

From Conflict to Collaboration: The Story of the Great Bear Rainforest

*By: Merran Smith, ForestEthics, and
Art Sterritt, Coastal First Nations;
Contributer: Patrick Armstrong, Moresby Consulting Ltd.*

1. INTRODUCTION

This paper purports to tell the story of the Great Bear Rainforest. In truth, however, there is not a single story to tell. Understanding this is crucial to understanding the significance of what has happened in this region, how it came about, and what we might learn from it.

The story presented here is just one effort to capture the many stories and perspectives that came together in this initiative. We have focused on two main threads:

- How the collaborative efforts between environmental organizations and logging companies transformed an era of conflict into a ground-breaking approach to conservation.
- How coastal First Nations came together, drawing on their united strength, to reassert their traditional title in a way that establishes a new foundation for governance and economic development on the Central and North Coast and Haida Gwaii.

Together, these two important paradigm shifts provide for the design of a unique conservation and economic development strategy at an unprecedented scale. The solution that has emerged in the Great Bear Rainforest realizes a shared vision of sustainability.

2. THE PEOPLE AND THE PLACE

Temperate rainforests are rare ecosystems found in only eleven regions of the world, mostly in coastal zones with heavy rainfall. Located on Canada's Pacific Coast, the Great Bear Rainforest represents one quarter of the world's remaining coastal temperate rainforest and is part of the largest remaining intact rainforest system left on the planet. Extending from Butte Inlet north to the British Columbia-Alaska border, and including Haida Gwaii, this 74,000 square kilometre (28,500 square miles) area is larger than Ireland.

Here, trees up to 1,000 years old tower as high as skyscrapers. Valley bottoms (and there are over 100 large valleys and hundreds of small ones) sustain more biomass than any other terrestrial ecosystem on earth. Streams and rivers sustain 20 percent of the world's wild salmon. Forests, marine estuaries, inlets, and islands support tremendous biological diversity including grizzly bears, black bears, white Kermode bears (also known as Spirit Bears), unique wolf populations, six million migratory birds, and a multitude of unique botanical species. The Great Bear Rainforest is truly an ecological treasure.

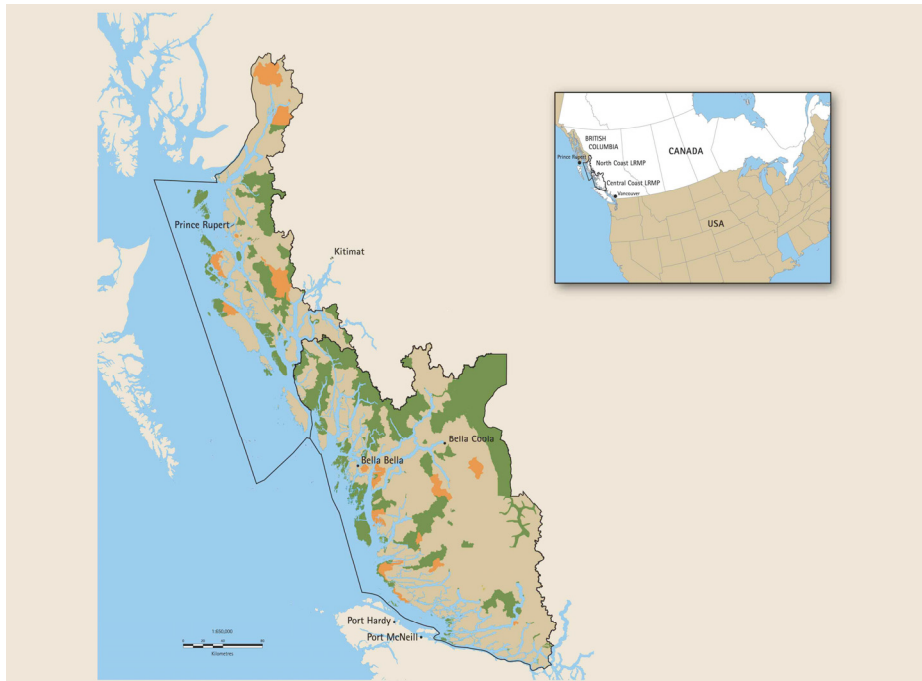
For millennia, these riches of the Great Bear Rainforest have supported equally rich human cultures. The North and Central Coast and the archipelago of Haida Gwaii are the unceded traditional territory of more than two dozen coastal First Nations. Outside of Prince Rupert—the region's only urban centre—First Nations comprise the majority of the region's population living in small, isolated communities such as Klemtu, Bella Bella, Metlakatla and Oweekeno, accessible only by air or water.

Historically, First Nations carefully managed the abundant natural resources of both land and sea, relying on their knowledge of seasonal cycles to harvest a wide variety of resources without depleting them. They had absolute power over their traditional territories, resources and right to govern, to make and enforce laws, to decide citizenship and to manage their lands, resources and institutions.

Modern times brought newcomers to the Great Bear Rainforest. They came to log the vast tracts of forest and fish the abundant salmon runs. Throughout much of the last century, pulp mills, sawmills, logging camps, canneries and mines extracted resources from First Nations' traditional territories despite their protests. While early resource extraction turned profits for the companies and provided employment, there were few benefits to First Nations, whose communities suffered extensive economic, social and cultural damage.

By the 1990s, the need for a shift was dramatically clear. The region's economy had dwindled to isolated logging camps, a much-reduced fishing fleet and a handful of tourist lodges scattered through the region. Most First Nations communities were suffering from high unemployment and low graduation rates, limited infrastructures, poor health, substandard housing and low incomes. Piecemeal attempts at economic reconstruction had all failed and, with unemployment rates as high as 80 percent, no group of people in Canada faced a more urgent economic crisis.

In the face of chronic poverty, unemployment and attendant social ills, Coastal First Nations maintain their aboriginal title and rights to their respective traditional territories. Their power continues to rest with their communities. It comes from within the people and cannot be taken away.



