside of the process, and 83% of respondents agreed that information acquired through their participation in the process is useful to themselves or their sector/organization (table 5.23). However, only 55% of respondents agreed that the process produced information that has been understood and accepted by all participants. Again, a major discrepancy between the two tiers of the process existed with only 29% of planning table respondents agreeing the information produced by the LRMP process had been understood and accepted by all participants, while 100% of respondents at the G2G negotiation phase agreed to the statement.

Table 5.23. Level of Agreement for 'Information' Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
C17 - The LRMP process produced information that has been understood and accepted by all participants.	29%	100%	55%
C18 - Information acquired through my participation in the LRMP process is useful to me and / or my sector / organization.	75%	100%	83%
C19 - I have used information generated through the LRMP process for purposes outside of the process.	88%	100%	92%
Average Rate of Agreement for all Statements	64%	100%	77%

5.3.9. Second-Order Effects

The Sea-to-Sky LRMP planning process was successful in achieving another major benefit of collaborative planning argued by advocates of this model of planning (table 5.24). Eighty-two percent of respondents have seen changes in the behaviours and actions of other participants as a result of the process, while 73% of respondents

are aware of spin-off partnerships, collaborative activities, or new organizations that arose as a result of the process.

Table 5.24. Level of Agreement for ‘Second-Order Effects’ Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
C20 - I have seen changes in behaviours and actions as a result of the process.	71%	100%	82%
C21 - I am aware of spin-off partnerships or collaborative activities or new organizations that arose as a result of the process.	67%	80%	73%
Average Rate of Agreement for all Statements	69%	90%	78%

5.3.10. Public Interest

Seventy-five percent of respondents agreed the outcome of the LRMP process served the common good or public interest. A large divide among the two tiers was evident. Fifty-seven percent of planning table respondents agreed the process served the common good or the public interest, while 100% of those who were involved in the G2G negotiation phase agreed with the statement.

Table 5.25. Level of Agreement for ‘Public Interest’ Survey Statements

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
C22 - I believe the outcome of the LRMP process served the common good or public interest.	57%	100%	75%
Average Rate of Agreement for all Statements	57%	100%	75%

5.3.11. *Understanding and Support of SDM*

Respondents overwhelmingly agree that the government should involve the public in land and resource use decisions (92%) (table 5.26). A large majority of respondents (85%) also agreed that they would get involved in a process similar to the LRMP again. While 77% of respondents stated they believed that consensus-based processes are an effective way of making land and resource use decisions, only 60% of those involved in the G2G negotiation phase of the process agreed to this statement compared to 88% of respondents involved in the planning table phase. This discrepancy can be attributed to the differences in legal rights and possible avenues available to First Nations (BATNA) toward the goal of attaining their interests as compared to non-First Nations groups in the province.

Table 5.26. *Level of Agreement for ‘Understanding and Support of SDM’ Survey Statements*

Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
C23 - I believe that consensus based processes are an effective way of making land and resource use decisions.	88%	60%	77%
C24 - The government should involve the public in land and resource use decisions.	100%	80%	92%
C25 - Knowing what I know now I would get involved in a process similar to the LRMP again.	75%	100%	85%
Average Rate of Agreement for all Statements	88%	80%	85%

5.3.12. *Affects of First Nations on Outcomes*

Eighty-three percent of respondents agreed that First Nations participation made a significant difference in the outcome of the LRMP process. While a large majority of respondents agreed that First Nations participation made a difference in the outcomes of

the process, the particular structure of First Nations participation produced significant tensions. These difficulties are discussed in Section E.

Table 5.27. Level of Agreement for ‘Affects of First Nations on Outcomes’ Survey Statements

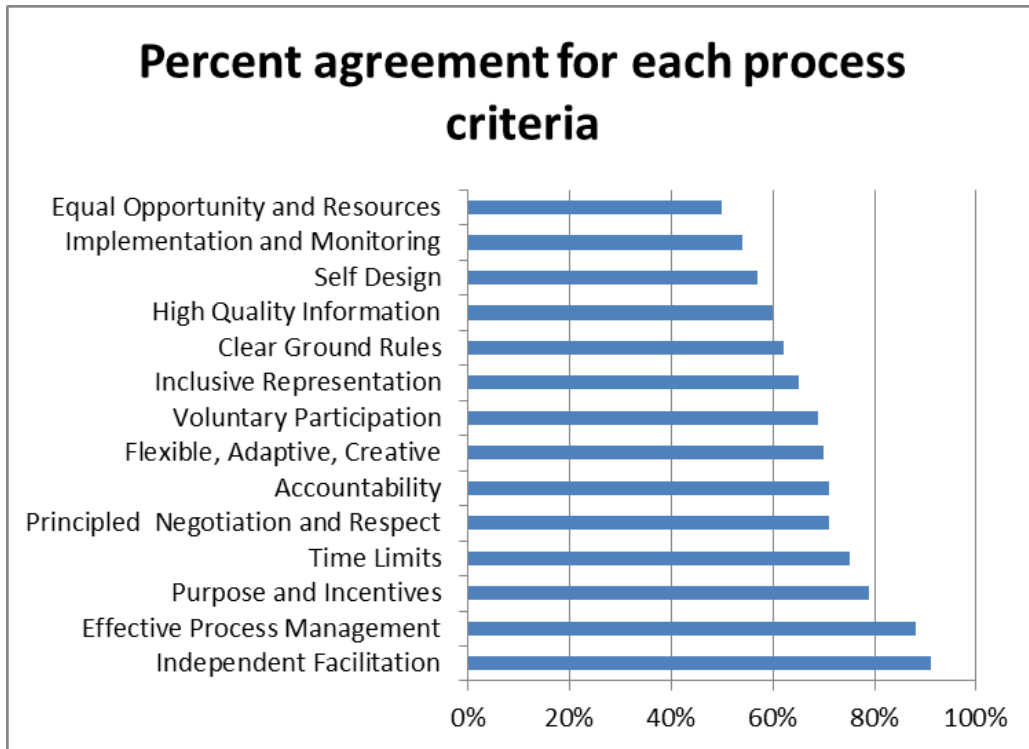
Survey Statements	Planning Table	G2G Negotiations	Aggregate Level of Agreement
C5 - First Nations participation made a significant difference in the outcome of the LRMP process.	71%	100%	83%
Average Rate of Agreement for all Statements	71%	100%	83%

5.4. Process and Outcome Criteria Summaries

5.4.1. Process Criteria Summary

The overall average for agreement on all process criteria was 69%. The scores in terms of agreement percentage are presented in ascending order (fig. 5.1).

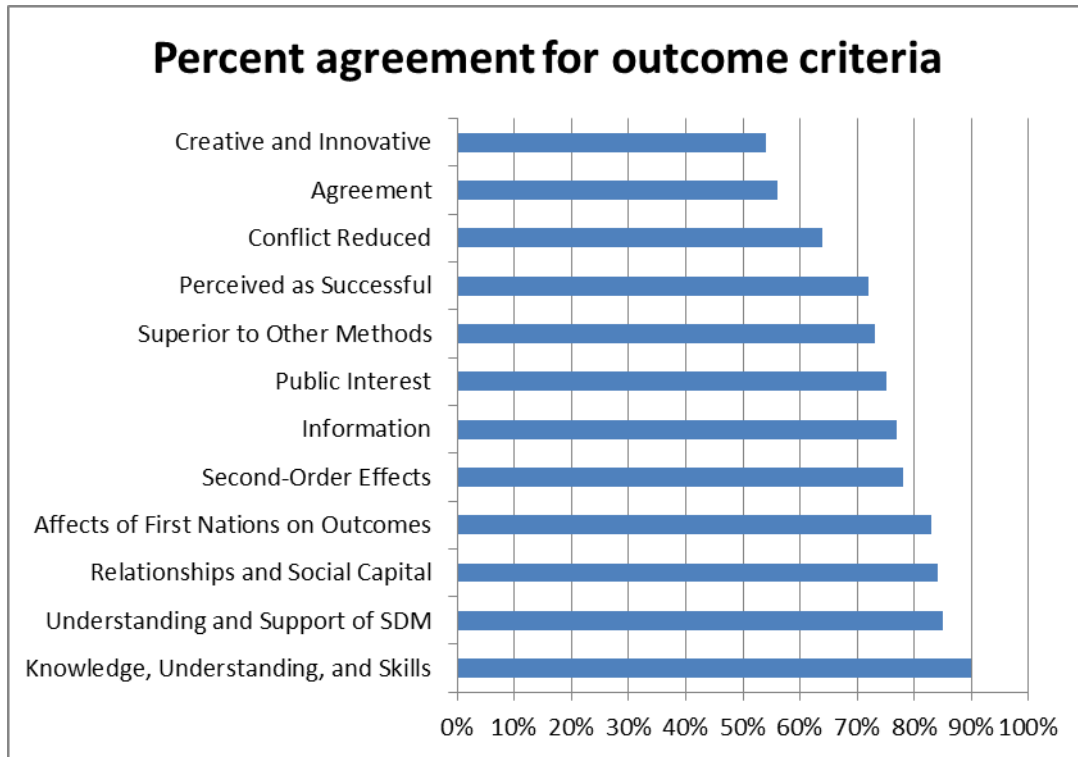
Figure 5.1. Average scores for process criteria



5.4.2. Outcome Criteria Summary

The overall average for all outcome criteria was 74%. The average scores in terms of percentage agreement are presented in ascending order (fig. 5.2).

Figure 5.2. Average scores for outcome criteria



5.5. Participant Feedback to Open-Ended Questions

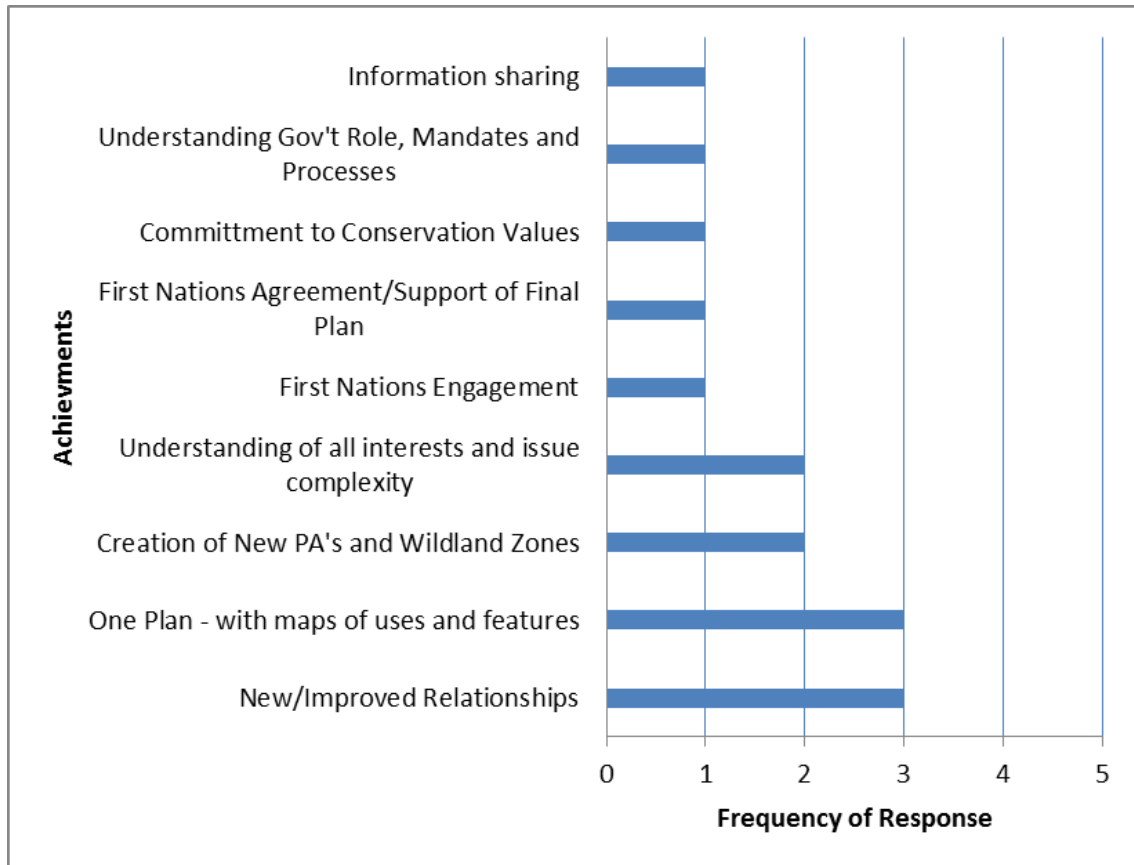
In section E of the survey, participants were given a series of nine open-ended questions. Participant responses to each question were grouped together in thematic categories.

