



WORKING PAPER 1999-15

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The Future of Grass-Roots Co-Management in Saskatchewan

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The Future of Grass-Roots Co-Management in Saskatchewan

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Abstract

Many academics claim that co-management cannot happen in the absence of a formal, legally-binding agreement that enforces equal power sharing (Campbell, 1996; Huntington, 1992; Landmann, 1988; Pinkerton, 1989) and that the process must have the full support and participation of government from the outset if it is to be successful. In Northwestern Saskatchewan, however, co-management has evolved since 1993 between NorSask Forest Products Inc. and local communities in the absence of both strong provincial government involvement and formal agreements. Despite this absence, the co-management process has been largely successful, with a high degree of participant satisfaction and sharing of management responsibilities in practice (Chambers, 1999). Indeed, there is even a general consensus among participants that building co-management in the absence of restrictive formal agreements and government involvement at the start of the process has allowed each of the NorSask boards to develop in a way that meets the widely differing needs of local communities.

One of the strongest of the NorSask boards is the Beauval Co-Management Board, located in the northeastern portion of the license area. After six years of operations, Beauval would like to come to an agreement with government that ensures the validity and long-term security of the co-management process developed to date with industry. Negotiating such an agreement, however, is proving to be problematic as government is not comfortable with the high level of co-management that has been achieved in practice between the Board and industry, and the Board is unwilling to give up many of the management responsibilities that it has taken on over the past six years. The purpose of this paper is to provide background information to the current impasse between the Board and the provincial government, to summarize the benefits and barriers to the parties signing a more formal agreement, and to suggest further action that participants could take to give greater security to the co-management process. Direct quotes from the case study co-management participants are included to provide a personal voice to the research.

Glossary

Co-management: a shared management process that brings local resource users, government representatives and, increasingly, industry together to share the management responsibility for local or regional resources.

Forest Management License Agreement (FMLA): the legally-binding agreement that grants industry the right to harvest timber in the FMLA area as well as undertake responsibilities such as reforestation and consultation with local communities regarding forest development.

Fur Conservation Area (FCA): the pre-existing trapline boundaries used by industry to establish each co-management board boundary in the FMLA.

Millar Western: the Edmonton-based forest company that owns half of Mistik Management and 100% of the Meadow Lake pulp mill supplied by the FMLA timber.

Mistik Management Ltd. (Mistik): the non-profit management company, owned jointly by NorSask and Millar Western, responsible for forestry operations in the FMLA as well as communication with local co-management boards.

Meadow Lake Tribal Council (MLTC): an economic coalition of nine local First Nations and the sole owner of NorSask Forest Products.

Memorandum of Understanding (MOU): the 1993 MOU between SERM and NorSask granted Mistik and NorSask the authority to create co-management boards with local communities in order to jointly manage forest resources in the FMLA.

NorSask Forest Products Inc. (NorSask): the forest company, owned by MLTC, that holds the case study FMLA.

Saskatchewan Environment and Resources Management (SERM): the government department responsible for provincial forest management and public participation as well as the co-management process in Saskatchewan.

NOTE: for reasons of confidentiality and the sensitive nature of the current impasse between the Beauval Co-Management Board and SERM, case study participant quotes are identified by a code number instead of personal names.

Introduction

Co-management is a joint management process that brings local resource users, government representatives and, increasingly, industry together to share the management responsibility for local or regional resources (Chambers, 1999). While it is true that full co-management in theory involves shared decision-making powers by the partners, in practice a wide variety of co-management partnership arrangements exist involving various degrees of power-sharing and responsibility (Berkes, 1994; Pinkerton, 1989). Indeed, co-management agreements, and the circumstances that give rise to them, are proving to be as unique as the individuals, groups, and institutions involved in each process. Although used widely in Canadian protected areas, fisheries and wildlife management, it is only recently that co-management has been applied to forest resources.

Co-management of forest resources can offer solutions to many issues faced not only by local forest-dependent communities but also by the other key players in forest management of government and industry (Beckley, 1995). For example, the trend towards government decentralization (SERM, 1995b; Pinkerton, 1989), the desire for certainty of resource ownership in the face of Aboriginal land claims, and the growing need to manage for forest values other than timber (Beckley, 1995) are critical issues that both government and industry believe forest co-management can address. It is increasingly recognized that conventional management practices have failed to sustainably manage natural resources in the common interest (Beckley and Korber, 1996; SERM, 1995a), to meet community needs (Beckley and Korber, 1996) or to incorporate the valuable knowledge held by local resource users into management plans and decision-making (Berkes, 1991; Campbell, 1996; Pinkerton, 1989; Roberts, 1994). Conventional decision-making mechanisms, which have tended to exclude rather than include diverse interests, also do not cope well with the complexity of issues and stakeholders that contemporary decision makers face (Canadian Round Tables, 1993:5). Civil society is increasingly critical not only of forest management practices, but of the whole resource management process, in particular the lack of opportunity for effective and meaningful public input and involvement (Higgelke and Duinker, 1993). Co-management of forest resources is gaining popularity in Canada as this method has the potential to address many of the above concerns by involving government managers, industry representatives and local resource users in the management process.