3. ESCALATING CONFLICT

The 1980's and early 90's were an era of conflict in British Columbia's rainforests. As public concern erupted over logging methods, forest companies were forced into the media spotlight, where they defended their practices and challenged their critics. On Haida Gwaii, Haida elders and youths stood side by side with environmental groups to block the logging trucks and protect large portions of Haida Gwaii. Following in the Haida's footsteps, activists fought valley-by-valley to protect the remaining 13 intact watersheds on Vancouver Island, culminating in 1993 when over 900 people were arrested trying to prevent logging in Clayoquot Sound. It was the largest mass arrest in Canadian history. And it was time for change.

In hopes that a comprehensive plan with broad-based support might help resolve such environmental disputes, the BC government initiated a province-wide, strategic land-use planning process in 1992. Unlike many other jurisdictions, most of BC's land base is publicly owned, with unresolved aboriginal Rights and Title, and 95 percent of BC's commercial forests are found on public land. This provided a strong incentive for multi-party planning, especially if decisions were to be sustained.

The premise of the government's planning process was that those with a stake in the land—residents, resource companies, First Nations, environmentalists, workers and others—would inform decision-making through consensus recommendations, balancing resource development on the one hand with demands for higher levels of conservation on the other. While this goal was laudable, many land use planning tables were unable to reach consensus and, when consensus failed, the BC government made unilateral decisions on land use. By the end of the decade, this process would double the amount of land protected in BC, but it did not alter the underlying philosophy that the economy and the environment were inherently contradictory values, and that First Nations were stakeholders, with the BC government as the ultimate decision maker.

In 1997, the BC government created land-use planning tables (Land and Resource Management Planning processes) for BC's central coast, and later the north coast. These two planning tables constituted the official forum for recommendations concerning land use in the region. However, environmental groups opposed the way the process was structured and would not sit at the table. They felt it was too constrained and did not address what they felt were the most critical issues—the global ecological significance of the Great Bear Rainforest, the need for a scientifically valid approach to protected areas and resource management, and the need for new economic options for communities. And while some First Nations reluctantly engaged in the planning process, providing the perspective of their communities and their governments, they did not endorse recommendations. In particular, they fundamentally opposed the characterization of First Nations as stakeholders.

That same year, the World Resources Institute (WRI) released a study showing Canada, Brazil and Russia were the only places left on the planet with *frontier forests*, forests large enough to be ecologically sustainable over time.

Fuelled by a growing concern about the state of the world's forests and dismayed at what they saw as a flawed planning process, environmental groups launched a campaign to raise awareness of the threat of logging in the Great Bear Rainforest. They also developed their bold new vision for the region:

- The protection of a connected network of intact watersheds and key ecological areas;
- A new type of forest management applied across the entire landscape;
- The recognition and accommodation of First Nations' title and rights with respect to land use planning and management; and
- The realignment of the region's economy from dependence on industrial resource extraction to supporting the long-term health of the region's environment and communities.

This vision represented an evolution in environmental groups' approach to conservation. It went beyond their traditional reliance on parks to encompass respect for indigenous cultures and the strengthening of local economies.

Realizing this vision meant finding a way to influence both the forest companies who held the timber rights to log most valleys in the Great Bear Rainforest and the BC government, who held the decision-making power. Because the province's economic interests were closely aligned with the coastal forest companies, they were not a passive player. The region's First Nations, whose rights and title to the land remained unresolved, were potential allies in this work but relationships between First Nations and environmental groups were as yet undeveloped.

The environmental groups took their message to the marketplace—the international buyers of wood and paper products from coastal British Columbia. ForestEthics, Greenpeace, Rainforest Action Network and other groups contacted corporations such as Home Depot, Staples, Ikea, the Fortune 500 companies and the German pulp and paper industry and showed them the destruction associated with their purchases. The groups gained power to pursue their vision.

Some purchasers immediately cancelled contracts with BC forest companies. Others paid no heed, leading the environmental groups to organize a highly visible campaign including rallies at stores, blockades, shareholder resolutions, and ads in prominent media outlets in the United States and Europe.

The BC government and industry initially responded with a high-profile campaign that highlighted BC's new forest practices laws, land use planning, and natural resource management that protected all values. Senior politicians and forestry executives toured Europe and attended US customer briefings, highlighting the progressive steps that they were taking to protect BC's forests. They were followed, and at times preceded, at every stop by environmental and First Nation activists.

For the forest companies, what had been a public relations problem had transformed itself into a customer-relations debacle. Both risk and values were factors in customers' responses: in some cases buyers simply wanted to avoid controversy, while in others, they truly did not want to participate in the continued decline of the world's old growth forests.

At the same time the markets campaign was raising the region's profile in boardrooms around the world, other British Columbian groups such as the Sierra Club of Canada, BC Chapter, Raincoast Conservation Society and others were also taking the story to their respective supporters, conducting research and raising the profile of the region. As the collective campaign gained momentum the newspapers dubbed it "The War in the Woods," a moniker now firmly part of BC's historical lexicon.

Whether it was a blockade at a remote logging site, a demonstration at a corporation's headquarters in Europe or an article in the *New York Times*, the message was taking root: "The world's old-growth forests are disappearing. It's time to protect what's left."

4. GETTING TO THE TABLE

"Customers don't want to buy their two-by-fours with a protester attached to it. If we don't end it, they will buy their products elsewhere."

- Bill Dumont, Chief Forester, Western Forest Products, March 2000

In 1999 a number of senior forest company representatives and their advisors met over two days to redefine their approach to the coastal conflict. These discussions began a process in which old assumptions and strategies were replaced by a recognition that:

- the environment represents a core social value;
- there is a widely held and growing concern that old-growth forests are threatened and need protection, and that this assertion is supported by science;
- the Great Bear Rainforest is the focal point of this growing public concern;
- environmental groups are seen as both credible and influential in the debate over old growth -- particularly by customers who perceive them as representing mainstream values;
- customers expect their suppliers to resolve conflict, not simply rationalize it; and,
- forest companies and environmental groups alike must be accountable to the marketplace.