5.5.1. Achievements

Respondents most frequently stated that the development of a single plan and the associated maps displaying resources features/uses was the most significant achievement of the process. In addition, the development of new and improved relationships among the process participants was also significant (fig. 5.3). Gaining a better understanding of the complexity of the issues involved in the land use decision-making process and the interests of the other representatives was the only other category receiving multiple responses. First Nations engagement and support for the final plan was also mentioned, along with information sharing, commitment to

conservation values, and an understanding of the government's role and mandate in the land and resource management process.

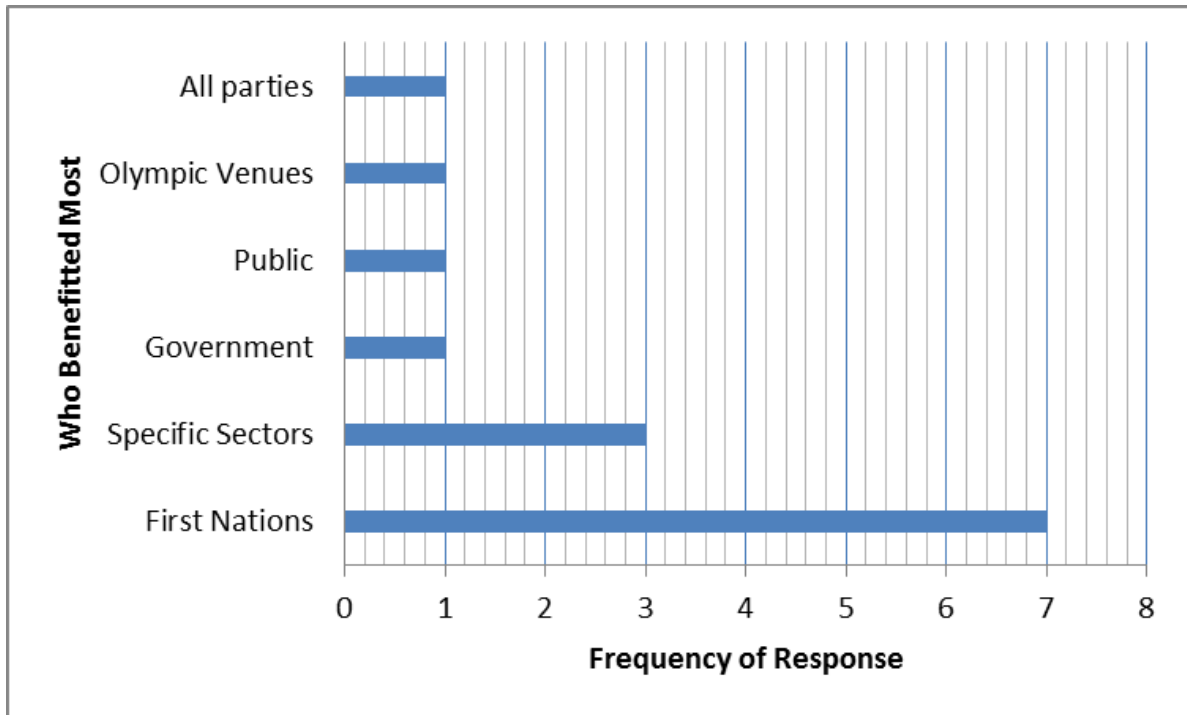
Figure 5.3. Achievements of the Sea-to-Sky Process



5.5.2. Who Benefitted?

When asked who benefitted the most from the outcomes of the planning process, seven respondents answered First Nations. A specific resource sector was mentioned twice, and the government, the public, and all parties were mentioned once. One respondent replied that the Olympic Venues, as part of the Vancouver Winter Olympic Games (2010), also gained significantly from the Sea-to-Sky LRMP process in the form that conflict in the area had been reduced through the process and therefore the likelihood certain groups protesting the games was limited.

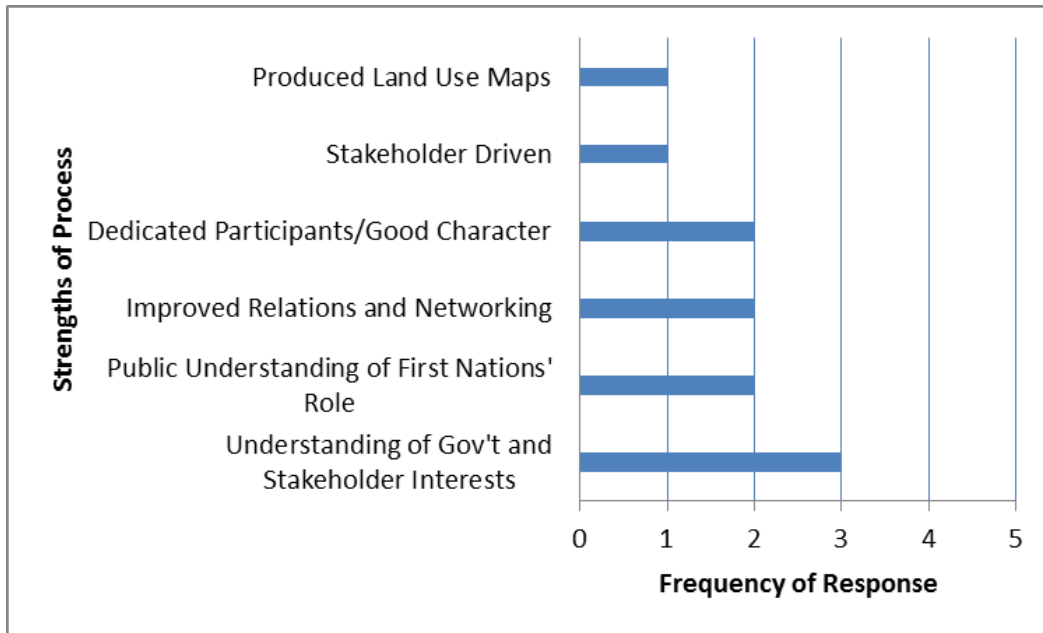
Figure 5.4. Who Benefitted Most From Outcomes of Sea-to-Sky Process?



5.5.3. Strengths and Weaknesses of Process

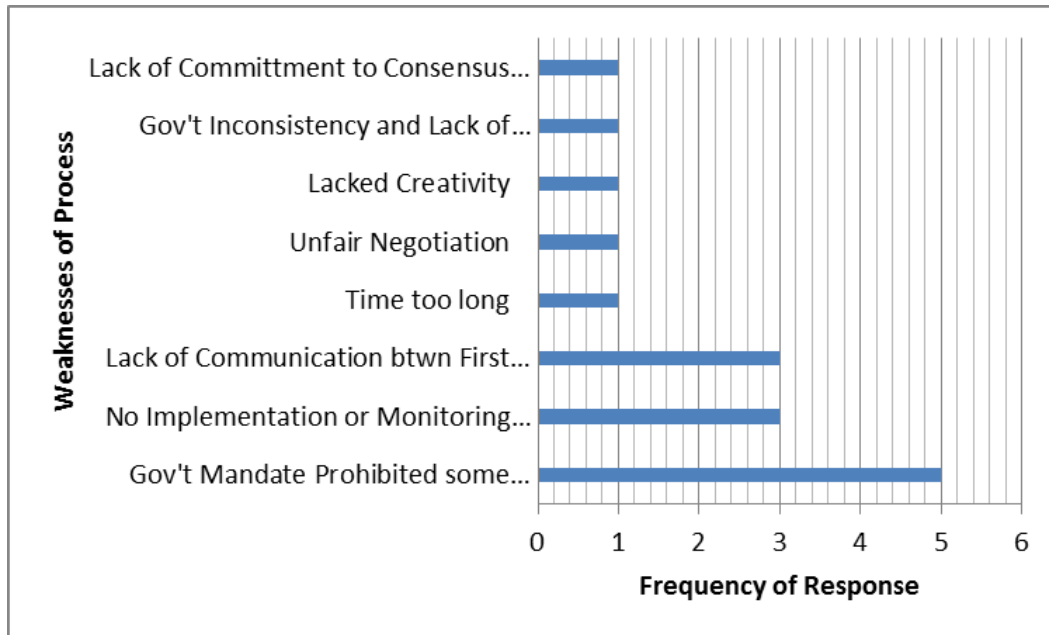
The third question of the open-ended question series asked participants to comment on the strengths and weaknesses of the planning process. The most frequently cited strengths of the process by respondents was that the process allowed the participants to gain a better understanding of the interests of both the government and the other stakeholders in the region. Less frequently cited strengths of the LRMP process include: good character and commitment of the participants; better understanding of First Nations roles in land use decision making; and improved working networks and information sharing. The least frequently cited strengths of the process were the production of land use maps and that the process was stakeholder driven.

Figure 5.5 . Strengths of the Sea-to-Sky Process



Respondents most frequently cited the restrictions of the government mandate regarding some areas of land and resource management in the region as the greatest weakness of the process. The lack of communication between the planning table and First Nations during plan development, and related to this weakness, the lack of a strong implementation and monitoring strategy were also cited as weaknesses multiple times. A number of other weaknesses were cited singularly (fig. 5.6).