Many academics claim that co-management cannot happen in the absence of a formal, legally-binding agreement that enforces equal power sharing (Campbell, 1996; Huntington, 1992; Landmann, 1988; Pinkerton 1989) and that the process must have the full support and participation of the responsible government agencies from the outset if it is to be successful. For example, co-management regimes “can be legislated, formal, advisory or informal arrangements, but formal and legal agreements provide the best basis for co-management”

(Roberts, 1994:71). The NorSask co-management experience in Northwestern Saskatchewan, however, provides an exception to these claims. In this case, co-management has evolved since 1993 between the forest industry and nine local communities in the absence of strong government involvement and formal legal agreements between the main parties. Despite these deficiencies, the NorSask co-management process to date is generally successful, with a high degree of participant satisfaction and sharing of management responsibilities in practice with a number of individual boards (Chambers, 1999).

The NorSask Forest Management License Agreement (FMLA) area, located in Northwestern Saskatchewan, covers a substantial 3.3 million hectares of which 1.7 million are considered productive forest land. Although forestry has been a part of the regional economy since the 1930's, it was not until the mid-1980's that large-scale forest development began in the area (**Map 1**). This development led to significant conflict with local communities and culminated in Canada's longest-running logging blockade in 1992/93. This 18-month protest and civil disobedience by members of the Canoe Lake First Nation, later joined by other local and national individuals and groups, stemmed from controversy over local clearcut logging. Although NorSask had begun developing the concept of co-management as a public involvement model previous to the blockade, it is recognized that this conflict significantly speeded up the implementation of co-management by industry. There are currently nine operating co-management boards based upon the nineteen pre-existing Fur Conservation Area (FCA) boundaries within the FMLA. Funding for the process comes from a \$10,000 start-up grant from Mistik (given to each board once it is registered as a not-for-profit corporation under the *Societies Act*) and a \$0.50 donation by NorSask for every cubic metre of wood harvested yearly within each board's FCA. Other forestry companies that operate within the area, such as L&M Woodproducts Inc. and Weyerhaeuser, also contribute financial or other resources to some of the co-management boards affected by their operations.

The NorSask FMLA is fully owned by the Meadow Lake Tribal Council (MLTC), an economic coalition of nine local First Nations.¹ Mistik Management Ltd. a non-profit management company formed in 1990 by NorSask and Millar Western, is responsible for forestry operations in the FMLA as well as public consultation initiatives such as the co-management boards. Co-management is described by Mistik as "the process by which the companies which hold the NorSask FMLA share in the decision-making of the forestry operations of the FMLA with First Nations and other northern communities that have a stake in it" (Mistik Co-Management Draft #3, June 22, 1992:1).

¹In the Spring of 1998, a buy-out of Techfor's (40%) and Millar Western's (20%) ownership in NorSask by MLTC resulted in the FMLA being transferred to Mistik Management. Although the FMLA is now the sole responsibility of Mistik, the license is still commonly referred to as the NorSask FMLA.

In a 1993 Memorandum of Understanding (MOU) between SERM and NorSask (with Mistik as an operating party) government granted industry the authority to develop co-management boards with local stakeholders and communities in the FMLA. Due in part to a lack of rigid criteria imposed by Mistik or the provincial government, which took a back seat at the start of the NorSask co-management process, each board in the FMLA has since developed a co-management regime and relationship unique to the stakeholders and communities involved in their particular case. Indeed, "Northern community representatives themselves are defining the role and responsibilities of each co-management board. Because of the diverse geography and the varied cultural backgrounds involved, no single approach will meet the needs of all residents across the FMLA" (Mistik News, Vol.1 No.2, 1993:3). The diverse structure of these boards can, in fact, be seen as one of the great strengths of the NorSask co-management regime since each community is given the opportunity to adapt the management process to their individual needs.

