Who Owns Regional Cumulative Effects Management?
Collaborative governance in the face of unpredictable complexity...

- Numerous independent users in the same place at the same time + many impacted interests/rights holders (the crowded landscape)
- The natural environment itself subject to uncharted and accelerating change (the shifting landscape)
- Many natural resources approaching or exceeding their sustainable limits (the exhausted landscape)
• ACT on the best available information

• LEARN as quickly as we can what works and what doesn’t

• ADAPT based on the lessons learned
Managing Cumulative Effects in BC: Law Reform Solutions

- 2 year research project
- Includes analyzing institutional models with potential for use in the cumulative effects context from BC, North America and internationally.
- 22 ‘models’ examined to date
- Looking for examples of innovation and best practices – what is or is not working
Institutional Mechanisms: Framework for Analysis

• How is collaboration among and within governments, and with non-governmental actors structured?
• Nature and scope of authority/activities?
• How is scientific and Indigenous knowledge used in decision-making?
• How are outcomes integrated into land and resource decision-making?
• How is the model funded?
STRUCTURING COLLABORATION AMONG GOVERNMENTS, INCLUDING FIRST NATIONS
Criteria for success?

• Focused on values/place
• Engage all levels of government/agencies whose legal responsibilities are impacted
• Recognize and give effect to First Nations governance rights
• Process and decision-rules ‘balance’ the power of participants (e.g., consensus-based)
Criteria for success?

- Ensure that management requirements & decision rules are enshrined in formal agreements & supported by necessary legal & policy changes.
Collaborative Management

- Joint authority
- Parallel authority
- Constrained sole authority
NATURE AND SCOPE OF AUTHORITY
Elements of Cumulative Effects Management

• Identify values + baseline
• Set measurable objectives
• Assess, manage and regulate activities to ensure objectives are met
• Monitor effects
• Adaptive management
Criteria for success?

• Align the authority & responsibilities of new institutions with the relevant ecological & cultural context

• Several related institutions may need to function together to achieve goals
Criteria for success?

- Commitment to use of best available scientific and Indigenous knowledge, & giving equal weight to each
- “Firewall” between science and social choice decisions + mutually agreed-to criteria for evaluating trade-offs
- No one party should have exclusive control over research and data analysis
PUBLIC & STAKEHOLDER ENGAGEMENT IN DECISION-MAKING

Photo: Pat Moss
Criteria for success?

- Enhance resilience & legitimacy of decisions through robust stakeholder and community participation

- Maintain strong communication between co-management bodies and communities & demonstrate tangible benefits of participation to community members
FUNDING TO DO THE JOB

Photo: Kelly Marsden
Criteria for success?

• Ample, stable and apolitical funding

• Objective and mutually agreed-to criteria for prioritizing among uses of limited resources

• Funding arrangements that are flexible enough to address emerging priorities
INTEGRATING OUTCOMES INTO LAND AND RESOURCE DECISION-MAKING
Criteria for success?

- Remove legal barriers to cumulative effects management
- Elegant solutions will likely require reshaping legal & administrative frameworks over time
Criteria for success?

“If co-management is to proceed, government[s] must take action to enact supportive policies, legislation and authority structures, which define jurisdiction and control, give legitimacy to decision-making arrangements, clarify the rights and responsibilities of partners and communities, and uphold local enforcement and accountability mechanisms”
Models for Structuring Collaboration & Decision-making

- Elected bodies
- Trusts
- Legislatively enabled board
- Board(s) enabled by government-to-government agreement or treaty
- Body established by MOU or other non-legal agreement
- Time-limited planning team or committee

Photo: Andy Wright