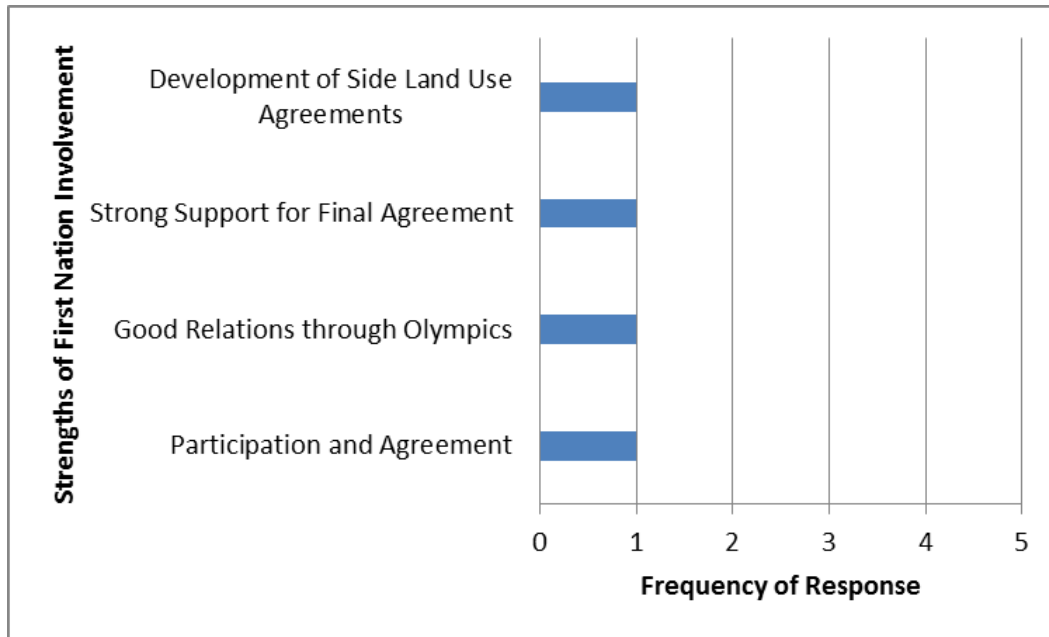
Figure 5.6. Weaknesses of the Sea-to-Sky Process



5.5.4. Strengths and Weaknesses of First Nations Participation

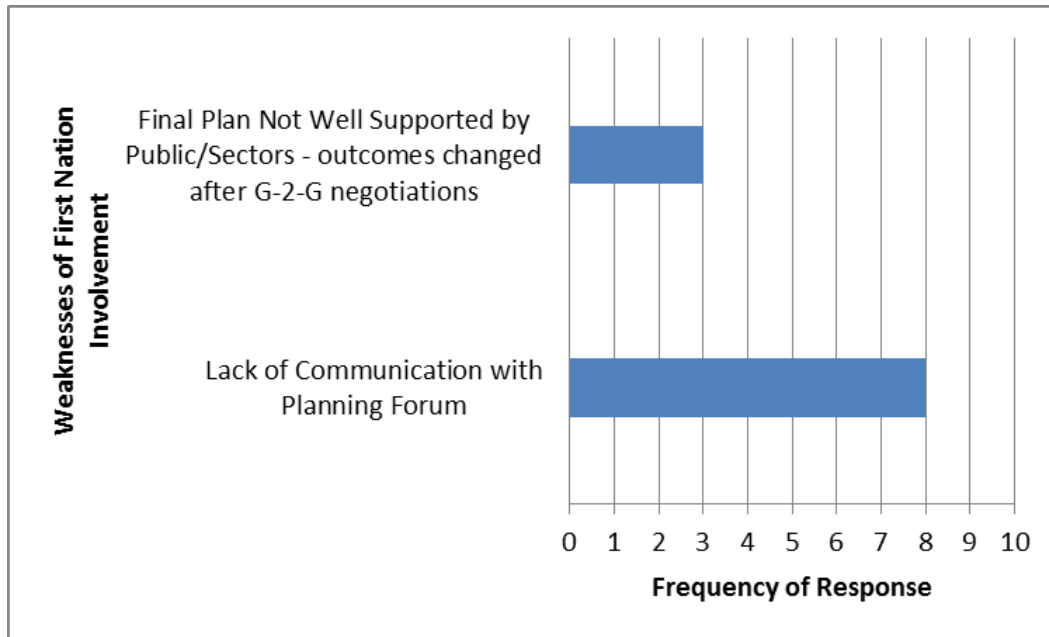
Four different strengths of First Nations participation were cited by respondents. Three of the responses may be categorized as support for an overall land use and management document that will serve as a cornerstone for future activities within the plan area. Agreement to and support for the plan by First Nations may provide the benefit of providing greater certainty for resource sectors in future development plans. The fourth response is related to an enhanced relationship between the government and First Nations concerning the hosting of a major international event in part of the plan area. Adverse media attention due to land use conflicts is not in the interest of those who are trying to enhance tourism to the area as a result of hosting a major international event.

Figure 5.7. Strengths of First Nations Participation in the Sea-to-Sky Process



When asked about the weaknesses of First Nations involvement in plan development, eight respondents cited the lack of communication with the planning table during and after the G2G negotiation phase of the process. This weakness is overwhelmingly the most cited weakness of the process and has been stressed in the responses of multiple participants from all three respective stakeholder groups. The only other weakness of First Nations participation indicated by respondents is directly derived from the structure of the two-tier process. Concern that participants of the planning table and the general public did not support the Final Agreement (2008) as much as they had the planning table recommendation package was mentioned as a weakness three times. These concerns may be attributed to several significant changes made without discussion and consent from the planning table participants during the G2G negotiation phase.

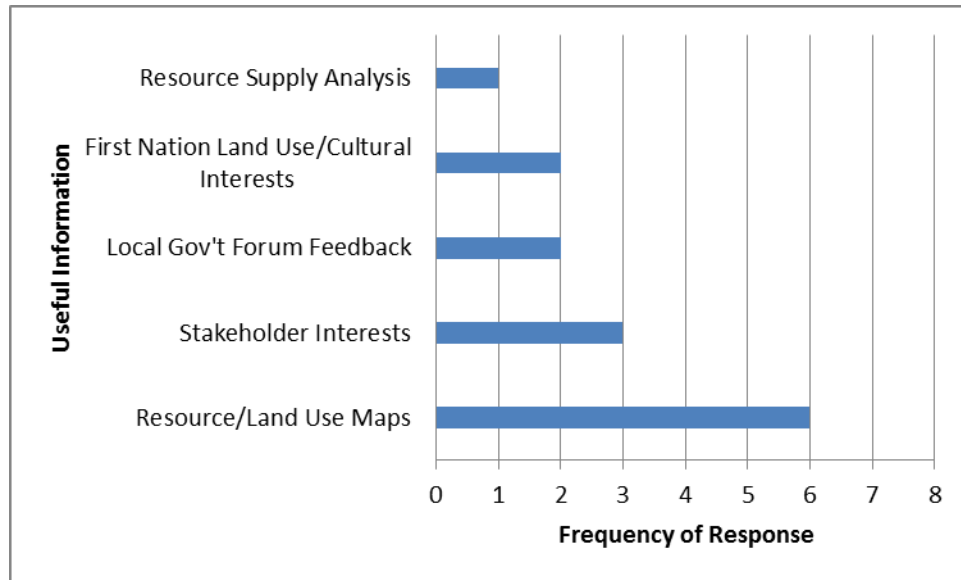
Figure 5.8. Weaknesses of First Nations Participation



5.5.5. Useful Information for Decision Making

Participants were asked to cite which information was most useful for developing the plan. The development of the resource/land use maps was the most useful information for six respondents. Information pertaining to the particular interests of other stakeholders, First Nation Land Use/Cultural interests, and feedback from the Local Government Forum was also mentioned more than once. One resource representative also stated the production of a resource supply analysis was also useful information for the decision making process.

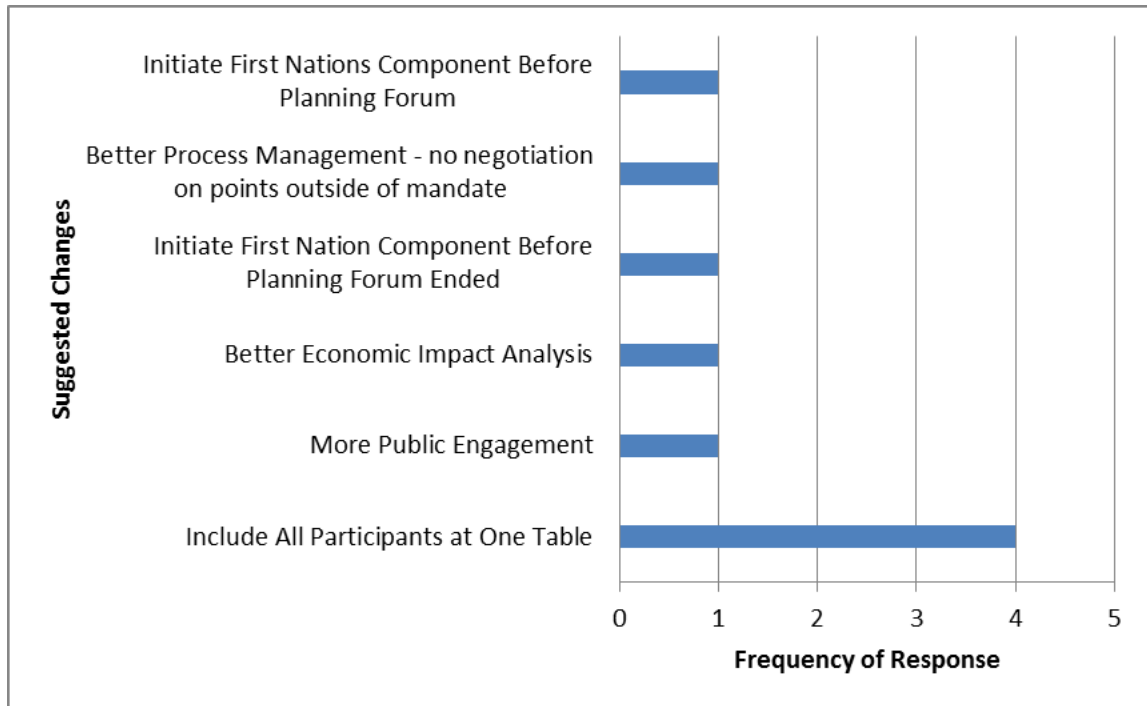
Figure 5.9. Information Useful for Decision Making



5.5.6. Recommendations for Improvement

The seventh question asked participants to provide recommendations on how the process could have been made more effective. The change cited most often as desirable pertained to the structure of the two-tier system. Stakeholders from all three groups stated they would change the process to include some form of communication between the planning table and First Nations. This recommendation for improvement was cited by six respondents, including two respondents who added their own specific recommendation for changing the structure; this is part of the most cited criticism of the process throughout this study. Other recommendations for improvement cited by respondents include: better process management (moving on from moot points); better economic analysis; and improved public engagement.