The NorSask co-management process to date has resulted in a number of significant benefits to the parties involved. These include increased trust and a stronger working relationship between participants, creating a forum for affected local communities to voice their concerns about forest development, and the recognition of local forest resource users as valid participants in the resource management process. Other benefits of co-management include a significant reduction in conflict over forestry operations, more responsible forestry practices, and greater accountability of industry and government managers. The incorporation of local knowledge into forest management through the co-management process has also resulted in more effective decision-making and planning by both government and industry.² Important employment, educational, management and training opportunities as well as interest-free loans and capital for small-business development are also being provided to local community members through some co-management boards. Although more expensive and time-consuming in the short-term than the conventional top-down approach, participants feel that in the long run co-management is more cost-effective than conventional management. For example, Mistik recognizes that co-management:

has come at significant cost to us, measured in millions of dollars in terms of inefficiencies in comparison with our competitors. But this is a short-term cost, this is a very slow process, talking about issues, then development opportunities... we accept that, and we realize that over time we will break that down and we'll be here, and they won't because we have embraced this local participation." (#111)

Despite these significant benefits, however, there also remain a number of barriers to the implementation and future security of co-management in the NorSask FMLA. These include a

²In this case, 'more effective' decision-making is defined as that which results in decisions that are longer lasting, of a higher quality and are accepted by a wider range of stakeholders than those achieved before through conventional management methods.

general apathy and lack of interest within local communities and resource user groups unless something affects an individual directly, cultural barriers such as language and differing value systems between participants, and a lack of understanding within resource user groups of the co-management process (Chambers, 1999). Generational and gender barriers also mean that important forest stakeholders such as women and youth do not feel comfortable participating or even sitting in on meetings which are mostly dominated by older male participants. Internal divisions, historical mistrust, and politics within both local communities and forest user groups also present a barrier to the effective functioning of the co-management boards. In addition, political tensions within communities, such as a power struggle between the Board and Chief and Council, have created friction in some boards. Other barriers include the absence of stable long-term funding and other support for co-management, formal recognition of the process by government, and a lack of time for members to participate as much as they feel that they should to maximize the success of the process. For example, one government manager feels that:

If the co-management process were to work, I should be doing more. But with workloads and other commitments, I don't know whether myself or anybody else in this Department has the ability to commit to the amount that they probably should. I am just doing the very basics, going to the meetings, dealing with the issues as best I can, and getting to the next meeting. (#127)

Government reluctance to share management power and its inherent slowness to change are also a problem with the existing process. Although participants cite the lack of direct government control and intervention at the start of the process as a main factor in its current success, the deficiency of any legal decision-making authority or formal support by government of the Boards is increasingly recognized as a significant barrier to the future security of co-management at the local level. According to one community participant:

I really think that in the absence of formal co-management recognized by government, it leaves the door open for industry to muscle their way around. I would like to see formal, official recognition of co-management and the Boards - that's what we would gain out of signing something with SERM on co-management. (#103)

One of the strongest co-management boards in the FMLA is that of the community of Beauval. Beauval is home to approximately 810 people, the majority of whom are of Aboriginal (Métis and Cree) descent. Employment opportunities in the area are relatively good with forestry, mining, commercial fishing, trapping, outfitting, and long-haul trucking being the major sources. Commercial forestry has taken place in the Beauval area since the 1930's when a small sawmill ran on hydro-power from the adjacent Beaver river. It was not until the late 1980's, however, that large-scale timber harvesting began in the area and traditional forest uses were impacted. Since there are strong cultural and subsistence ties between the community of Beauval and the surrounding forest, the onset of industrial forest development was of great concern to local resource users. For example, one community member voiced his concern

about logging activities as: “I am concerned about wildlife and what they are doing to protect it while they are logging. I depend on the forest for my food supply for my family. We eat mostly traditional foods...my livelihood comes from the forest, so I am concerned about its health” (#129). As a result of these resource user concerns and the ongoing Keeley Lake logging blockade, Mistik contacted stakeholders in Beauval in 1992 and proposed co-management as a solution to forestry conflict and tensions in the area. The Beauval Co-Management Board, which began operations in 1992/1993, oversees the N-12 FCA located on the mid-eastern edge of the NorSask FMLA. There are currently seven stakeholder interests represented on the Board: cabin owners, commercial fishermen, traditional users/Elders, trappers, outfitters, the Village Council, and wild rice growers.

After six years of operations, the Beauval Board would now like to come to an agreement with government to ensure that their co-management process developed to date has long-term security in the future. Creating such an agreement, however, is proving problematic as government is not comfortable with the high level of management functions currently undertaken by the Board, nor is the Board willing to give up many of these responsibilities just to sign an agreement. In the words of one government manager:

The boards can get fairly demanding, they can get way ahead of themselves. There is a caution here in that when people get used to having this system, it evolves, and people assume that they have jurisdiction and authority to make decisions about more general resource management when they don't. SERM is dealing with this problem on a case-by-case basis. We are asking for input through co-management and this means providing advice, not saying yes or no. This advice will usually be accepted, unless a rational refusal can be provided. (#104)

From the Board's point of view, government “has pretty rigid ideas of what co-management is and what it isn't - they are adamant that jurisdiction and revenue-sharing can only be done by the Minister - but we are already doing those things, so it doesn't make sense what they want us to sign” (#103). The purpose of this paper is to assist the Beauval Board and SERM to explore options for coming to an understanding that will give validity and long term security to their co-management process. This is accomplished by providing background information to the current impasse between the Board and SERM, summarizing the benefits and barriers to the parties developing a more formal agreement, and suggesting further action that both government and the Board could take to give greater security to the Beauval co-management process.

