

Evaluation Considerations for the Pilot Aquatic Management Board (WCVIAMB): A Learning Approach

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EXECUTIVE SUMMARY

Central decision-making bodies, in this case Fisheries and Oceans Canada (DFO) and provincial fisheries and habitat officials that share the responsibility of making decisions and implementing policy, have come to a juncture where new ways of creating and implementing policy must be tested and learned. In British Columbia, Aboriginal and non-aboriginal communities have been working together for the past decade towards creating more inclusive processes that will allow their interests to be included in policy decisions made by governments. Recently, a new collaborative fisheries decision-making institution was jointly announced by Canada, BC, the Clayoquot Alberni and Comox Strathcona Regional Districts, and the Nuu-chah-nulth Tribal Council.

This report examines the terms of reference recently approved for the West Coast Vancouver Island Aquatic Management Board and suggests a framework for eventual evaluation of its success as a pilot project. The goal is to propose a way of thinking about its evaluation as an innovative decision-making institution. A central theme is to look at this pilot project as a way to learn about the character, nature and challenges of community-based decision-making processes so that all governments can improve the way decisions are made in the fisheries sector.

To do this, the report examines the existing terms of reference, summarises what we know about consultative processes and the context within which the Board will exist, and launches a discussion around various challenges the Board must anticipate during implementation. There are many complexities involved in determining what will constitute a successful Aquatic Management Board for the West Coast of Vancouver Island. In order to have a well-managed fisheries resource where people abide by allocation and seasonal harvest regulations, decisions must be made and legitimized through a social process accepted within the community. This social process must have the capacity and authority to make decisions relating to human activities having significant impacts on the biological environment with which it interfaces.

Thus, the Board's success depends on a myriad of factors that may or may not be controllable through the process design. Governments and non-government representatives should recognise that the process requires a long-term investment to build commitment, establish legitimacy, and bring tangible benefits to government institutions, communities and the environment. This report is intended to provide the client with a primary tool for implementing the West Coast Vancouver Island Aquatic Management Board. More generally, however, this study will be of value to those involved with designing and testing multi-party collaborative natural resource decision-making processes.

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Thank you to Rod Dobell and Peter Leitz for your encouragement—It's been an incredible learning experience. Thanks also to all those who created the West Coast Vancouver Island Aquatic Management Board—let the implementation begin...

Thank you to Jytte, Melissa and Caroline for your help and support!

I do not know what I may appear to the world. But to myself, I seem to have been only like a boy playing on the seashore, diverting myself in now and then finding a smoother pebble or a prettier shell than ordinary, whilst the great ocean of truth lay all undiscovered before me.

Isaac Newton

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1 INTRODUCTION

1.1 Background

Recurring crises in the natural resource sectors have placed significant challenges before governments, local communities and interested stakeholders. Central decision-making bodies, in this case Fisheries and Oceans Canada (DFO) and provincial fisheries and habitat officials that share the responsibility of making decisions and implementing policy, have come to a juncture where new ways of creating and implementing policy must be tested and learned. In addition, current trends to downsize government and increase efficiency provide the impetus for creating new decision-making processes.

Recent industry closures have increased economic uncertainty in fishery-dependent communities. Communities and local governments have had to make wrenching adjustments due to the decline of the fishery. Government responded initially to the crises by helping fishermen with transition and adjustment programs in the form of income support or support for retraining efforts. In the long run however, transition payments are not sustainable and neglect to address the underlying issues. There has been a concerted effort by community members to create long-term solutions by becoming more involved in initiatives to change the way decisions are made.

Another force driving change is the need for the federal and the provincial governments to address Aboriginal claims supported by Supreme Court of Canada decisions such as *Sparrow*, 1990, *Gladstone*, 1992, *Delgamu'ukw*, 1997, and *Marshall*, 1999. The Supreme Court judgements direct governments to enter into meaningful negotiations and consultations with First Nations to reconcile issues relating to land and resource use, rather than turning to the courts for answers. By most accounts, it is fair to say that the negotiation and consultation processes have been largely unsatisfactory to First Nations and have, except for the Nisga'a Final Agreement, failed to bring governments the

certainty they seek. It has been acknowledged that more inclusive and flexible processes are needed to pave the way for positive and lasting relationships between native and non-native populations and to bring economic benefits to marginalized aboriginal communities.