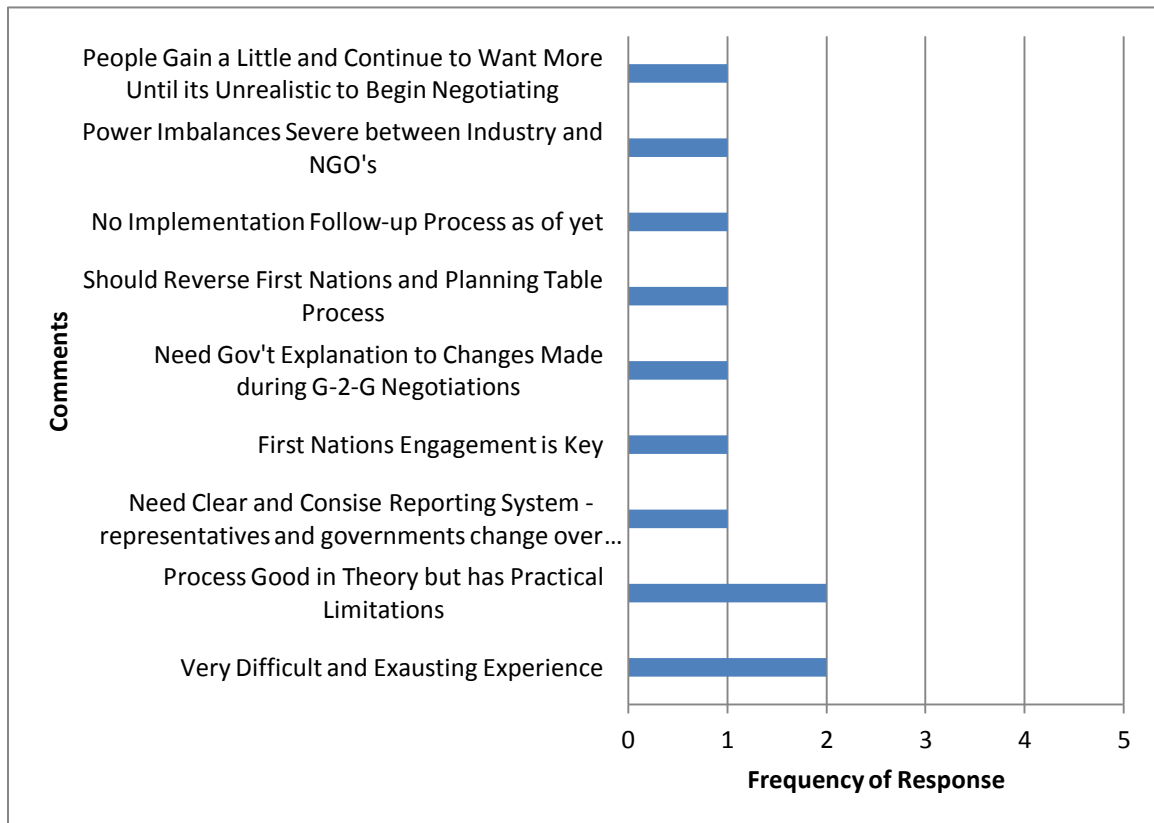
Figure 5.10. Participant Recommendations for Improvement to Sea-to-Sky Process



5.5.7. General Feedback

The final question in the open-ended question series asked participants to provide any further comments they may have about their experiences in the Sea-to-Sky LRMP planning process. Two points were mentioned by two respondents each: the process was very difficult and exhausting; and that collaborative planning processes are good in theory but have significant practical limitations. Other general feedback statements were related to a lack of debriefing for the planning table representatives explaining the changes to, and rationale for, changes made to the recommendation package during the government-to-government negotiations, and a lack of knowledge about how the plan would be implemented. The need for a detailed reporting system that would track commitments agreed to during the process was indicated as a good process management tool in the case of changing representatives. One respondent also wanted to make it very clear that effective First Nations engagement is the key to any successful land and resource planning process in the province.

Figure 5.11. General Feedback



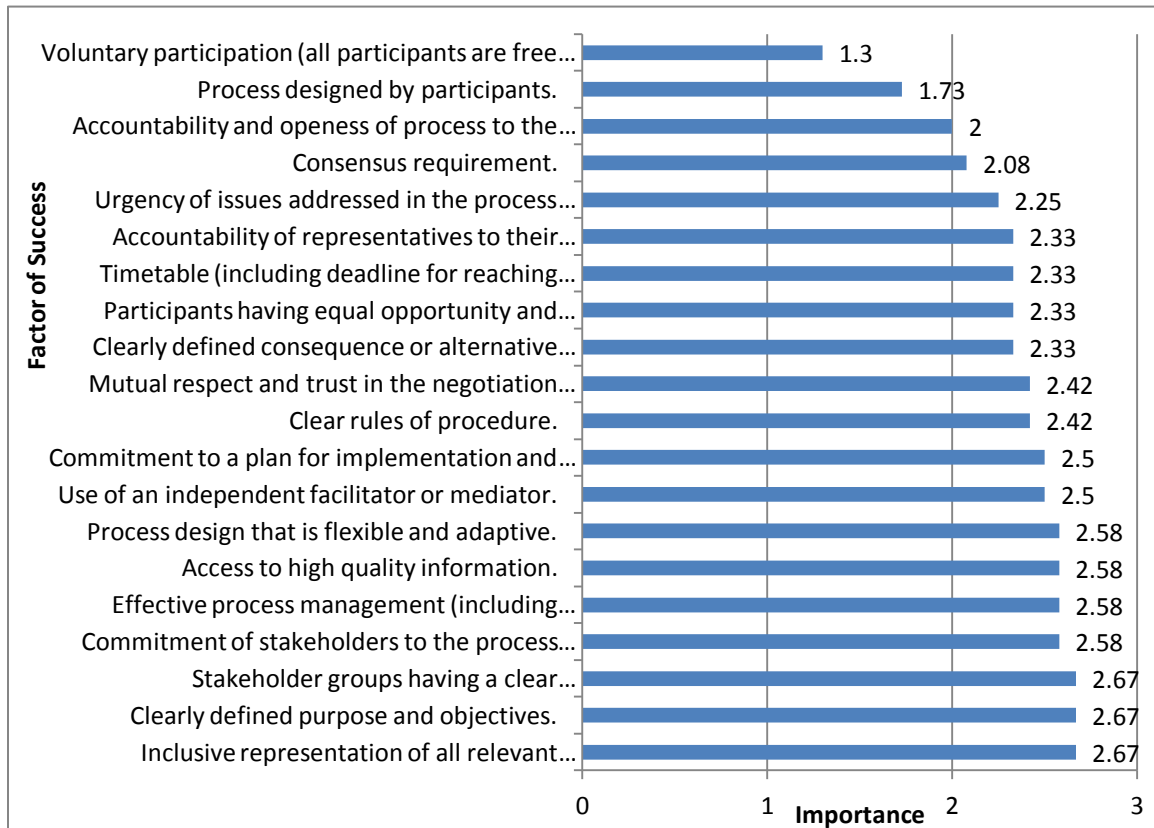
5.5.8. Features Important for a Successful Process

Participants were asked to rate a series of factors as either very important, important, somewhat important, or not important in achieving a successful process and outcome. 'Not important' was counted as 0, 'somewhat important' as 1, important as 2, and 'very important' as 3. Eighteen of the twenty factors listed in the assessment received a score of 2.0 or higher ('important' or higher), indicating that 90% of the factors were perceived to be important to a successful collaborative planning process (fig. 5.12).

Nine of the 20 factors scored 2.5 or higher out of 3, representing those factors which participants selected as *most important* in achieving a successful process and outcome. These factors include: commitment to a plan for implementation and monitoring; process design that is flexible and adaptive; access to high-quality information; stakeholder groups having a clear understanding of their own and other

stakeholder’s interests; effective process management (including deadline for reaching agreement); clearly defined purpose and objectives; commitment of stakeholders to the process because it was the best way of meeting objectives; and inclusive representation of all relevant stakeholder/interest groups.

Figure 5.12. Importance of Factors in Achieving a Successful Process and Outcome



5.6. Discussion of Process Evaluation Results

The overall agreement rate for the process criteria was 69%. A wide range of relative agreement for the individual criteria, ranging from a high of 91% for independent facilitation to 50% for equal opportunity and resources, is the most significant finding of the process criteria evaluation.

Two process criteria reached a high level of agreement, (85% and above), which are both related to the management of the process by an independent facilitator:

effective process management (88%), and independent facilitation (91%). Given the variety of interests represented at the planning table and in the government-to-government negotiations, a neutral and unbiased facilitator and LRMP staff were perceived to be a critical component of the process in their role of preparing for and running the meetings.

Six process criteria reached a relatively low level of agreement, (65% and below). Of these results, the two general themes of the structure of the process and the restrictions on the scope of the Draft Plan may be the reasons for these criteria not achieving a higher level of agreement. The structure of the First Nations participation in the LRMP process was a source of both confusion and frustration for many of the participants involved. Some planning table stakeholders stated that they were confused by the role of First Nations in the process and they were unaware of the fact that the planning table would not be consulted, or allowed the opportunity to participate in, the government-to-government tier of the plan's development. The lack of a clear understanding of the process for each of the two tiers was also stated as affecting the level of agreement for developing a comprehensive implementation and monitoring plan. First Nations, as well as some of the planning table participants, were also dissatisfied with the level of training and development of negotiation skills offered throughout the process. A pre-negotiation training session to help develop the necessary skills was offered to the planning table participants prior to formal negotiations of the Draft Plan while this same training was not offered again to First Nations as they did not participate in the first tier of the process. First Nations and government negotiators also felt restricted in the design of the second tier of the process. Therefore, the role of First Nations participation may be attributed in part to the low level of agreement for five process criteria: inclusive representation, clear ground rules, equal opportunity and resources, self design and implementation and monitoring.

All respondents agreed the use of resource overlays for producing maps were a valuable and useful source of information. However, two questions regarding the usefulness of information and the Provincial guide for protected areas in the 'high quality information' criterion received a much lower level of agreement. The planning table's mandate did not allow for the creation of additional protected areas. Therefore this criterion's low level of agreement may be attributed to this restriction.

5.7. Discussion of Outcomes Evaluation Results

Average agreement for all outcome criteria is 74%. As for the process criteria, there is a wide range of relative agreement scores for the individual criteria, (two high-level and three low-level of agreement). But the two most significant results of the outcome criteria were the variation in responses between the participants in the two respective tiers of the process, and also the criteria where the participants in two tiers of the process both had a high level of agreement.

Respondents from the second tier of the process were more supportive of the outcomes than respondents from the first tier. Three outcome criteria received 100% agreement from respondents in the government-to-government negotiations but received less than 50% agreement from the planning table representatives: agreement, conflict reduced, and superior to other methods. However, only 60% of government-to-government negotiation respondents stated agreement that consensus-based processes were an effective way of making land and resource decisions, compared to 88% of planning table respondents. The discrepancy in the responses from respondents in the two tiers of the process may be directly attributed to the design and relative mandates of the two tiers in the process, the lack of communication between these two tiers in all aspects of the process, and to the differences between the planning table stakeholders and First Nations regarding legal rights and potential avenues for pursuing their interests (BATNAs).

Two of the outcome criteria received a high level of agreement from both tiers of the process: knowledge, understanding and skills; and relationships and social capital. Both of these evaluation criteria are related to what the literature states as possibly the most important outcome of collaborative planning processes and it is important to note that participants in both tiers of the Sea-to-Sky LRMP process were in high agreement that these outcomes were achieved.

5.8. Comparison with other LRMP Evaluations

The Sea-to-Sky LRMP is part of the latter phase of LRMPs developed in the province which used a two-tier model. This model was implemented as part of the Liberal Government's *New Relationship* policy with First Nations and is characterized by an initial planning table where all stakeholder groups were invited to develop a draft plan (Tier One) and then followed by government-to-government negotiations with each First Nation participating in the LRMP process (Tier Two). The final agreement on the LRMP is the result of the province using the planning table draft plan as their starting point for negotiations with the First Nations and reaching an agreement individually with each participating First Nation. The other LRMPs using a two-tier model are: Central Coast, North Coast, Haida Gwaii, Morice, and Lillooet¹¹.