The forest industry's internal dialogue included representatives from Canadian Forest Products, Catalyst Paper, International Forest Products and Western Forest Products, and resulted in a mandate to chart a new course. The intent was to significantly reduce and ultimately eliminate conflict over coastal logging. This, they realized, would require a sea change in the industry's relationship with environmental groups, a more strategic approach to land-use planning and renewed efforts to work with First Nations, local communities and other stakeholders. It also meant radically restructuring their conventional approach to tenure management. Companies would have to see timber production not as the prime management objective, but as an outcome of planning for the conservation of the full range of forest values.

To get there, the companies would have to do something unprecedented: sit down with the environmental groups they had battled for so long and seek a negotiated resolution to the War in the Woods. This was made more difficult because the extended conflict had resulted not only in entrenched antagonisms between the institutions, but also in personal animosities between individuals.

In 2000, under the banner of the Coast Forest Conservation Initiative, the companies agreed to halt development in more than 100 intact watersheds in the Great Bear Rainforest. In return, ForestEthics, Greenpeace, and Rainforest Action Network modified their market campaigns—instead of asking customers to cancel contracts, they would keep them updated on progress at the negotiating table. This mutual “standstill” created the conditions for a new beginning between the parties. The environmental groups ForestEthics, Greenpeace, RAN and the Sierra Club of British Columbia formally came together under the banner The Rainforest Solutions Project.

Following the standstill agreement, the Coast Forest Conservation Initiative and The Rainforest Solutions Project agreed to form a coalition called the Joint Solutions Project. It was a structure for communications and negotiations, and facilitated a broader dialogue with First Nations, the BC government, labour groups, and local communities. It was also a venue for sharing information, solving problems, and discussing new policy and regulatory models, carrying these discussions forward to the land-use planning and decision-making processes. Two traditionally disparate sectors were hammering out their differences before they entered the room with other sectors and governments, pooling their energy and resources to define new approaches and solutions. It was a step forward.

As forest companies and environmental groups were coalescing and readying themselves for change, so too were the region’s First Nations.

For many years First Nation communities worked in isolation from one another. But in 2000, leaders from First Nations communities throughout the Great Bear Rainforest gathered for the first time to discuss the shared problems of high unemployment, lack of economic opportunities and lack of access to resources.

From the outset, the goal of the First Nations was to restore and implement responsible land, water and resource management approaches on the Central and North Coast of British Columbia, and Haida Gwaii that are ecologically, socially and economically sustainable.

First Nations wanted to promote economic development on the coast while at the same time protecting the environment and quality of life of those who lived there. They agreed they needed to create increased economic development opportunities and create more jobs for First Nations people and others. They recognized they needed to sit down and work towards mutually acceptable solutions and that, if they did so, these issues could and would be resolved.

As these leaders discussed their communities’ plight, it became clear that they were stronger together. A coast-wide alliance was formed: the Coastal First Nations (formerly Turning Point). The goal of this new group was to restore and implement ecologically, socially and economically sustainable resource management approaches on the central and north coast and Haida Gwaii. The alliance included the Wuikinuxv Nation, Heiltsuk, Kitasoo/Xaixais, Gitga’at, Haisla, Metlakatla, Old Massett, Skidegate, and Council of the Haida Nation.

Coastal First Nations’ strategic approach to development includes:

- sustainable ecosystem-based management of marine and land resources;
- increased local control and management of forestry and fisheries operations;
- coordinated development through regional strategic planning in forestry, fisheries and tourism with an emphasis on value added initiatives;
- partnerships and cooperative arrangements with governments, industry, ENGOs and other stakeholder groups;
- government-to-government relationships; and
- stronger governance institutions.

In the southern region of the Central Coast, First Nations leaders established the Nanwakolas Council representing Namgis First Nation, Mamalilikulla-Qwe-Qwa Sot’Em First Nation, Tlowitsis First Nation, Da'naxda'xw First Nation, Gwa'sala Nakwaxda'xw First Nation, Kwiahkah First Nation and Comox First Nation.

By late 2000, the scenario in the Great Bear Rainforest had evolved considerably from the unrest of only a few years previous. Logging in key ecological areas had been put on hold, and three venues for constructive dialogue had been initiated: the Joint Solutions Project, the Coastal First Nations, and the Land and Resource Management Planning tables. Tensions remained, but people were talking about new ideas, and the potential for creating something truly revolutionary on the coast was becoming almost palpable.

5. SHIFTING PHILOSOPHY: AGREEING ON A NEW FRAMEWORK

2001 saw the first breakthrough. The Joint Solutions Project and Coastal First Nations, along with other First Nations and stakeholders, agreed to a new, five-part framework for resolving the longstanding resource conflict. Faced with a united message from First Nations, environmental groups, and the forest industry, the government land-use planning tables also agreed to this framework.

In developing the framework, the parties incorporated ideas based on experience and lessons learned from Haida Gwaii, Clayoquot Sound, interim measures negotiations, litigation and other land use planning processes – assessing what worked and what hadn't in order to create a new approach and philosophy that would lead to success for all parties.

The 2001 framework had five components:

Strategic deferrals/moratoriums

All parties agreed it was important to maintain future management options while the land use dialogues were taking place. To achieve this, logging deferrals were agreed to for the region's 100 intact valleys and key ecological areas—a negotiated decision that allowed planning and negotiations to proceed.

Independent Science

All parties agreed that land use decisions of the magnitude they were about to make required the best available science, and that an independent science team should be formed to provide this. The Coast Information Team was thus created with funding from the BC and Canadian governments, environmental groups (ForestEthics, Greenpeace, and Sierra Club of Canada) and the forest companies. It consisted of independent scientists working under the guidance of a management team made up of representatives of government, First Nations, local communities, environmental organizations and industry.

Ecosystem-based Management Principles and Goals

All parties agreed to move beyond conventional forestry to a new approach called Ecosystem Based Management (EBM). This approach is based on the recognition that healthy, functioning ecosystems form the basis for sustaining communities, economies and cultures. Rather than focusing on what resources to extract, Ecosystem-Based Management focuses first on the values that must be maintained in order to sustain healthy ecosystems. (See Appendix A for full set of principles.)