Background to the Case Study

Background to the Beauval case study is provided through a historical summary of the reasons for the current impasse between Beauval and SERM, a description of the Beauval community and Board, and by summarizing the positions currently taken by the Board and SERM representatives regarding the signing of a formal co-management agreement.

The current impasse between the Beauval Co-Management Board and SERM has come about over the past six years for a number of interrelated reasons and events. Since SERM was not strongly involved from the start of the Beauval process, communication between the Board and government managers at the regional and provincial levels has not always been consistent. SERM has given a number of reasons for this lack of government involvement in the Board's process. When Beauval first began operations, government did not have enough staff or funding available to fully participate in what was essentially an industry initiative. The Department also had no policy directives for co-management, and as a result there was confusion over which branch of SERM should represent government and take responsibility for involvement in the process. In the words of one government manager: "SERM wasn't set up to deal with this process. We had a Corporate Services Branch that had the authority to deal with co-management on a corporate level. But no one in the field organizations or at the local level had co-management in their job description" (#104).

At the time Beauval began operations, SERM managers were of the opinion that government should advise, but not lead the co-management process. Managers feel that past experience with public involvement methods in the province demonstrates that such a process must come from the grass roots if it is to be successful. For example, one SERM manager is adamant that: SERM's role in co-management is to help start the process, but the communities need to choose the people and to decide the structure that the board will take, like if they want it to be co-management or just advisory... [and] how much responsibility they want to take on. This process really needs to start at the grass roots, at the community level. It doesn't work if government comes down from above and tells them what to do. (#137)

Another reason for the current impasse between SERM and Beauval is that in the NorSask FMLA, the forest industry moved much faster than government was able to keep up with in developing co-management with communities such as Beauval. Indeed, the Board has been looking ahead of just forest co-management for sometime now and expects that they "eventually want to co-manage everything - oil rights, tourism, etc. - not just the bush" (#102). A significant result of this lag in government involvement is that the co-management process created between Beauval and Mistik has evolved much faster than government is now comfortable with. In the words of one participant in the Beauval process:

What happened is that industry moved faster than government. Mistik's focus is forestry management - they can change overnight. SERM's focus is resource management, which is much more diverse. It is much more difficult for government to change, to adapt, than industry. (#104)

Personality conflicts between key participants from both SERM and Beauval are exacerbating these other issues and preventing good communication and trust from developing in the process. Strong and proactive community leadership in Beauval also moved the co-management process ahead much faster than with other co-management boards in the FMLA, a rapid evolution that caught both government and industry by surprise.

In 1994 SERM attempted to sign a formal co-management agreement with Beauval. Unfortunately, there was little consultation between the parties before the agreement was drawn up and an upcoming provincial election meant that there was little time for further negotiations or discussion between the parties. From the Board's point of view:

A couple of guys attempted to draw up co-management guidelines for the whole province and to force them upon us. SERM had an agenda, to bring things under their control prior to the election. Beauval was a good example of how co-management can function, so SERM tried to come in and take credit for the process. We didn't give their ideas a warm reception, and we haven't seen them since. (#103)

This approach by senior SERM managers to signing a more formal agreement with the Board also did not work well from the point of view of government at the local and regional levels. In the opinion of one SERM employee:

I think that when the provincial government came in here a couple of years ago just before that election and tried to get the Beauval Board to sign off on what the government saw as being co-management, it was a mistake on both sides. It forced the government to jump into the process when they weren't ready because the co-management had been started between the communities and industry without much government input, and the process I think had gone ahead faster than government was comfortable with. (#127)

The health of the community of Beauval and its close relationship to the surrounding forest are significant forces affecting how the Co-Management Board has developed. A significant reason for the Board's current success is that it has had very strong leadership and has taken an extremely proactive approach to co-management since it began operation in 1993 (Chambers, 1999). For example, in January of 1998 the Board ended over a year of negotiations with the signing of a co-management MOU with Weyerhaeuser, a forestry company that holds the eastern portion of the N-12 FCA in the neighbouring FMLA to the East. This MOU effectively expanded recognition of the Board's role in the management process for the entire FCA.