Within this cluster of LRMPs using the two-tier model there were significant variations among the individual processes. First, the Central Coast, North Coast, and Haida Gwaii LRMPs used ecosystem-based management as their guiding framework and an independent technical team to develop information for the planning table. The Morice and Sea-to-Sky LRMP processes did not incorporate either of these features in the LRMP development. Secondly, the Sea-to-Sky process is also the only LRMP in which First Nations did not participate in Tier One. Further, the Sea-to-Sky LRMP is the only process in which participating First Nations developed their own planning document exclusively used for their negotiations with the province that resulted in a Nation-specific Land Use Agreement. Despite these differences the fact that all of the LRMPs in this phase used a two-tier model is the key factor for deciding to compare the Sea-to-Sky LRMP with the other LRMPs using a two-tier model. The results from Frame's (2002) evaluation of 17 LRMPs not using the two-tier model are also included for comparative purposes.

¹¹ The Lillooet LRMP entered government-to-government negotiations post-process but the two-tier model was not originally planned.

The four LRMPs using a two-tier structure and previously evaluated in a case-study have been combined and an average agreement for each process and outcome criteria are presented in tables 5.12 and 5.13. A confidence interval at the 95% confidence level was calculated for the LRMPs in Frame (2002), the combined two-tier LRMPs, and the Sea-to-Sky LRMP. The range of values for each criterion are in parentheses.

Table 5.28. Comparison of process criteria among all LRMPs

Process Criterion	Frame's LRMPs	Four Two-Tier LRMPs	Sea to Sky LRMP
Confidence Interval at 95% Confidence Level	+/- 6%	+/- 7%	+/- 13%
Purpose and Incentives	82% (76-88)	86% (79-93)	79% (66-92)
Inclusive Representation	67% (61-73)	67% (60-74)	65% (52-78)
Voluntary Participation	73% (67-79)	78% (71-85)	69% (56-82)
Self Design	69% (63-75)	61% (54-68)	57% (44-70)
Clear Ground Rules	71% (65-77)	71% (64-78)	62% (49-75)
Equal Opportunity and Resources	56% (50-62)	61% (54-68)	50% (37-63)
Principled Negotiation and Respect	65% (59-71)	71% (64-78)	71% (58-84)
Accountability	65% (59-71)	66% (59-73)	71% (58-84)
Flexible, Adaptive, Creative	73% (67-79)	70% (63-77)	70% (57-83)
High Quality Information	63% (57-69)	60% (53-67)	64% (51-77)
Time Limits	58% (52-64)	64% (57-71)	75% (62-88)
Implementation and Monitoring	60% (54-66)	50% (43-57)	54% (41-67)
Effective Process Management	69% (63-75)	71% (64-78)	88% (75-99)

Process Criterion	Frame's LRMPs	Four Two-Tier LRMPs	Sea to Sky LRMP
Independent Facilitation	76% (70-84)	76% (69-83)	91% (78-99)
Average Agreement	68% (62-74)	68% (61-75)	69% (56-82)

Table 5.29. Comparison of outcome criteria among all LRMPs

Outcome Criterion	Frame's LRMPs	Four other two-tier LRMPs	Sea to Sky
Confidence Interval at 95% Confidence Level	+/- 6%	+/- 7%	+/- 13%
Perceived as Successful	63% (57-69)	60% (53-67)	72% (59-85)
Agreement	62% (56-68)	53% (46-60)	56% (43-69)
Conflict Reduced	55% (49-61)	56% (49-63)	64% (51-77)
Superior to Other Methods	64% (58-70)	71% (64-78)	73% (60-86)
Creative and Innovative	73% (67-79)	80% (73-87)	54% (41-67)
Knowledge, Understanding, and Skills	90% (84-96)	91% (84-98)	90% (77-99)
Relationships and Social Capital	83% (77-89)	90% (83-97)	84% (71-97)
Information	77% (71-83)	76% (69-83)	77% (64-90)
Second Order Effects	66% (60-72)	55% (48-62)	78% (65-91)
Public Interest	69% (63-75)	67% (60-74)	75% (62-88)
Understanding and Support of SDM	80% (74-86)	88% (81-95)	85% (72-98)
First Nations Participation	n/a	82% (75-89)	83% (70-96)
Total Average	71% (65-77)	72% (65-79)	74% (61-87)

There are no differences in the average scores between the Sea-to-Sky LRMP and the other two-tier LRMPs, using the range of values within the confidence interval, for any of the process criteria. Two outcome criteria did, however, result in significant differences in the creative and innovative; and second order effects categories. For the creative and innovative criteria, the Sea-to-Sky LRMP achieved significantly lower levels of agreement than the four other two-tier LRMPs while the Sea-to-Sky LRMP achieved a significantly higher level of agreement for second order effects. There were no significant differences found between the Sea-to-Sky LRMP, the four other two-tier LRMPs, and/or the LRMPs in Frame (2002) for the level agreement to the aggregate process and outcome criteria.

5.9. Overall Assessment

The Sea-to-Sky LRMP process was successful in achieving a Land and Resource Management Plan for the Sea-to-Sky region and substantive First Nations participation. The process resulted in a Final Plan (2008) document, and was unanimously perceived as successful by all First Nations and government officials who responded to the survey. First Nations and government officials also unanimously agreed that the process was a positive experience and were satisfied with the outcome. Respondents who participated in the first tier of the process also agreed the process was successful and a positive experience.

A majority of respondents were not satisfied with the outcome of the process as the resulting plan did not address the needs, concerns, and values of the respective groups they represented. The variation in levels of agreement between the respondents who participated in the first tier and those who participated in the second tier of the process is the most significant result of this study. Also important, is that only two of the twenty-six combined process and outcome criteria resulted in significant differences between the Sea-to-Sky LRMP and the four other two-tier LRMP processes.

The closed-question sections of the participant survey were disaggregated into responses from each of the two tiers of the process. This reveals that respondents from the second tier responded more favourably to some criteria used to evaluate the process. This can be explained, in part, by the two-tier design, in that the final decision making took place during government-to-government negotiations. The provincial government used the recommendations package submitted by the planning table as the basis for negotiations with First Nations. As a result of the negotiation process some land use designations recommended by the planning table were changed during the negotiations. There was no means available for the planning table representatives to modify their recommendations as a result of the decisions made during the second phase of the process.

Secondly, the difference in the structure and purpose of the two tiers may also have contributed to the less favourable perceptions of the process by the planning table respondents. The first tier of the process consisted of representatives from twelve sectors of society who had a significant interest in land use planning in the region. They had been given the mandate of reaching consensus agreement on the designation of the land base into specified zones where prevailing management of the resources would fall on the continuum of conservation-based to intensive exploitation of the resources. Given that the province had designated over 20 percent of the land base as protected areas in an earlier land use planning process for the region, the table's mandate did not include the option of designating new protected areas. Respondents to the survey representing conservation-based sectors at the planning table stated they were not in agreement with the prohibition of designating new protected areas or prohibiting certain extractive resource activities in areas surrounding existing protected areas. Representatives from extractive-based sectors stated their frustration with time spent during negotiation sessions on these moot issues as well as the increased restrictions on extractive activities due to changes made to the recommendation package as a result of government-to-government negotiations. For example, areas of cultural significance to First Nations were renegotiated as conservancies, and industrial development constrained or prohibited. Restrictions placed on the planning table's terms of reference for some parts of the land base, and subsequent changes to the recommendation package as a result of the second tier of the process, may be the crucial factors for

understanding the low level of agreement from planning table respondents that conflict was reduced and creative and innovative options for an agreement were produced. The fact that the energy sector did not sign the recommendation package and instead successfully pursued their interests outside of the process may also have affected the perceptions of the planning table respondents that means other than a collaborative process may have been superior for pursuing the interests of the group they represented.

Government-to-government negotiations in the second tier consisted of only two parties, each whom had a land use planning document, attempting to harmonize their respective interests into one document for a part of the region. Harmonizing two land use documents by two parties into one document, and knowing once an agreement is reached it will not be subsequently changed by another party, may have been significant contributors to the higher level of agreement from second-tier respondents to some of the evaluation criteria.

Two evaluation criteria for the Sea-to-Sky LRMP were significantly different from those of the other four two-tier LRMPs previously evaluated. The statement asking whether the process initiated creative and innovative ideas for action received a significantly lower level of agreement in the Sea-to-Sky LRMP evaluation than the average level of agreement for the four combined LRMPs also using a two-tier structure. Neither this result nor the fact that the second-order effects criteria received a significantly higher level of agreement in the Sea-to-Sky LRMP evaluation can be directly attributed to the unique design in which First Nations only participated in the second tier of the process.

Statements made in the open-ended questions shows that effectively engaging First Nations, and the development of one overarching land use planning document for the region, are two of the major achievements resulting from the process. Each of these two factors contributes to the goals of the province when the CORE and LRMP processes were initiated in that stakeholders in the region gain some clarity as to how and in what areas resources will be managed. Also, stakeholders gain an enhanced certainty for the future as a result of a broad range of interests supporting the agreement, including First Nations. Given that First Nations in the region are in the

process of negotiating treaty agreements with the provincial and federal governments, and that the LRMP is subject to change due to the result of treaty agreements, there remains the possibility the LRMP agreement could change significantly in the near future. However, many of the issues dealing with land use planning that may be subject to a treaty agreement will have already been negotiated and a formal agreement made between the province and the participating First Nations in the respective Land Use Agreements. So there is reason to believe changes made to the LRMP agreement will not significantly alter the land use designation and management regime put in place as a result of the LRMP process.

6. Recommendations and Conclusions

6.1. Recommendations

Adopting a second phase of LRMP development to enhance First Nations participation and meet the legal requirements of the province has generated mixed results. The development of LRMPs in British Columbia has evolved from the initial suite of processes where First Nations did not participate but instead chose to focus their limited resources on the treaty process, toward the inclusion of First Nations as a stakeholder at a planning table. Evaluations of these LRMPs revealed First Nations were not satisfied with how they participated as they do not perceive themselves as just another stakeholder. Therefore the process was amended again to include a second phase into future LRMPs where First Nations would be present at the first tier of negotiations with sector representatives and then proceed to a government-to-government negotiation process with the province. Finally, the Sea-to-Sky LRMP process was unique in that First Nations in the region did not participate in the first tier of the process but only in the second tier of government-to-government negotiations. Evaluation results from the suite of LRMPs where a two-tier process design was implemented reveals that while the benefit of enhancing First Nations participation in the process was achieved through the adoption of the second tier, the sectors represented at the multi-stakeholder tables were dissatisfied with the outcome of this new process. This dissatisfaction is a result of the lack of communication between the two tiers and subsequently the lack in capacity to affect decisions being made during government-to-government negotiations. First Nations and government negotiators in the second tier of the Sea-to-Sky LRMP, were much more satisfied with the outcomes of the process, and not participating in the first tier of the process seems to have clarified First Nations' role and enhanced their support for the process outcomes.

Evaluations of the other four two-tier LRMP processes resulted in recommendations for improving future First Nations engagement generally centred

around two issues: (1) how to more fully engage First Nations without alienating other stakeholders; and (2) the most effective time to initiate the second tier of the process. The two issues identified above are consistent with the evaluation results from the Sea-to-Sky LRMP. Therefore the recommendations below identify the value of unique institutional aspects incorporated into the Sea-to-Sky LRMP process and also address the challenges of First Nations participation in future land use planning processes in the province. In conclusion, recommendations are made concerning aspects of the collaborative planning process identified as valuable by respondents, but not specifically pertaining to First Nations engagement.