Commitment to a New Economy

All parties agreed that in order to create a lasting solution, the Great Bear Rainforest's economy would have to be diversified beyond its current reliance on the extraction of natural resources.

To facilitate this transition in an equitable way, a \$35 million financial package was established to assist existing workers and contractors affected by changes brought about by logging deferrals and other land-use changes. Additionally, First Nations, environmental groups and the BC government agreed to begin discussing a new idea, one that had never been done on any scale in Canada: attracting new financial capital to support the protection of biodiversity and the creation of healthy communities.

Government-to-Government Agreement

As part of the 2001 agreements, the Province of BC signed a government-to-government protocol agreement with the eight Coastal First Nations. The General Protocol Agreement on Land Use and Interim Measures provided for First Nations land-use planning processes to take place parallel to the BC government-initiated planning processes. First Nations and the BC government agreed that, once these First Nations land use plans were complete, government-to-government negotiations would reconcile the BC government's land-use plans with those of the individual First Nations.

6. FROM FRAMEWORK TO SOLUTION

Agreeing in principle to the framework for the 2001 agreement—protected areas, new forestry (EBM), a new regional economy and government-to-government relationships—was a significant step. But everyone recognized that much work was yet required to turn this principled agreement into a substantive plan that would lead to a new reality on the ground. In fact, making this happen took five years, over a dozen committees and literally thousands of hours of meetings.

The independent science team, the Coast Information Team, was set up and conducted biophysical and socio-economic research. It developed reports and recommendations for consideration at the land-use planning tables. And it produced a suite of products for the new forest management regime, including a framework, a handbook, planning guides, spatial analyses, and discussion papers. The Team released its information in 2003 and 2004 to inform both the First Nations land-use plans and the government land-use planning tables.

Each First Nation was working with its community, gathering traditional knowledge from elders and hereditary chiefs, and combining this information with western science to develop land use plans for its traditional territories. Land use planning and agreements would give communities the rights and responsibilities to make decisions about and care for the lands, water and resources in their traditional territories.

To address the new economy, First Nations and others had long challenged environmental groups to demonstrate that conservation could promote economic diversification and deliver benefits to communities rather than hindering economic development. In response to this challenge, environmental groups had been promoting the idea of attracting conservation financing capital.

To move this concept closer to reality, the Conservation Investments and Incentives Initiative (CIII) was created by First Nations, the BC government, environmental groups and the forest industry. The first task of the initiative was to explore the legality and feasibility of conservation financing.

Conservation financing meant more than simply injecting money into the local economy—an approach that had been tried unsuccessfully in the past. Instead it linked clear, lasting conservation commitments to new investments supporting innovative new businesses and building conservation management capacity in First Nations communities. Because some of the kinds of business opportunities envisioned under conservation financing were unprecedented, Coastal First Nations did some pilot projects and tried out new business concepts such as shellfish aquaculture and research into harvesting non-timber forest products. They also explored pilot projects with EBM forestry.

The government's land use planning tables continued and, with the new information provided by the CIT and CIII processes, came to consensus land use recommendations in 2004 for protected areas and commitments to EBM forestry. Simultaneously, each First Nation was completing its own land use plan and preparing for government-to-government negotiations.

Finally, in February 2006, the BC government, First Nations, environmental groups and forest companies stood together to announce the Great Bear Rainforest Agreements. It was the culmination of over a decade of work. More directly, it was the outcome of a year and a half of negotiations between First Nations and the BC government, which used the consensus recommendations of the land-use planning processes along with First Nations' own land use plans to arrive at the final agreements. The 2006 Great Bear Rainforest Agreements encompass several key elements.

Protected Areas

At the regional level, a network of new and existing protected areas was established, representing the full diversity of habitat types within the Great Bear Rainforest. These protect a critical core of ecologically and culturally significant areas from logging and other industrial uses. They secure habitat for sensitive native plants and animals and safeguard many of the most productive salmon streams, unique natural features, and irreplaceable cultural sites.

In total, the protected area network encompasses 21,120 square kilometers (8,150 square miles), or one third of the land area of the central and north coast. It includes many of the watersheds covered by the original moratorium. Together, the protected areas comprise:

- 55 percent of estuaries;
- 54 percent of wetlands;
- 40 percent of known salmon-bearing streams;
- 30 percent of all habitat for key species such as northern goshawks, marbled murrelets and grizzly bears; and
- 34 percent of old growth forests and 39 percent of mature forest.

From the outset, it was understood that the permanent protection of the region's ecological values would be a fundamental component of any solution. However, as the parties examined practical tools for achieving protection, it became clear that no existing legislation would meet the needs of the parties. First Nations required certainty that traditional uses and cultural values would be respected and protected, and that natural resources would continue to support communities' cultural and economic needs. Environmental groups demanded assurance that ecological values would take precedence over recreational developments within the protected areas. With these goals in mind, the parties worked with the Province to develop a new form of protected area. The result is a new Conservancy designation. Legislation establishing the new designation was passed by the Province of BC.

Of the 104 protected areas, 65 have been legally designated as conservancies; the remaining areas are currently in the process of receiving legal designation. To ensure that the protected areas respect First Nations' cultural and traditional-use values, the management plan for each protected area will be co-developed by the First Nations within whose traditional territory the area lies.

The agreements quadrupled the amount of protected area in the Great Bear Rainforest, a feat that has been applauded as one of the greatest events in history of wildlife conservation.

Managing Land and Resources (Ecosystem-based Management)

The 2006 agreements followed up on the commitment to Ecosystem-based Management embedded in the 2001 framework. With help from the Coast Information Team, a broad understanding of Ecosystem-based Management evolved into a tangible, rigorous scientific handbook for implementation, as follows:

At the regional and landscape scales, the protected area network and old growth reserves safeguards a core of ecologically and culturally significant areas. These areas provide the most secure habitat for sensitive native plants and animals, and safeguard salmon streams, natural features, and cultural sites.

At the landscape and watershed scale (e.g. a watershed greater than 10,000 ha, or 20,000 acres), management plans assign high, medium, or low risk to ecosystem integrity resulting in reserves where little or no resource extraction takes place. These reserves maintain wildlife habitat and migration corridors, protect waterways, and preserve specific values such as threatened species, sensitive soils, and cultural, scenic and recreation areas.