The position of the Beauval Co-Management Board regarding the creation of a formal agreement with government that legitimizes the co-management process can be summarized as follows:

- without supporting legislation, co-management has no real force in Saskatchewan
- the Board needs formal support from government to give long-term security to the process developed to date
- the Board is never going to come to an agreement about co-management at the local level with SERM because the Board has come too far for government to agree to what the Board has developed
- to sign now, under the terms that SERM has dictated, the Board would have to give up too much of what has been gained over the past six years for such an agreement to be beneficial
- government cannot shut the Beauval co-management process down - it would be political suicide and go against the spirit of the 1993 MOU

- the Board wants to evolve to co-manage other resource sectors such as tourism and oil and gas
- a co-management agreement involving Beauval and SERM can happen at the regional level, between a coalition of local communities and government but not with individual boards
- if SERM made signing their version of co-management as a condition to Beauval getting access to the timber in the Besnard Reserve,³ then the Board would probably be forced to sign onto it

SERM is the provincial government department responsible for the legislative, regulatory, policy, and programme aspects of the management and allocation of natural resources such as forests. The support and involvement of this arm of the provincial government is therefore critical to the long-term security of co-management in Beauval. As stated by a SERM manager, “The co-management Board is really only as good as the government lets it be. If we didn’t come, didn’t bring our issues to the Board, then the process wouldn’t work because the decision-makers wouldn’t be involved” (#137). The results of SERM not playing a prominent role in the development of the Beauval Board have been both positive and negative.

Participants feel that the absence of government managers early in the process has allowed industry and local resource users to freely develop a grassroots co-management model that meets the widely differing needs of individual communities such as Beauval within the FMLA. However, government is not comfortable with, and therefore refuses to formally recognize, the high level of shared management that the Beauval Board has developed with industry. For example, the apparent revenue-sharing between the Board and industry, and the fact that Mistik is unlikely to make management decisions without the Board’s approval. Indeed, the impasse between SERM and Beauval has put industry in an awkward position as the company is now essentially an outsider in a process that they initiated. SERM’s position regarding the signing of a formal agreement that legitimizes the existing Beauval co-management process can be summarized as follows:

- co-management is a form of public involvement, not co-jurisdiction
- co-management is not a vehicle for Aboriginal land claims or self-government, which are political processes outside of SERM’s mandate and jurisdiction
- the Beauval Co-Management Board is advisory only, the minister retains final decision-making authority
- SERM cannot sign an agreement that validates the existing Beauval process since this goes beyond what the Board can legally undertake given current legislation and policy

³With the Saskatchewan government’s recent ‘full use’ forest policy, Weyerhaeuser is giving up their right to the timber located just north of Beauval in the Besnard portion of their FMLA. A number of groups, such as a coalition of five local communities including Beauval, are bidding for access to the Besnard timber for economic development purposes.

- The Beauval Board must become representative of a wider range of stakeholder interests before SERM will sign an agreement formally supporting the process
- SERM will only sign a co-management agreement with Beauval if the Board agrees to SERM's existing groundrules for co-management

As the NorSask co-management boards naturally evolve to encompass resource sectors other than forestry, the full participation and support of the responsible government agencies such as SERM become even more important to the security of the process. In order for Beauval to continue their current operations as well as jointly manage other forest-related sectors in the future, such as tourism or oil and gas, a multi-resource framework and formal agreement must be developed to validate the Board as a part of the provincial management process.

Benefits and Barriers to a Formal Agreement

The questions of whether a formal agreement can resolve the current impasse between the Board and SERM as well as lend long-term security to the co-management process must be asked. A number of drawbacks associated with signing such an agreement under the current conditions must also be considered before this question is answered. Given that Beauval has very much developed as a grass roots process, a concern exists that a written agreement could constrain co-management in future and even isolate it from the resource users that currently give it support. A formal agreement that clearly defines the role of the process in the provincial context may also slow the evolution of co-management (while this is seen as a drawback in Beauval, government and industry managers may see this as a positive benefit). Despite these concerns, however, there remain strong incentives for the creation of a formal agreement between the Board and SERM.

There are a number of significant benefits that both parties would gain by signing an agreement to formalize co-management and give it legitimacy in the provincial forest management process. Arguably most important is that formal recognition would give long-term security to the process. Government approval could mean that stable funding from outside sources, including government, could be accessed and a more equitable sharing of the co-management costs could be realized. For example, the agreement could set out the various financial and in kind contributions to the process that each of the participants would be expected to make. By clearly defining the rights, roles and responsibilities of all parties involved, a formal agreement would reduce conflict and opportunities for misunderstandings between participants. It could also provide a conflict resolution mechanism and protocol for members to follow in case of dispute. By signing such an agreement, SERM would give recognition to one of the most important tenets of co-management: the incorporation of locally-held forest knowledge into the resource management process. Formal recognition by government would also legitimize the participation of the Board in the provincial forest

management process. If successful, an agreement between SERM and Beauval could also serve as a potential model for other situations in the province.