Adoption of the second tier into the latter LRMP processes was generally successful at enhancing First Nations participation. However, four two-tier processes attempted to engage First Nations by recognizing them as a stakeholder, and therefore a participant in the multi-stakeholder table, and as a political entity with special rights at the government-to-government negotiation table. The dual-nature of First Nations participation resulted in confusion as to the role of First Nations in the overall process. Therefore, a series of suggestions follow to clarify this issue.

Recommendation 1. Clearly define First Nations as either a stakeholder or a government with special rights before the training session for the multi-stakeholder table begins.

Recommendation 2. When First Nations participation is restricted to the second tier of government-to-government negotiations, purposely design and acknowledge the fact that the process is not a truly collaborative planning model but a hybrid model where the principles of collaborative planning are used only in the first tier of multi-stakeholder negotiations. Conversely, the second tier of government-to-government negotiations is fundamentally different.

Recommendation 3. Encourage First Nations to develop a nation-specific land use planning document for their claimed territory as a basis for negotiations and to sign an agreement with the province.

Recommendation 4. Before the province formally announces the outcome of second-tier discussions, it should consult with and ask for comments from

representatives of the first tier. Substantive changes made during the government-to-government negotiations should be explained, and any outstanding issues resolved, prior to signing a formal agreement with the respective First Nation. First Nations should also be given the opportunity to attend these meetings if they wish to do so. Each of these recommendations is discussed in more detail below.

A) *Clearly define First Nations role in the process.*

All five two-tier LRMP process evaluations showed that First Nations participation is a crucial factor in achieving success. Ambiguities in the role of First Nations in the two-tiered process design however, were a significant obstacle for a successful process and resulted in some participants stating they were both confused and dissatisfied with how First Nations engaged in the planning process. If First Nations are recognized as a stakeholder like other sectors of civil society then their role should be defined as such, and a second tier of government-to-government negotiations should not be incorporated into the process design. If on the other hand, First Nations are defined as a separate political entity with special rights to parts of the land base then this special status should be formally acknowledged and the second tier of government-to-government negotiations included in the process design from the beginning. A decision as to the role of First Nations, through consultation with relevant First Nations, and the resulting process design should be adopted prior to selection of interests to be included in tier one.

B) *When a second tier is adopted in the process design, the province should clearly state and ensure all participants understand that this is a hybrid-collaborative planning model.*

Challenges found in a process where the role of a major participant is unclear are also found when the nature of the process, and most importantly the final decision making process, is also unclear. The earliest suite of CORE and LRMP processes used the principles of collaborative planning and shared decision-making through a single multi-stakeholder process design to achieve a consensus agreement. When the LRMP processes began adopting a second tier, the role of First Nations in decision making changed. In the LRMPs where First Nations participated at both tables the principles of

collaborative planning only fit part of the new reality. When First Nations only participated in government-to-government negotiations in the Sea-to-Sky LRMP it is clear that defining the process as a hybrid-model would be a more accurate characterization. The principles of collaborative planning, namely interest-based face-to-face negotiations, are utilized in both tiers but decision making power ultimately lies in the second tier. The first tier has a significant influence on the structure of decision making as the recommendation package submitted to the province forms the basis of defining the provincial interests in land use in the region. But the differences between this design, and the one-tier model, should be clearly established and understood by all involved.

C) *Encourage First Nations to develop a Land Use planning document and sign a Land Use Agreement with the Province.*

A recommendation made in the North Coast LRMP evaluation, was for First Nations to develop a Land Use plan prior to the initiation of the first tier of negotiations as a means for defining First Nation interests in the region (McGee 2006). The benefit of First Nations having a clear understanding of their own interests in the plan area achieved through the development of such a document has the potential to enhance the efficacy of the process. In effect, each sector representative reveals their specific interests in the plan area. Similar benefits of First Nations developing a nation-specific land use plan for use in government-to-government negotiations should also be achieved.

First Nations participating in the Sea-to-Sky LRMP process developed a land use plan for their claimed territory in the plan area which was used as the basis for negotiations with the province. The province also had a draft land use plan used for negotiations, and the result of harmonizing these agreements was Nation-specific Land Use Agreements. Harmonization of the respective documents was the purpose of government-to-government negotiations. This process can be valuable to the process as shown by the relatively short time it took from the beginning of the respective government-to-government negotiations until a formal agreement was signed. Therefore, it is also recommended that the second tier of the process does not start until

the first tier has submitted their recommendations to the province and First Nations have developed a nation-specific land use planning document.

D) In a two-tier model, the province should formally consult with tier one stakeholders prior to signing an agreement with First Nations.

A significant cause of dissatisfaction among sector representatives in the two-tier LRMP evaluations was a lack of communication with, and formal capacity to influence decisions of, actors in the second tier of government-to-government negotiations. A first step would be to clearly define the structure of the process and the role of First Nations. In a two-tier process there are significant differences in how decisions are made compared to one-tier processes. These differences must be clearly stated prior to initiating any form of negotiations. However, implementing a formal consultation period near the end of tier two negotiations between the province and sector representatives from tier one, where changes to the recommendation package would be explained and comments from sector representatives would be acknowledged, could mitigate some of the dissatisfaction among participants from the multi-stakeholder table. The respective First Nation should also be invited to the formal meeting to provide further explanation, or to receive information about the interests of the sectors. This consultation period should not be viewed as revisiting agreements made and submitted in the recommendation package, or rehashing old disputes that could not be resolved, but rather as a means for providing a rationale to the planning table representatives as to what changes were made and why land use designations and management styles were modified as a result of the government-to-government negotiations.

This may also be an opportunity when an implementation and monitoring plan is either fully developed or explained. It does not seem appropriate to have stakeholders from the first tier submit a well-developed implementation and monitoring plan before the province negotiates with First Nations and a final plan is near completion. This may also be a good opportunity for planning table stakeholders and First Nations to work together and produce some form of formal relationship moving forward.

Two other recommendations not directly pertaining to the structure of the process, or First Nations participation, are listed below:

- Continue using resource overlays as a means for mapping stakeholder interests in the plan area. This tool was mentioned as the most valuable source of information produced in the Sea-to-Sky LRMP and was also cited as a benefit of the process in other LRMP evaluations.
- Continue using a multi-criteria evaluation framework for collaborative planning processes. Social capital benefits were also a key factor in the success of the Sea-to-Sky LRMP.

6.2. Conclusions

Development of a single land use plan for the Sea-to-Sky region, which is supported by First Nations in the plan area, is a great achievement. Evaluation results presented in this study support claimed outcome benefits of collaborative planning. The creation of social, political, and human capital, second-order effects, better relationships among participants, and increased skills and knowledge and understanding of the region generated the highest level of agreement. However, when the survey responses were disaggregated into respondents from each of the two tiers of the process, the results indicate varying levels of support. These include conflict reduced, perceiving the final agreement as successful, and meeting the interests of the respective sectors. Respondents who participated in the multi-stakeholder planning table were less enthusiastic about the planning outcomes.

Adapting a collaborative planning structure in the later suite of LRMPs in the province to include a second tier of government-to-government negotiations generated mixed results. Implementing a second tier was meant to address the lack of First Nations participation in the earlier regional planning processes, and to meet the province's legal requirements of accommodating First Nations in the land use planning domain. It was successful in achieving these objectives. The special position of First Nations in British Columbia has been increasingly defined and protected through contemporary legal decisions, as a result of the lack of signed treaties covering the vast majority of the land base. But as in the rest of the Canadian provinces, these changes have generated many questions surrounding the status of First Nations in land use planning decision making.

Generally, First Nations view themselves as self-governing political entities and not just a single stakeholder who deserve to negotiate land use issues on a government-to-government basis with the provincial and federal governments. This view is not shared by many of the survey respondents who participated in the multi-stakeholder planning tables of two-tiered LRMP processes. While the province met its objective of enhancing First Nations participation, other stakeholders were dissatisfied with the increased decision making power of First Nations. Dissatisfaction by sector representatives in the two-tier processes, holding the perception that real decision making was removed from the planning table and transferred to government-to-government negotiations, is a result all two-tier processes evaluated and not just in the Sea-to-Sky LRMP evaluation. Therefore, First Nations participation in the first-tier of a two-tiered process does not unequivocally increase stakeholder satisfaction with the process as long as the final decision making is perceived to occur in a separate process in which sector representatives are excluded. Confusion surrounding the role, and the legitimacy of that role, of First Nations in the two-tiered LRMP processes was a major impediment to achieving a higher level of support for the evaluated LRMPs.

Comparing results from the Sea-to-Sky LRMP evaluation with those of other two-tiered processes did not reveal significant differences in support for shared decision-making processes or perceptions of success in the outcomes when all responses were averaged together. However, only the Sea-to-Sky evaluation disaggregated responses based on what tier of the process respondents participated in. These results showed divergence in the level of agreement for some of the evaluation criteria. Therefore, the results could not be compared at this level of analysis and disaggregating responses into the different process levels may be a good practice for future evaluations.

The Sea-to-Sky LMRP may be a precursor for future land use planning processes in the province. The trend toward First Nations entering the treaty process in essence enhances clarity toward defining territorial boundaries, the role of First Nations, and decision making authority for resource management in the province. Clearly defining legal and political rights of First Nations in the province may mitigate some of the uncertainty and dissatisfaction of multi-stakeholder representatives and First Nations with the two-tier process design. After treaties are agreed to in the province, only a two-tiered process where the province generates their interests in the land from a multi-

stakeholder process and First Nations define their interests for their treaty lands in a nation-specific land use planning process, will work if collaborative planning principles are to be used. Recommendation number (d) in the previous section should mitigate some of the concerns stated by respondents to the survey of a lack of communication between the two tiers of the process and the lack of power to affect changes made perceived by planning table respondents during government-to-government negotiations. The effect of a treaty may be a crucial component of generating more support for future collaborative planning processes in the province as it would clearly define roles of the various participants. A treaty would also be a significant variable for comparing future evaluation results of treaty and non-treaty land use planning processes.

Overall, results of this case study suggest that CP is a valuable tool for developing strategic land and resource management plans for a large area which is characterized by a diverse geophysical landscape and a significant degree of conflict. The Final Plan (2008) is the result of a six-year process and was one of the final LRMPs completed in the province. Although a consensus was not reached for all aspects of the recommendation package, a final report was given to the provincial government that served as the basis for the province's specific interests during the government-to-government negotiation phase of the Plan's development. Given the high degree of conflict among sector representatives, agreement on some, if not all, of the issues within the recommendation package should be considered a success. There was also a concern among some participants that conflict in the region over land and resource issues could be the source of protest by some stakeholder groups during the 2010 Olympic Winter Games. Fortunately, there were no land and resource issues related protests that received media attention during the Games. The lack of protests cannot be solely attributed to the development of the LRMP using a CP process but it may be reasonable to infer that at least a small portion of the energy that could have gone toward a public protest was channelled into a formal means for resolving disputes collaboratively at the planning tables.

Adoption of a two-tiered planning process in order to meet the government's legal and political objectives of increasing First Nations participation was successful in this regard and should continue in the future in both a pre and post-treaty era. However,

the pre-treaty era is unique in Canada to the province of British Columbia and small areas of other provinces. Most other jurisdictions in Canada, and globally, do not have a segment of the population with special political and legal rights to the land, and where those rights are not clearly defined and territorial boundaries established. As ambiguity in the role of First Nations in the two-tiered LRMP processes affected the level and substance of support for collaborative planning, caution should be used if adopting or comparing these results in other jurisdictions where the role of all participants are more clearly defined.