At the site scale, (e.g. within a 100 ha or 250 acre forest stand), harvesters must retain between 15 and 70 percent of the trees to maintain key habitat features (streamside cover, trees for nesting, rare plants or den sites). Logging plans also seek to sustain ecological processes. For example, leaving large fallen trees in rivers contributes to salmon habitat.

Ecosystem-based management plans are matched with socio-economic plans that generate income, enhance cultural and community health, and provide sustainable livelihoods.

Through ecosystem-based management, the overall risk to biodiversity and ecological health remains low across the region. Economic and community development objectives are prioritized in areas that can best sustain them, while greater environmental protection is the focus for sensitive areas. Ecosystem-based management thus marries conservation and community stability at a regional scale. More on the system of EBM being implemented in the Central and North Coast is available by downloading the EBM Handbook and EBM Framework at www.citbc.org. (See Appendix A.)

Under the 2006 agreements, all parties committed to fully implement ecosystem-based management by March 31, 2009.

Economic Transition and Conservation Investments and Incentives Initiative

The 2006 agreements brought the Conservation Investments and Incentives Initiative’s vision closer to reality. Participation from the private philanthropy community brought funding commitments that could be used to leverage government contributions. The Nature Conservancy, along with First Nations and environmental groups, played a central role in raising \$60 million in private funds. The conservation financing concept would be borne out as two complimentary streams of investment. First, 60 million dollars of private funds in a conservation endowment fund would be dedicated solely to conservation management, science and stewardship jobs in First Nations communities. Second, 60 million dollars of public funds would be used to invest in sustainable business ventures in First Nations’ territories and communities. These funds, called the Coast Opportunities Funds (COF), are described in figure 1 below.

Although the conservation financing structure was articulated in the 2006 agreements, it was not until a year later, in January 2007, that the Canadian and British Columbian governments each committed \$30 million to the Initiative, matching the \$60 million pledged by philanthropic donors and bringing the total available for conservation financing to \$120 million.

The success of this initiative, which was considered an impossibility by some, demonstrates that complex issues can be resolved for the greater good of all British Columbians—not just for particular groups.

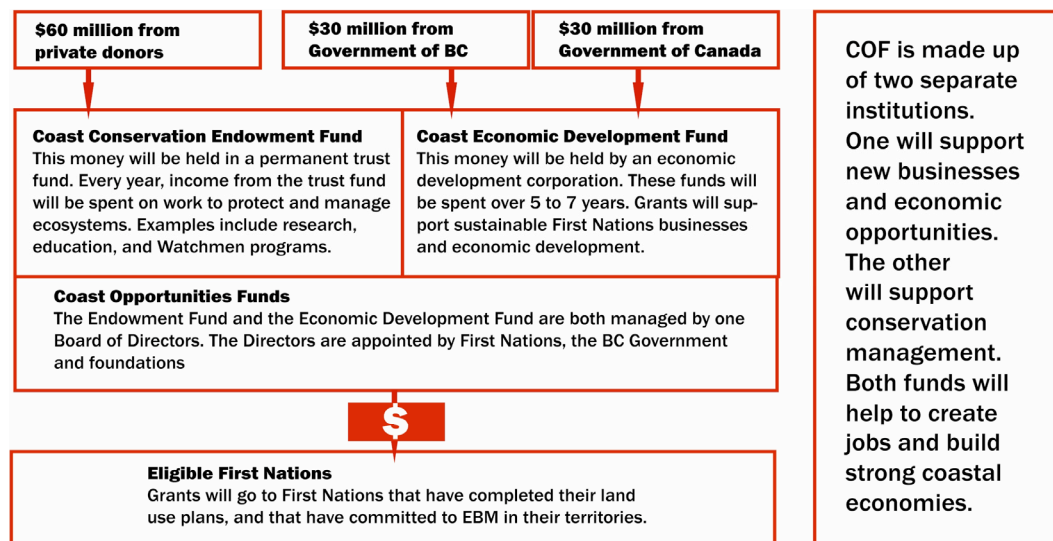


figure 1

The communities of the Great Bear Rainforest will continue to rely on the sustainable development of natural resources. Tourism, forestry, development of marine resources and related activities will provide the foundation for the region's economy and promotion of human wellbeing. However, businesses operating in the region will use EBM to guide their activities. Moving from a traditional business model to an EBM driven model requires a transition in practice, investment and marketing. Making this transition successfully is critical for the securing the wellbeing of communities and businesses in the Great Bear Rainforest.

Ongoing Government-to-government relationship

Land use planning in the Great Bear Rainforest saw an evolution in relations between coastal First Nations and British Columbia. This evolution was mirrored in the “New Relationship,” a major policy shift endorsed by the government of the Honourable Gordon Campbell, British Columbia’s Premier and First Nation leadership in the Province.

At its heart, the government-to-government relationship in the Great Bear Rainforest seeks to establish a process of structured shared decision-making and collaboration with stakeholders such as businesses, communities and environmental groups (figure 2). The government-to-government Land and Resource Forums are the primary vehicle for accomplishing this.