Despite the benefits offered by a formal agreement, however, there also remain a number of barriers to co-management that such an agreement would not necessarily solve. These other concerns must be therefore addressed in conjunction with more formal approval of the process. A lack of personal commitment to the process and to the philosophy of co-management on behalf of some participants has always caused tension between some members. A general apathy and lack of interest by local communities about co-management means that not all stakeholder groups are represented on the Board, nor are all of the members directly accountable to their group. Personality conflicts among the current participants are also negatively affecting the process. Issues of health and capacity in the local communities must also be addressed if co-management is to be successful in the long-term. Political tensions within, and between, communities and resource user groups also present a barrier to the long term success of co-management. For example, one community member summarizes the historical situation between some of the FMLA communities as:

...we've all got different ideas and the communities like Dillon, Ile La Crosse and Green Lake all compete with one another. If we would all work together, then it wouldn't be like this. Not until we lose that jealousy between communities can we work together. (#117)

If the Board is to evolve to co-manage other resources or to begin managing on a larger landscape level, the existing stakeholder representation on the Board must also be reviewed.

For example, government is concerned since:

Some boards are strictly Aboriginal and don't represent any other interests, and that is of concern to us. The broader regional and provincial interests aren't adequately represented on most of the boards. Another big concern for us is that the boards are now getting into broader issues, away from forestry, and they are not adequately representative of the different interest groups to look at the issues that affect these other groups. (#137)

However, suggestions as to what stakeholder groups are missing on the Beauval Board and how these could be incorporated were not available from government managers.

What form should an agreement take?

The main participants of local resource users, government and industry in the Beauval co-management process agree that gaining formal recognition by government would be of benefit to the process. What level of government this recognition comes from, and the form it takes, however, are matters of much debate. The purpose of this section is to propose answers to these questions.

There appear to be three probable choices for action available to the Beauval participants at this time. The first is to maintain the status quo whereby the Board continues to operate and take on new areas of interest without the mandate to do so while government managers turn a blind

eye yet refuse to legitimize the process. This option is not preferable as it is likely that this would serve to further widen the existing rift and tensions between the parties. It is also likely that the longer this impasse persists, the more difficult it will be to resolve. Second would be for the Board to continue the process of registering their existing co-management structure indirectly through formal adoption of operating bylaws and regulations under the *Societies Act*. Although this would not help to reach an agreement with SERM in the near future, this would at least give the existing process greater validity and security through a formal registering of the process (albeit not with the appropriate branch of government). Thirdly, and arguably the most effective in achieving the long-term security of co-management, would be for government to sign a co-management agreement at the regional level with a coalition of local communities, including Beauval. While this would not immediately solve the current impasse between the Board and government over Beauval's process at the local level, it would serve to formalize the relationship between the two, open lines of communication, and give security to some form of co-management at the regional level. This altering of the current relationship between the Board and SERM may also help the participants to gain a new perspective on their current situation and thereby improve the chances of negotiating an agreement at the local level. A regional co-management agreement would allow the Beauval Board to participate in the regional management of forest resources without feeling that it has overly compromised its current position.

This third option also makes sense when viewed in the context of the 1993 co-management MOU between SERM and NorSask. This agreement originally envisaged the creation of two interrelated levels of co-management in the FMLA: local and regional. For example, Section 2.4 of the MOU's Operational Terms of Reference clearly states the intention that "The co-management structure shall have two levels - a regional structure which shall be known as the Regional FMLA Coordinating Committee and a local structure which shall be known as the Co-management Board (Fur Conservation Area)". The proposed Regional FMLA Committee was to be made up of key regional stakeholder groups, a representative of each local co-management board such as Beauval, NorSask as the operating party, and SERM as the regulatory agency. This 1993 agreement also specifies that representation from government and industry on the Committee will be by senior officials from SERM and NorSask, not junior employees. The roles and responsibilities of this Regional Committee are described as:

3.3 Roles and Responsibilities

- 3.3.1 Provide overall co-ordination for integrated planning within the FMLA
- 3.3.2 Develop broad guidelines for co-management boards to ensure that they operate in an effective, consistent and equitable manner
- 3.3.3 Design a strategic framework for long term integrated resource management in the region.