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Appendices

Appendix A. Sea-to-Sky LRMP Survey

The purpose of the following survey is to assess the strengths and weaknesses of the LRMP process in BC. The alternative dispute-resolution experience in BC provides an excellent opportunity to evaluate shared decision-making because it is one of the few jurisdictions where these approaches have been implemented in a systematic way. The findings will contribute to improving the land use planning process in British Columbia.

This is an anonymous and voluntary survey. Your responses are confidential and cannot be linked to your identity or to any other information about you.

PART A: YOUR PARTICIPATION IN THE PROCESS

Please mark an 'x' in the box whether you strongly agree (SA), somewhat agree (SWA), somewhat disagree (SWD) or strongly disagree (SD) with the following statements. Check the not applicable (NA) box if the question does not apply to you.

<i>To what extent do you agree or disagree with each of the following statements about the LRMP process you participated in?</i>	SA	SWA	SWD	SD	NA
1. I became involved in the process because I/my organization felt it was the best way to achieve our goals/ with respect to land use planning.					
2. I had clear goals in mind when I first became involved in the LRMP process.					
3. I was fully committed to making the process work.					
4. I was involved in the design of the LRMP <i>process</i> (i.e. ground rules, roles, procedures).					
5. On an ongoing basis, I was able to influence the <i>process</i> used in the LRMP.					
6. I had or received sufficient training to participate effectively.					
7. I had or received sufficient funding to participate effectively.					
8. My participation made a difference in the outcomes of the LRMP process.					
9. Due to constraints of the process, I was unable to effectively communicate with and gain support from my constituency.					
10. The process helped to ensure I was accountable to the constituency I was representing.					
11. The organization/sector/group I represented provided me with clear direction throughout the process.					

PART B: THE LRMP PROCESS

Please check whether you strongly agree (SA), somewhat agree (SWA), somewhat disagree (SWD) or strongly disagree (SD) with the following statements. Check the not applicable (NA) box if the question does not apply to you.

<i>To what extent do you agree or disagree with each of the following statements about the LRMP process you participated in?</i>	SA	SWA	SWD	SD	NA
1. All appropriate interests or values were represented in the process.					
2. There were significant differences in values among participants.					
3. All government agencies that needed to be involved were adequately represented.					
4. All participants were committed to making the process work.					
5. The process participants collectively identified and agreed upon clear goals and objectives.					
6. Participant roles were clearly defined.					
7. First Nations roles were clearly defined.					
8. I am satisfied with the way First Nations were involved in the process.					
9. The procedural ground rules were clearly defined.					
10. Stakeholders had a clear understanding that if no consensus was reached, the provincial government would make the decisions.					
11. All interests/perspectives had equal influence at the LRMP table.					
12. The process reduced power imbalances among participants.					
13. The process encouraged open communication about participants' interests					
14. All participants demonstrated a clear understanding of the different stakeholder interests around the table.					
15. The process was hindered by a lack of communication and negotiation skills.					
16. The process generated trust among participants.					
17. The process fostered teamwork.					
18. Generally, the representatives at the table were accountable to their constituencies.					
19. The process had an effective strategy for communicating with the broader public.					
20. The process was effective in representing the interests of the broader public.					
21. The process was flexible enough to be adaptive to new information or changing circumstances.					
22. Participants were given the opportunity to periodically assess the process and make adjustments as needed.					
23. The process had a detailed project plan (for the negotiation process) including clear milestones.					

<i>To what extent do you agree or disagree with each of the following statements about the LRMP process you participated in?</i>	SA	SWA	SWD	SD	NA
24. Deadlines during the process were helpful in moving the process along.					
25. The time allotted to the process was realistic.					
26. The issues we were dealing with in the LRMP process were significant problems requiring timely resolution.					
27. The process was hindered by lack of structure.					
28. Process staff acted in a neutral and unbiased manner.					
29. The agency responsible for managing the LRMP process acted in a neutral and unbiased manner.					
30. Process staff (including facilitator(s) if used) were skilled in running meetings.					
31. The presence of an independent facilitator/mediator improved process effectiveness.					
32. The independent facilitator/mediator acted in an unbiased manner.					
33. The process lacked adequate high-quality information for effective decision-making.					
34. The setting of the provincial guide of 12% Protected Areas was helpful to reaching consensus.					
35. The process was well prepared with the information needed to accommodate protected areas within the LRMP.					
36. The overlay of resource values on maps was a useful technique for evaluating land use options.					
37. The multiple accounts method was a useful way of evaluating land use options.					
38. The table developed a clear strategy for plan implementation.					
39. At the end of the process, the table participants shared a strong commitment to plan implementation.					

PART C: THE OUTCOMES OF THE PROCESS

Please check whether you strongly agree (SA), somewhat agree (SWA), somewhat disagree (SWD) or strongly disagree (SD) with the following statements. Check the not applicable (NA) box if the question does not apply to you.

<i>To what extent do you agree or disagree with each of the following statements about the outcomes of the LRMP process you participated in?</i>	SA	SWA	SWD	SD	NA
1. The LRMP process I participated in was a success.					
2. The LRMP process was a positive experience.					
3. I am satisfied with the outcome of the process.					
4. The resulting plan addressed the needs, concerns, and values, of the group I represented.					

<i>To what extent do you agree or disagree with each of the following statements about the outcomes of the LRMP process you participated in?</i>	SA	SWA	SWD	SD	NA
5. First Nations participation made a significant difference in the outcome of the LRMP process.					
6. As a result of the LRMP process, conflict over land use in the area has decreased.					
7. The LRMP process was the best way of developing a land use plan.					
8. I/my organizations' interests have been accommodated better through the LRMP process than they would have been through other means.					
9. The planning process produced creative ideas for action.					
10. As a result of the process, I have a good understanding of the interests of other participants.					
11. As a result of the process, I now have a better understanding of how government works with respect to land and resource management.					
12. As a result of the process, I have a better understanding of my region.					
13. I gained new or improved skills as a result of my involvement in the process.					
14. The relationships among table members improved over the course of the process.					
15. I have better working relationships with other parties involved in land use planning as a result of the LRMP process.					
16. Contacts I acquired through my participation in the LRMP process are useful to me and/or my sector/organization					
17. The LRMP process produced information that has been understood and accepted by all participants.					
18. Information acquired through my participation in the LRMP process is useful to me and/or my sector/organization					
19. I have used information generated through the LRMP process for purposes outside of the process.					
20. I have seen changes in behaviours and actions as a result of the process.					
21. I am aware of spin-off partnerships or collaborative activities or new organizations that arose as a result of the process.					
22. I believe the outcome of the LRMP process served the common good or public interest.					
23. I believe that consensus based processes are an effective way of making land and resource use decisions.					
24. The government should involve the public in land and resource use decisions.					
25. Knowing what I know now I would get involved in a process similar to the LRMP again.					

PART D: CRITERIA FOR SUCCESS

Please check very important (VI), important (I), somewhat important (SI), not important (NI) or not applicable (NA).

<i>Based on your experience of having participated in a consensus-based, shared decision-making process, how important is each of the following factors in achieving a successful process and outcome?</i>	VI	I	SI	NI	NA
Inclusive representation of all relevant stakeholder/interest groups					
Voluntary participation (all participants are free to leave at any time or pursue other avenues if agreement not reached)					
Commitment of stakeholders to the process because it was the best way of meeting objectives					
Clearly defined purpose and objectives					
Consensus requirement					
Clearly defined consequence or alternative outcome if consensus not reached (e.g. knowing the provincial government would make the decisions if no consensus reached)					
Urgency of issues addressed in the process providing incentive to reach agreement					
Process designed by participants					
Clear rules of procedure					
Participants having equal opportunity and resources (skills, resources, money, support)					
Mutual respect and trust in the negotiation process					
Effective process management (including process coordinator/staff)					
Timetable (including deadline for reaching agreement)					
Use of an independent facilitator or mediator					
Stakeholder groups having a clear understanding of their own and other stakeholders' interests					
Accountability of representatives to their constituencies					
Accountability and openness of process to the public					
Access to high-quality information					
Process design that is flexible and adaptive					
Commitment to a plan for implementation and monitoring					

PART E: GENERAL QUESTIONS

Please answer the following questions.

1. What were the most significant achievements of the planning process?

2. Who benefited most from the outcomes of the planning process?

3. Comment on the strengths and weaknesses of the planning process?

4. Comment on the strengths and weaknesses of using ecosystem-based management to guide plan development.

5. Comment on the strengths and weaknesses of First Nations involvement in plan development.

6. What information was most useful for developing the plan?

7. The process could have been more effective by making the following changes:

8. Do you have any other comments about the LRMP process you participated in?

Thank you very much for taking the time to fill out this survey. Please contact me if you have any questions. Please read through the consent form on the next page and mark an 'x' in the consent box to indicate your consent to use this survey in our research. This survey can be returned via e-mail to : [REDACTED]

Sincerely,
Adam Kennedy
Masters Candidate
Resource and Environmental Planning Program



Informed Consent by Participants in a Research Study

The University and those conducting this research study subscribe to the ethical conduct of research and to the protection at all times of the interests, comfort, and safety of participants. This research is being conducted under permission of the Simon Fraser Research Ethics Board. The chief concern of the Board is for the health, safety and psychological well-being of research participants. Should you wish to obtain information about your rights as a participant in research, or about the responsibilities of researchers, or if you have any questions, concerns or complaints about the manner in which you were treated in this study, please contact the Director, Office of Research Ethics by email at [REDACTED] or phone at 778-782-6593.

Having been asked to participate in the research study named above, I certify that I have read the procedures specified in the Study Information Document describing the study. I understand the procedures to be used in this study and the personal risks to me in taking part in the study as described below:

Purpose and goals of this study:

The purpose is to evaluate the effectiveness of collaborative planning in creating a land and resource management plan for the Sea-to-Sky plan area. A second purpose of this research is to determine if certain specific innovations in the Sea-to-Sky LRMP process were successful in addressing the deficiencies of previous collaborative planning efforts in British Columbia.

What the participants will be required to do:

The participants are sent a survey pertaining to their experiences at the Sea-to-Sky LRMP planning table. **Participants will be required to sign the consent form, fill out the survey, and email both documents back to the researcher.**

Risks to the participant, third parties or society:

The survey is anonymous and voluntary. The responses are confidential and cannot be linked to an individual's identity or to any other information about them. I perceive no risk to the participants of the study. Please note that we have not applied directly to any affected First Nation or employers of table participants for consent to conduct this survey.

Statement of confidentiality:

The data of this study will maintain confidentiality of your name and the contributions you have made to the extent allowed by the law. **Your responses will be kept strictly confidential.**

Inclusion of names of participants in reports of the study:

Names of participants of the Sea-to-Sky LRMP roundtable may be used within the report, in that the table structure and the interests that were represented at the table will be discussed. However, individual responses to the survey will be kept strictly confidential.

Survey results will be reported in aggregate form with no information that could be used to identify individual responses.

Contact of participants at a future time or use of the data in other studies:

This is part of a multi-year research project to evaluate the LRMP process in British Columbia. As such, results of this survey may be used in future research projects pertaining to the LRMP process in British Columbia.