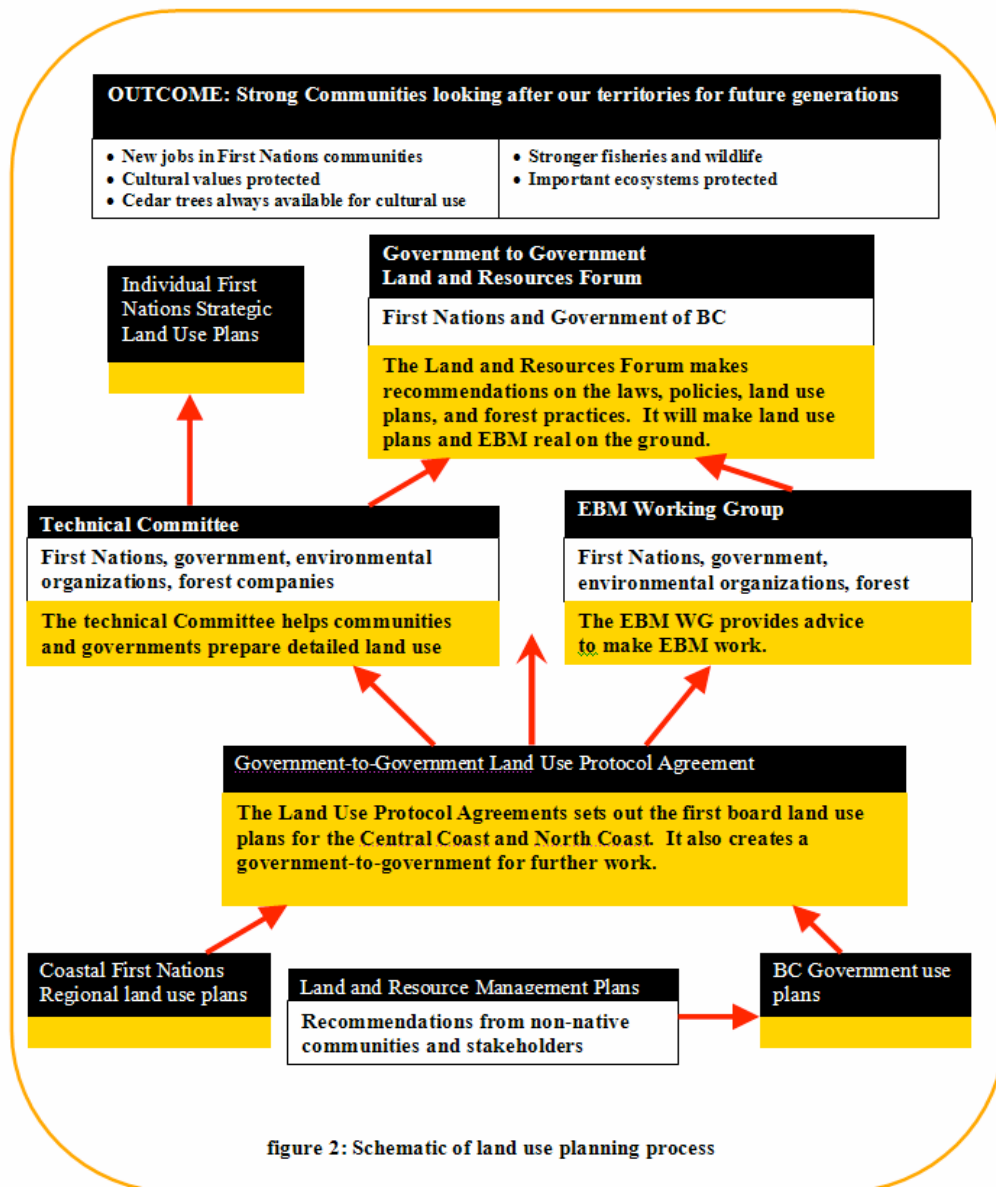


figure 2: Schematic of land use planning process

7. NEXT STEPS

The Great Bear Rainforest Agreements signal the beginning of a next phase: securing the conservation agreements and making the entire solution real on the ground. New institutions, new legislation, new forest practices, new businesses and a new economy need to be created. The following paragraphs describe three essential tasks that remain to ensure success in the Great Bear Rainforest.

Institutionalizing the agreements

In order to ensure that the Great Bear Rainforest agreements are implemented with the same rigour and vision with which they were created, the parties have agreed to not rely on voluntary implementation. Instead, they are using various means to institutionalize the agreements. These include creating formal institutions with a mandate to guide or implement components of the agreement; embedding goals and process requirements into the terms of ongoing relationships among governments; and the creation of new legislation and regulations to ensure that agreements are legally binding and will last over time. (See Appendix B for details.)

Full implementation of EBM

A phase-in timeline of March 31, 2009 was agreed to for full implementation of EBM. While things are behind schedule currently, the parties stand behind their commitment to meet these time frames. A process of clear milestones is being proposed so EBM implementation does not fall behind schedule.

Along with new policies and practices, the implementation of EBM requires a rigorous legal and policy framework. Two sets of EBM management objectives developed by the Province and First Nations are undergoing required public review. The expectation is that these objectives will become legalized in June, 2007.

The Rainforest Solutions Project has a web-based project reporting on EBM progress at www.greatbearwatch.ca.

Creating a new economy

In order to make the conservation agreements durable over time, a new economy is needed to ensure communities' health and employment needs are met. This will be a slow process, but plans are currently underway in some communities for shellfish aquaculture, high-end lodge tourism, new forestry operations, and some non timber forest products.

A critical factor for long-term economic capacity building for First Nation communities is ensuring a healthy, well-educated and well-supported workforce. First Nations are building their governmental capacity by implementing good governance practices and developing institutional infrastructure. Together, First Nations are moving towards increased economic opportunities for all citizens, working at a regional level to balance cultural diversity, economic prosperity, and environmental protection. As part of this work, First Nations continue to build coalitions of public and private interests.

Coastal First Nations see this as the time to develop partnerships that draw on the talents and commitment of all citizens, leaders, and communities on the coast. By providing for efficient use of land, infrastructure, and other resources, sustainable economic development in First Nations communities will also benefit the environment and economy of the region and the province as a whole.

8. REFLECTING ON THE DYNAMICS OF CHANGE

Unique collaborations, innovative science and sophisticated decision-making processes all played roles in the decade of work on the Great Bear Rainforest. Yet these components alone would not necessarily result in the outcomes that were eventually realized. What was it about the dynamics of the process that led to such a paradigm shift in the way coastal rainforests are managed and the successful integration of indigenous decision making, community wellbeing and conservation? What led to a conservation decision of such a magnitude, previously considered impossible in British Columbia—and to the redefinition of conservation to encompass protecting ecological integrity, respecting indigenous cultures and strengthening local economies?

To follow are brief descriptions of some significant dynamics that contributed to the realization of such significant change.