There are many benefits to involving affected citizens in decision-making. If the process is well structured and carried out it can increase knowledge about new and innovative ways of protecting and enhancing the resource base and the environment. In addition, bringing varied interests together can provide insight into increasing the value and diversification of resource use to minimise economic risk to fishers. Inclusive consultation brings together people who may not normally have worked together, and allows relationships to be built or enhanced. Such relationships can greatly empower individuals at the local level. Another benefit is that communities who have greater input to decision-making tend to be more inclined to abide by access and allocation regulations and participate in their enforcement. However, consultation processes of the past have often been designed without adequate input from those most directly impacted by policy decisions and have therefore resulted in poor or inequitable decisions being made. Decisions have either been protracted, made without including relevant and affected parties or have been problematic to implement.

Governments have had long-standing stated objectives to include the public to aid in decision-making. They initially began by designing processes focused on the collection of information for analysis and interpretation, which would then result in a policy decision. Financial constraints on the federal and provincial governments also created the need for sharing the cost of monitoring and enforcement with industry, communities and other fisheries interests. In 1995, DFO acknowledged the need for restructuring fisheries policy and legislation in Canada by proposing new amendments to the *Fisheries Act* that included provision for detailed agreements establishing partnerships with the fishing industry to share the costs of management (DFO). Consultative processes have,

however, been vulnerable to the exclusion of interests that are dispersed, such as small-scale fishermen who are not politically organised or are marginalized by their remoteness. More recently, governments have been recognising the necessity of creating opportunities and processes that are inclusive of a greater number of interests. Policy direction in the 1997 *Oceans Act* suggests an integrated management regime whereby:

In exercising the powers and performing the duties and functions assigned to the Minister by this Act, the Minister...shall cooperate with other ministers, boards and agencies of the Government of Canada, with provincial and territorial governments and with affected aboriginal organizations, coastal communities and other persons and bodies, including those bodies established under land claims agreements...¹

Notwithstanding these stated objectives, governments have struggled to define the level of collaboration that will generate the most equitable and beneficial result, within the parliamentary framework, for responsible and accountable decision-making by officials and Ministers. Recently, a new collaborative fisheries decision-making institution was jointly announced by Canada, BC, the Clayoquot Alberni and Comox Strathcona Regional Districts, and the Nuu-chah-nulth Tribal Council (see News Release and Backgrounder, Appendix A). The Board was created to fill the need for improved decision-making on the West Coast of Vancouver Island. Both aboriginal and non-aboriginal communities in this area have been working together for the past decade towards creating more inclusive processes that will allow their interests to be included in policy decisions made by governments.

1.2 Objectives of this Report

This report examines the recently approved West Coast Vancouver Island Aquatic Management Board terms of reference (Appendix B) and suggests a framework for eventual evaluation of its success as a pilot project. The goal is to

¹ *Oceans Act*. January 31, 1997—The act addresses Canada's economic, social and environmental objectives in relation to the three oceans and provides for the integrated management of activities affecting the Pacific, Atlantic and Arctic Oceans.

propose a way of thinking about its evaluation as an innovative decision-making institution. The discussion can form the starting point for the parties to negotiate what they believe would ensure the success of the Board. A central theme is to look at this pilot project as a way to learn about the character, nature and challenges of community-based decision-making processes so that central governments can improve the way decisions are made in the fisheries sector. Consequently, it is hoped, the affected local communities and all Canadians can benefit from an enhanced social and ecological environment.

1.3 Methodology

The discussion follows an analysis of the proposed measures for the Board terms of reference. Using the theory of adaptive management and approaches in performance measurement, the Board's functions, as set out by the terms of reference, will be discussed to draw attention to challenges and opportunities the Board will face in meeting its objectives. To facilitate the discussion, I propose a general framework for analysing the Board's terms of reference. The framework considers two main components on which to base the discussion. First, the Board was created to respond to problems in fisheries decision-making, and therefore contains substantive, consequential external goals. These are characterized as "what" the Board will address. Second, the process designed to address these issues is also set out in the terms of reference. These procedural criteria are the internal goals, or "how" the Board will accomplish its goals. Furthermore, an overarching objective is to improve decision-making. I propose that the Board's goal of making better decisions is achieved through the proper and rigorous implementation of the process and the accurate identification of the external problems the Board is mandated to assist in solving. Thus, the Board should distinguish between these areas and the goal of improving decisions in the evaluation.