I understand that I may withdraw my participation at any time. I also understand that I may register any complaint with the Director of the Office of Research Ethics at Simon Fraser University.

I may obtain copies of the results of this study, upon its completion by contacting:
Adam Kennedy (principle investigator)

Phone: [REDACTED]

Email: [REDACTED]

I understand the risks and contributions of my participation in this study and agree to participate

The participant shall fill in this area. Please mark an 'x' in the box below to indicate consent:

I consent to the use of my survey data in this study and agree to participate

Participant Last Name:

First Name

Participant Contact Information:

Date:

Can we contact you at a future time / use data in other studies:

Appendix B: Survey Results

A. Process Criteria	SA	SWA	SWD	SD	NA	Agree	Not Agree
Purpose and Incentives							
1. I became involved in the process because I/my organization felt it was the best way to achieve our goals / with respect to land use planning.	7	5	0	0	1	100	0
2. The issues we were dealing with in the LRMP process were significant problems requiring timely resolution.	5	6	1	0	1	92	8
3. Stakeholders had a clear understanding that if no consensus was reached, the provincial government would make the decisions.	4	3	2	3	1	58	42
4. I had clear goals in mind when I first became involved in the LRMP process.	4	4	4	1	0	62	38
5. The process participants collectively identified and agreed upon clear goals and objectives.	3	4	1	2	3	70	30
Inclusive Representation							
6. All appropriate interests or values were represented in the process.	2	6	1	3	1	67	33
7. All government agencies that needed to be involved were adequately represented.	1	8	2	1	1	75	25
Voluntary Participation and Commitment							
8. I was fully committed to making the process work.	10	3	0	0	0	100	0
9. All participants were committed to making the process work.	4	1	6	2	0	38	62
Self-design							
10. I was involved in the design of the LRMP process (i.e. ground rules, roles, procedures).	5	0	3	2	3	50	50
11. On an ongoing basis, I was able to influence the process used in the LRMP.	0	7	4	0	2	64	36
Clear Ground Rules							
12. Participant roles were clearly defined.	1	7	3	1	1	67	33
13. The procedural ground rules were clearly defined.	2	4	3	1	3	60	40

A. Process Criteria	SA	SWA	SWD	SD	NA	Agree	Not Agree
Equal Opportunity and Resources							
14. I had or received sufficient training to participate effectively.	2	3	3	2	3	50	50
15. I had or received sufficient funding to participate effectively.	4	2	4	1	2	55	45
16. All interests/perspectives had equal influence at the LRMP table.	1	2	7	1	2	27	73
17. The process reduced power imbalances among participants.	1	3	7	1	1	33	67
18. My participation made a difference in the outcomes of the LRMP process.	4	6	0	2	1	83	17
Principled Negotiation and Respect							
19. The process encouraged open communication about participants' interests.	4	7	0	1	1	92	8
20. All participants demonstrated a clear understanding of the different stakeholder interests around the table.	1	7	4	0	1	67	33
21. The process generated trust among participants.	4	4	2	2	1	67	33
22. The process fostered teamwork.	4	4	3	1	1	67	33
23. The process was hindered by a lack of communication and negotiation skills.	0	4	4	3	2	36	64
Accountability							
24. Due to constraints of the process, I was unable to effectively communicate with and gain support from my constituency.	0	2	2	5	4	22	78
25. The organization /sector/ group I represented provided me with clear direction throughout the process.	1	5	1	2	4	67	33
26. Generally, the representatives at the table were accountable to their constituencies.	4	7	0	0	2	100	0
27. The process helped to ensure I was accountable to the constituency I was representing.	1	4	3	2	3	50	50
28. The process had an effective strategy for communicating with the broader public.	4	3	4	0	2	64	36

A. Process Criteria	SA	SWA	SWD	SD	NA	Agree	Not Agree
29. The process was effective in representing the interests of the broader public.	0	7	3	1	2	64	36
Flexible, Adaptive, Creative							
30. The process was flexible enough to be adaptive to new information or changing circumstances.	1	8	2	1	1	75	25
31. Participants were given the opportunity to periodically assess the process and make adjustments as needed.	0	7	2	1	3	64	36
High Quality Information							
32. The process lacked adequate high quality information for effective decision making.	0	5	5	1	2	45	55
33. The process was well prepared with the information needed to accommodate protected areas within the LRMP.	0	6	3	1	3	60	40
34. The overlay of resource values on maps was a useful technique for evaluating land use options.	7	5	0	0	1	100	0
35. The multiple accounts method was a useful way of evaluating land use options.	1	3	1	0	8	80	20
Time Limits							
36. The time allotted to the process was realistic.	0	8	2	2	1	67	33
37. The process had a detailed project plan (for the negotiation process) including clear milestones.	2	7	2	1	1	75	25
38. Deadlines during the process were helpful in moving the process along.	2	8	2	0	1	83	17
Commitment to a Plan for Implementation							
39. At the end of the process, the table participants shared a strong commitment to plan implementation.	2	6	2	3	0	62	38
40. The table developed a clear strategy for plan implementation.	1	4	4	2	2	45	55
Effective Process Management							
41. The process was hindered by lack of structure.	0	2	8	2	1	17	83
42. Process staff (including facilitator(s) if used) were skilled in running meetings.	5	5	2	0	1	83	17

A. Process Criteria	SA	SWA	SWD	SD	NA	Agree	Not Agree
43. Process staff acted in a neutral and unbiased manner.	4	7	1	0	1	92	8
44. The agency responsible for managing the LRMP process acted in a neutral and unbiased manner.	4	7	1	0	1	92	8
Independent Facilitation							
45. The presence of an independent facilitator / mediator improved process effectiveness.	7	3	1	0	2	91	9
46. The independent facilitator / mediator acted in an unbiased manner.	7	3	1	0	2	91	9
Other Questions							
47. There were significant differences in values among participants	10	1	1	0	1	92	8
48. First Nations Roles were clearly defined	1	6	2	3	1	58	42
49. I am satisfied with the way First Nations were involved in the process	1	6	3	3	0	54	46
50. The setting of the Provincial guide of 12% Protected Areas was helpful to reaching consensus.	0	2	3	3	5	25	75

B. Outcome Criteria	SA	SWA	SWD	SD	NA	Agree	Not Agree
Perceived as Successful							
1. The LRMP process was a positive experience.	6	4	1	2	0	77	23
2. The LRMP process I participated in was a success.	5	5	3	0	0	77	23
3. I am satisfied with the outcome of the process.	4	4	4	1	0	62	38
Agreement							
4. The resulting plan addressed the needs, concerns, and values, of the group I represented.	0	5	3	1	4	56	44
Conflict Reduced							
5. As a result of the LRMP process, conflict over land use in the area has decreased.	2	5	2	2	2	64	36
Superior to Other Methods							
6. The LRMP process was the best way of developing a land use plan.	4	5	1	0	3	90	10

B. Outcome Criteria	SA	SWA	SWD	SD	NA	Agree	Not Agree
7. My / my organization's interests have been accommodated better through the LRMP process than they would have been through other means.	0	5	3	1	4	56	44
Creative and Innovative							
8. The planning process produced creative ideas for action.	2	5	4	2	0	54	46
Knowledge, Understanding and Skills							
9. As a result of the process, I have a good understanding of the interests of other participants.	5	7	0	0	1	100	0
10. As a result of the process, I have a better understanding of my region.	6	4	2	0	1	83	17
11. As a result of the process, I now have a better understanding of how government works with respect to land and resource management.	5	5	2	0	1	83	17
12. I gained new or improved skills as a result of my involvement in the process.	6	6	1	0	0	92	8
Relationships and Social Capital							
13. The relationships among table members improved over the course of the process.	5	4	2	0	2	82	18
14. I have better working relationships with other parties involved in land use planning as a result of the LRMP process.	5	6	1	1	0	85	15
15. Contacts I acquired through my participation in the LRMP process are useful to me and / or my sector / organization.	4	7	1	1	0	85	15
Information							
16. Information acquired through my participation in the LRMP process is useful to me and / or my sector / organization.	4	6	1	1	1	83	17
17. I have used information generated through the LRMP process for purposes outside of the process.	4	7	1	0	1	92	8
18. The LRMP process produced information that has been understood and accepted by all participants.	2	4	5	0	2	55	45
Second-Order Effects							
19. I have seen changes in behaviours and actions as a result of the process.	3	6	1	1	2	82	18

B. Outcome Criteria	SA	SWA	SWD	SD	NA	Agree	Not Agree
20. I am aware of spin-off partnerships or collaborative activities or new organizations that arose as a result of the process.	2	6	2	1	2	73	27
Public Interest							
21. I believe the outcome of the LRMP process served the common good or public interest.	4	5	2	1	1	75	25
22. The government should involve the public in land and resource use decisions.	9	3	1	0	0	92	8
23. I believe that consensus based processes are an effective way of making land and resource use decisions.	6	4	3	0	0	77	23
24. Knowing what I know now I would get involved in a process similar to the LRMP again.	5	6	1	1	0	85	15
First Nation Participation							
25. First Nations participation made a significant difference in the outcome of the LRMP process.	6	4	0	2	1	83	17

C. Ranking of Criteria for Success	SI	I	SI	NI	NA	Score	Average Score
<i>Based on your experience of having participated in a consensus based shared decision-making process, how important is each of the following factors in achieving a successful process and outcome?</i>							
1. Inclusive representation of all relevant stakeholder / interest groups.	9	2	1	0	1	32	2.67
2. Voluntary participation (all participants are free to leave at any time or pursue other avenues if agreement not reached).	1	2	6	1	3	13	1.3
3. Commitment of stakeholders to the process because it was the best way of meeting objectives.	8	3	1	0	1	31	2.58
4. Clearly defined purpose and objectives.	8	4	0	0	1	32	2.67
5. Consensus requirement.	4	5	2	1	1	25	2.08

C. Ranking of Criteria for Success	SI	I	SI	NI	NA	Score	Average Score
6. Clearly defined consequence or alternative outcome if consensus not reached (e.g. knowing the provincial government would make the decisions if no consensus reached.	6	5	0	1	1	28	2.33
7. Urgency of issues addressed in the process providing incentive to reach agreement.	4	7	1	0	1	27	2.25
8. Process designed by participants.	3	3	4	1	2	19	1.73
9. Clear rules of procedure.	6	5	1	0	1	29	2.42
10. Participants having equal opportunity and resources (skills, resources, money, support).	6	4	2	0	1	28	2.33
11. Mutual respect and trust in the negotiation process.	7	3	2	0	1	29	2.42
12. Effective process management (including process co-ordinator / staff).	7	5	0	0	1	31	2.58
13. Timetable (including deadline for reaching agreement).	6	4	2	0	1	28	2.33
14. Use of an independent facilitator or mediator.	8	2	2	0	1	30	2.5
15. Stakeholder groups having a clear understanding of their own and other stakeholders' interests.	8	4	0	0	1	32	2.67
16. Accountability of representatives to their constituencies.	5	6	1	0	1	28	2.33
17. Accountability and openness of process to the public.	3	7	1	0	1	24	2
18. Access to high quality information.	7	5	0	0	1	31	2.58
19. Process design that is flexible and adaptive.	8	3	1	0	1	31	2.58
20. Commitment to a plan for implementation and monitoring.	9	0	3	0	1	30	2.5