Section 4.4 of the MOU, Process, states that the local co-management boards “will relate to the Regional FMLA Coordinating Committee with respect to ensuring the development of broad guidelines to ensure effective, consistent and equitable co-management” throughout the FMLA. Respect for this principle would ensure that a basic level of co-management standards are shared between all boards across the FMLA and may help to reduce conflict with government managers in the future.

The regional Committee envisaged by the 1993 MOU, however, has never developed. The reasons commonly cited for this include jealousies and political tensions within and between local communities, the fact that each community has developed co-management boards at differing times and levels of success, and that some communities and government managers worry that the regional process would be too political in nature to be effective. For example, one SERM employee’s point of view in 1997 was that:

A regional board would not assist the co-management process because it gets away from local involvement to a more philosophical involvement. It would be political and general rather than technical. Resource management needs technical advice, not political. SERM has resisted the formation of a regional co-management board because we want to avoid a coalition, a political lobby. Co-management is about hands-on resource management, not a political process. (#104)

Indeed, this last concern about the political nature of a regional board is also shared by some of the communities themselves:

Three years ago [1994], people came that weren’t representative of their communities to start a regional [co-management] board. The meeting was at Canoe Lake. Beauval was in attendance, and we blocked the process because the other people there were not representative of their boards or their communities. They were just people who wanted to be important, to have control. People were mad at Beauval over this for a long time, but now they realize that it was the right thing to do. (#102)

Despite these concerns, there is growing interest among local resource users, government managers and industry representatives in forming a regional co-management body. Strong ecological and practical reasons for the creation of such a body also exist. A regional group would act as a coordinating body between existing boards and help these groups to share their co-management skills and expertise. For example, Beauval has developed a set of operating bylaws which could help newly-formed boards to guide their process as well as save them significant start-up time and expense. Government managers also recognize the increased communication that such a body could bring between existing boards as a benefit to their operations: “I definitely think that there should be more communication happening between the boards. That’s maybe what this regional board could do, to assist in that way. I would see that as a positive move” (#127). The existing co-management boards take a very local approach to management with varying consideration of the larger provincial, economic, or ecological context of their FCA. Since both government and industry are required to manage on this larger scale, this constraint often leads to conflict and misunderstandings with the local boards

who do not understand how this approach constrains or guides each of their co-management processes. One government manager expressed this frustration and hopes for a regional committee as:

I would like to see the larger area like Beauval, Green Lake and Waterhen all one, because then you might be able to realistically manage in an ecologically responsible way. Like in Green Lake, they just want their little Fur Block, their small area. In government, we are talking larger, representative areas and biodiversity. In twelve townships you can't manage for all those values. I don't like tying co-management to these Fur Blocks, which for some reason, Mistik has done. And I think that it is a mistake in the long-term to do it that way. Maybe, eventually, and I think that there has already been some discussion between Green Lake, Beauval and Waterhen in regards to this, that they might develop a larger group that manages things on a larger level, yet they still maintain their little boards. (#127)

Additional support for a regional co-management body comes from another SERM employee, who would like to see boards such as Beauval involved in the provincial land use planning process: "At this point... I would also like to see a more formal process of land use planning, for example, what ranges of activities will be allowed in each area. This has been done by the boards, but on an issue-by-issue basis, not on a larger scale or on a long-term plan" (#104). The participation of the NorSask co-management boards in the provincial land use planning process is currently of a very ad hoc nature, with the result that the substantial knowledge held by some boards is not being used by government.

A number of promising initiatives by local communities at this time lend further support to the concept of a regional co-management body. For example, the newly-formed Northwest Communities Forest Products Board is a coalition of the five geographically-related communities of Beauval, Green Lake, Ile La Crosse, Patuanak, and Pine House. While details of these negotiations are confidential at this time, the general purpose of this coalition is to submit a successful proposal to government to obtain the available timber license in the Besnard area north of Beauval. If successful, this bid will result in an economic coalition of five communities, the majority of whom already have operating co-management boards.

The conclusion must therefore be drawn from this section that while a formal agreement between the Board and SERM supporting Beauval's existing co-management process is unlikely to be signed at this time, a regional co-management agreement between SERM and a number of local communities is a realistic option. The following section summarizes the conclusions of this research and provides a number of recommendations to SERM and the Beauval Board to improve their current situation.