Persistent Vision

Only a decade ago, BC's central and north coast region was known in government vernacular as the "midcoast timber supply area." As the campaign for protecting this spectacular place took shape, environmentalists named the region the Great Bear Rainforest—a moniker that conveys the magnificence of the place. Over time, this name became more than a geographic descriptor; it came to represent a vision of the region as a protected, globally significant rainforest with healthy indigenous communities and a diverse economy—a vision that was co-created between First Nations and environmental groups, and supported by others. Over the decade of work that followed, this vision, symbolized by the Great Bear Rainforest name, played an integral role in inspiring new people, keeping the process on track and reminding participants of what they were trying to achieve.

Power Shift

At the outset, power was firmly in the hands of the BC government, which owned the land; and the forest companies, which held the rights to log and manage much of the region's forests. However, as the international market campaigns became increasingly successful, environmental groups gained influence approaching that of the forest companies. When environmental groups asserted that the *status quo* needed to change, government and forest companies listened—knowing that around a billion dollars of sales of BC wood products hung in the balance. The reputations of coastal logging companies and BC wood products were threatened, creating a new sphere of power for environmental groups. When forest companies, and ultimately the BC government, acknowledged this power, negotiations and land-use planning processes experienced a fundamental shift.

First Nations, whose unresolved rights and title had been recognized by the Supreme Court of Canada, gained power over the course of the process, too. New court cases, such as the Haida First Nation case against the BC Ministry of Forests and Weyerhaeuser (2004), further defined First Nations' rights, articulating that neither the BC government nor forest companies could make decisions about the land without adequate consultation and accommodation. While the precise meaning of these cases continues to be refined in the courts, their primary impact was to obligate the BC government and the companies to include First Nations in decision-making processes regarding their traditional territories.

This new power dynamic meant First Nations, environmental groups, the BC government and the forest industry became more equal participants at the negotiating table. If either environmental groups or First Nations walked away from talks and commenced legal or market-based initiatives, they could significantly harm the other parties. Because all parties shared the interest of arriving at a solution, and because each party held unique power, all parties stayed at the table. However, each party was cognizant of their alternative course of action should negotiations lead to an unacceptable arrangement.

These shifts in power were one of the most critical elements to achieving the eventual outcome in the Great Bear Rainforest. Would industry have sat down with environmental groups if their markets had not been threatened? Would the BC government have signed the government-to-government protocols if First Nations had not pursued their rights and title through the courts?

All involved agree that without the power shift, the breakthroughs necessary to achieve such a holistic approach to conservation would not have taken place.

Collaboration and Relationships

The development and formalization of intra- and inter-relationships (relationships within and between the primary parties) was a critical aspect of moving from conflict to solution.

The three significant players apart from the BC government—First Nations, environmental groups and the forest companies—each took the step of forming an entity to serve as their representative body: Coastal First Nations, the Rainforest Solutions Project, and the Coast Forest Conservation Initiative, respectively. To achieve this step meant resolving internal conflicts and synthesizing diverse perspectives within the parties in order to present a united front. The result was a system of representation, whereby those people representing the primary sectors were empowered by their constituencies to move the dialogue forward.

Resolving and solidifying relationships within the parties provided the prerequisite for the next, most significant step: interrelationships between parties. It is this step that ran counter to BC's long history of polarized land-use debates. In some cases these interrelationships were formalized as entities, such as the Joint Solutions Project created by environmental groups and forest companies.

Others were less formal, such as the relationship between First Nations and environmental groups. Interrelationships were formed in the knowledge that no one party could produce a solution that the others would agree to; and also that together, the parties held a tremendous responsibility—not only to their constituents, but to the world.

As interrelationships were formed between parties, those involved were compelled to move beyond their own interests to both accept others' interests and find solutions that worked for the entire suite of interests. For example, the government-to-government relationship put forward by First Nations, and the conservation financing concept presented by First Nations and environmental groups, were not initially supported by all sectors at the outset. However, they were eventually agreed to as components of the solution out of an understanding and acceptance of differing needs.

Sitting down with one's opponents to solve problems is a high-risk approach. However, there was a shared sense that creating a revolutionary new conservation plan required an equally radical planning and negotiation process.

There is no recipe for creating a climate that fosters relationships and collaboration. Trust is a critical ingredient. Other ingredients, such as the presence of mediators and facilitators, were fundamental to reaching agreements at all levels. Indeed, the result could never have been achieved without good mediators. Forming small working groups, initiating pilot projects, and holding meetings outside of boardrooms, were all useful tools.

Finally, the passage of time was an important ingredient. After all, developing human relationships and breaking down long-held communication barriers rarely occur instantaneously.

The Role of Innovation

The scale and scope of the solution being proposed by industry, First Nations and environmental groups went far beyond the scope and mandate of conventional government land use planning. This created an environment conducive to decentralized innovation, whereby non-government groups researched and designed components of the overall solution. In this way, new ideas (such as the Conservation Investments and Incentives Initiative and the Coast Information Team) were created, tested, and put into practice.

Leadership

In hindsight, what occurred in the Great Bear Rainforest seems like common sense. At the time, however, there were those who felt pursuing a collaborative approach was detrimental to

the interests of their group. Countering this, leaders arose from within forest companies, local government, coastal stakeholders, First Nations communities throughout the coast, the environmental community and government. Leadership meant standing up to critics—and even to traditional allies—who disagreed with building solutions with one's opponents.

Leadership also meant expanding the concept of what was possible, and increasing the range of benefits available—not simply apportioning the benefits available under the *status quo*. It meant carefully stewarding the hope of future success. And it meant coming to terms with the fact that this work would never amount to a single story: that the histories, perspectives, aspirations, and efforts of all parties had to be interwoven to create a lasting solution.

Today, such leadership is no less important in the Great Bear Rainforest, as the parties move towards full implementation of their longstanding vision. And it is no less important to all of us, around the world, as we seek solutions to the urgent and complex challenges that face our communities and our planet. It is this evolution in leadership—far more than innovations in process or institutions—that ultimately will enable us to find our common ground.