Conclusions

The conclusion must be drawn from this research that the Beauval Co-management Board and SERM are unlikely to sign a formal agreement at this time that validates the existing process at the local level. In the near future, SERM is likely to continue to turn a blind eye to the Beauval

process since directly confronting the Board or shutting it down is likely have politically unacceptable repercussions and lead to increased tensions in the area. The Beauval Board will continue to push to expand its existing responsibilities at the local level while at the same time look to increase the security of their process through other means such as registering their operations under the *Societies Act* and invoking the new provincial *Forest Act* which makes specific provisions for public consultation in forest management.⁴ Despite the current impasse, however, it is likely that an agreement can be reached between SERM and a coalition of local communities, including Beauval, legitimizing co-management at a regional level. A number of promising local initiatives towards forming a regional coalition of communities such as the Northwest Communities Forest Products Board attest to this possibility. Interest is also growing among local communities in forming an organization similar to the regional co-management committee first envisaged by the 1993 NorSask and SERM MOU. Indeed, government managers recognize that:

A time will come that government will have to give a measure of authority up as well like it has done with education and the health districts. [In return], other players in the process will have to be flexible to the needs of the whole range of society, which includes the industrial society. (#104)

This research suggests that the success of the Beauval co-management process is attributable to four main factors. These include strong and charismatic leadership from the Beauval community, a healthy community with good capacity, a provincial government that took a back seat and let the process evolve independently, and a forest corporation that was willing to listen to local resource users, fund the process and be flexible. For example, Mistik acknowledges the importance of working cooperatively with local communities, regardless of the legal basis or government policy, if the company is going to be successful in the long term: Ile La Crosse passed a plebiscite that they didn't want any logging in their fur Block....Three or four years after this, they have decided to start logging on a limited basis. They recognize that we respected their decision, and we don't have to do this - the law is behind us in terms of our rights. But really that law is irrelevant in these matters. So, we are talking now and working together, in an area where we could have taken the position that there is a resource there and that we have the right to utilize that resource, and we don't care what the co-management board has to say. And if we had done that, we probably wouldn't be talking right now, there would probably be a lot of friction to say the least. (#111)

There are a number of actions that SERM managers and the Beauval Board could undertake to resolve their current impasse and move the co-management process forward. Firstly, improved communication between the two groups is critical to resolve the existing situation.

⁴For example, *Section 11* of the recently proclaimed *Act* states that the minister may establish forest management committees for those areas that are designated by the minister to facilitate local involvement in the management of forest resources. *Section 94* addresses the decentralization of certain decision-making powers and authority from the provincial to the local management level. This includes the delegation of the minister's powers and responsibilities to forest management committees.

This could be accomplished through local SERM managers committing to attend each monthly Board meeting regardless of whether they have a specific issue to address or not. Regional and provincial managers responsible for co-management should also familiarize themselves with the current impasse and even attend meetings where possible to show government support for co-management at the local level. Individuals involved in the process should acknowledge the personality conflicts which are currently hindering Board functioning and make an effort to reduce these. A review of co-management literature such as the 1993 MOU between SERM and NorSask as well as SERM's own policy documents and directives on co-management by the participants would help to clarify the rights and responsibilities of each party and therefore reduce conflict and misunderstandings. The concept of a Co-management Coordinator position first envisaged by SERM and Mistik in 1997 should be revisited. Such a position on each FMLA board such as Beauval would provide a clear contact person as a link between the Board and SERM, thereby reducing the existing high level of miscommunication. Finally, the parties should continue to work towards signing a co-management agreement at the regional level, regardless of their differences with the local Beauval process. A regional agreement and process would ensure that the substantial knowledge and management expertise held by the Beauval Board are available to benefit the region while not endangering the existing local process.

Many academics claim that co-management cannot happen in the absence of a formal, legally-binding agreement that enforces equal power sharing (Campbell, 1996; Huntington, 1992; Landmann, 1988; Pinkerton, 1989) and that the process must have the full support and participation of government from the outset if it is to be successful. While it is true that there will eventually be a need for formal support from government for any co-management regime, the NorSask experience demonstrates that strong government involvement is not necessary at the start of the process. Indeed, in the case of the Beauval Co-Management Board, a lack of government intervention and formal legal agreement has allowed a unique grass-roots co-management process to develop that meets the widely differing needs of local communities. This conclusion is demonstrated by the following quote from a participant in the Beauval co-management process:

“Co-management can never be put into a book or a thesis, it's always evolving and changing. Co-management is a **process**. Every co-management board is different - values, forest-type, community, etc. This diversity is really what co-management is all about.
(#102)

The NorSask FMLA case study also demonstrates that power-sharing between the parties does not need to be equal from the beginning of the process since each community must choose the level of responsibility they wish to take on.

Coming to a co-management agreement with government at the regional level offers a realistic solution to the current impasse between the Beauval Co-Management Board and SERM. By

opening up the lines of communication between the parties and legitimizing co-management as a valid part of the larger provincial forest management process without requiring either of the parties to radically alter their current position, such an understanding ensures that co-management in Beauval will continue to evolve.

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