For more information:

Coastal First Nations – www.coastalfirstnations.ca

Rainforest Solutions Project – www.savethegreatbear.org

Coast Forest Conservation Initiative – www.coastforestconservationinitiative.com

British Columbia land use planning process can be found at <http://ilmbwww.gov.bc.ca/>.

ForestEthics – www.forestethics.org

Greenpeace – www.greenpeace.ca

Sierra Club of Canada, BC Chapter – www.sierraclub.ca/bc

3.0 EBM Guiding Principles

The following principles are based on the agreements made in 2001. They are intended to guide implementation of EBM.

3.1 Ecological Integrity Is Maintained

Ecological integrity is the abundance and diversity of organisms at all levels, and the ecological patterns, processes, and structural attributes responsible for that biological diversity and for ecosystem resilience.

Biological richness and the ecosystem services provided by natural terrestrial and marine processes are sustained at all scales through time (e.g., clean water, species richness, vegetation diversity, soil productivity, water quality, predator–prey interactions, carbon storage). This includes sustaining the structure, function, and composition of natural ecosystems, including those ecosystems of the land–sea interface and hydriparian system.

3.2 Human Wellbeing Is Promoted

Ensuring improvement in human wellbeing is critical for effective EBM. Doing so will require a blend of traditional practices, new activities, and new ways of deploying existing and potential investments.

Coastal British Columbia is in transition. Re-adjustment without careful planning and consideration could further dislocate individuals, families, and communities. Risks and opportunities for communities need to be addressed.

A diversity of economic opportunities is key to healthy communities and sustainable economies. Diversification includes both the local development of different economic activities as well as local involvement in different levels of existing activities.

3.3 Cultures, Communities, and Economies Are Sustained within the Context of Healthy Ecosystems

Healthy ecosystems contribute to healthy people and communities. Empowered and healthy communities are more likely to play a leadership role in sustaining healthy ecosystems, cultures, and economies.

Healthy communities depend on healthy ecosystems but ecosystem health alone is not sufficient for human wellbeing. The implication is that EBM must sustain the biological richness and biological services provided by natural ecosystems, while stimulating the social and economic health of the communities that depend on and are part of those ecosystems.

This idea of entrenching a demand for both human wellbeing and ecosystem integrity veers sharply away from thinking in terms of a “trade-off” between people and the environment. Obviously, any practical application has hundreds of small trade-offs: between interests, between components of the ecosystem, across time, and across space. However, ultimately, maintenance of ecological integrity and improvement of human wellbeing are critical; maintaining or improving one at the expense of the other is unacceptable because either way the foundation of life is undermined.

3.4 Aboriginal Rights and Title Are Recognized and Accommodated

First Nations assert aboriginal rights and title to the lands and resources within their territories. Past and current government policies and consultation processes have not adequately recognized or accommodated these rights and title, nor have they addressed traditional governance and decision-making systems.

Negotiated agreements with First Nations provide a mechanism for First Nations, governments, and third parties to bridge this gap in the short term until treaties define a longer-term relationship. These short-term agreements define and enable:

- relationships and understandings between the parties
- processes and procedures for cooperative planning and decision-making that enhance First Nations governance structures
- mutually acceptable standards for technical planning and operational activity
- certainty regarding access to resources and markets
- mechanisms for sharing the benefits of resource development (e.g., jobs, training, revenue, raw materials)

- development of First Nations economies
- provisions for social and environmental monitoring and information sharing.

First Nations have stated that short-term or transitional agreements that are intended to facilitate the implementation of EBM are without prejudice to legal proceedings or treaty negotiations.

3.5 The Precautionary Principle Is Applied

Knowledge of natural processes and human interactions is incomplete and inherently limited, and decisions made in the present can pose unacceptable risks for the future. Application of the precautionary principle means that where the risks associated with an action are uncertain,

- the proponent of change in the ecosystem should err on the side of caution, and
- the onus is on the proponent to show that ecological risk thresholds are not exceeded.

The precautionary approach enlists techniques such as risk assessment, cost–benefit analysis, monitoring, and adaptive management strategies.

3.6 EBM Is Collaborative

Collaborative processes are broadly participatory; respect the diverse values, traditions, and aspirations of local communities; and incorporate the best of existing knowledge (traditional, local, and scientific). They require broad participation in planning and clearly articulated decision-making processes.

3.7 People Have a Fair Share of the Benefits from the Ecosystems in Which They Live

Land and resource management decisions usually affect local people and businesses directly, and their effects, both positive and negative, may be profound. People and businesses in coastal communities depend on coastal ecosystems and often have long standing cultural and economic connections to these ecosystems. In the past, the burdens imposed on the local communities by externally driven activities have been greater than the benefits the communities have received. Effective implementation of EBM will address this imbalance.

Diverse and innovative initiatives that increase employment, economic development, and revenue, and also maintain cultural and environmental amenities and other benefits derived from resources, are pursued.

APPENDIX B Institutionalizing the Agreements

Institutionalizing the agreements will be done by creating institutions such as the EBM Working Group and Coast Opportunities Funds, as well as legislating the agreements, and creating new government to government bodies. These are outlined below.

EBM Working Group

This body is mandated to carry out ongoing independent science with oversight from First Nations, BC government, communities, environmental groups and the forest industry. The EBM Working Group is established and currently has a budget waiting for funding from the BC government.

Coast Opportunities Funds

This body is to oversee the distribution of the \$120 million of conservation financing dollars toward business development and land stewardship. It may also play a role in supporting First Nations capacity building to ensure the economic initiatives are durable. It currently is being formed and staffed.

Government to Government Land and Resources Forum

These forums are a new addition to governance, where coastal First Nations and the BC government take responsibility for incorporating stakeholder recommendations into decision-making as it relates to implementation of the Central and North Coast land use agreements.

Legislating EBM

The implementation of EBM requires a legal and policy framework. Two sets of initial EBM legal objectives developed by the Province and First Nations are undergoing required public review. The expectation is that these objectives will become legalized in June 2007.

Legislating the protected areas/conservancies

65 of the 104 conservancies have been legislated, and the BC government states that the remainder will be legislated in spring 2008.