Methods in performance evaluation will be used to build a framework for studying and discussing the internal and external goals that have been extracted from the terms of reference. The actual practice of performance evaluation usually requires working closely with a program, its stakeholders, designers and staff. However, the scope of this report is simply to examine the existing terms of reference and what we know about consultative processes and the context within which the Board will exist, and launch a discussion around various challenges the Board must anticipate to be successful. The focus here is on formative rather than summative evaluation.² This report merely proposes an initial observation of the objectives of the Board—any conclusions are subject to full negotiations among the parties to the process. This includes seeking clarifications of the intended meanings of the principles, objectives and goals of the Board.

The Board provides a unique opportunity for using adaptive management in the classic sense: to create policy interventions that address the resource management issues the Board will be tasked with. The theory and practice of adaptive management can be simply described as experimental management by trial and learning (Holling, 1978; Lee, 1993/1999). In its original form, adaptive management envisaged structuring policy interventions, using both scientific and local knowledge, in order to learn more about resource systems in an uncertain environment. This report takes the notion of adaptive management further and applies it to the social system to learn more about the socio-political and cultural environment. Taking a “social” adaptive management approach in relation to institutional contexts allows us to see this pilot as an experiment in the application of our skills and knowledge—scientific, local, indigenous, and institutional—to learn about the character and requirements that make new collaborative institutional processes work. By extending the concepts of adaptive

² Formative evaluation is conducted to provide information useful in improving the program and is most typically conducted as the program is being developed. In contrast, summative evaluation provides information about a program’s worth or merit after it has been operational, to determine adoption, continuation or expansion, or termination. From Blaine R. Worthen, James R. Sanders and Jody L. Fitzpatrick, *Program Evaluation: Alternative Approaches and Practical Guidelines*. 1997

management to learning about social and institutional systems we can discuss ways that we might continually improve policy-making both in the context of the Board and in the practice of collaborative decision-making processes in general. Thus, the Board can be seen as a lead process of organisational innovation and cultural transformation. The adaptive management approach suggests that rather than being judged as either passing or failing, the structure and principles of the Board can be assessed to determine their effectiveness, and provide opportunities for possible amendment and ongoing adjustment to both the social and resource management settings.

While this report examines the potential for collaborative decision-making in fisheries management, details about the formulation and implementation of specific fisheries policy, and biological and ecological processes, are beyond the scope of this paper. However, some research on challenges within decision-making in resource management settings that equally affect fisheries management, will be identified. In particular, I draw on the work of Yaffee (1997) who has uncovered five behavioural biases that lead to policy impasses and poor choices in environmental policy. Although numerous researchers have contributed to the topic of cooperative resource management and adaptive management, I draw mainly from Pinkerton, Pinkerton and Weinstein (1995/1999), Lee (1999) and Shindler and Cheek (1999).

1.4 Organisation Of The Report

Part Two summarises an overview of current challenges in fisheries decision-making and then discusses government policy directions and endorsement in this area. The history and creation of the Pilot Aquatic Management Board and its structure and mandate are also detailed in this part.

The focus of Part Three is to develop a way of thinking about the Board terms of reference and what the Board seeks to address. This part sets out the

framework for analysing the broad objectives of the Board to propose how it can be evaluated. The Board has been designed to address problems in fisheries decision-making and ultimately seeks to improve the decisions themselves. This involves making some inferences on the criteria for sound decisions. But first, it is helpful to assess the goals as set out in the terms of reference. These can be separated under two main points of reference: “how” the board will achieve consensus decisions—the internal goals—and “what” the Board seeks to address—the external goals. Section 3.3 proposes a logic model to illustrate linkages between the Board components and the activities and outcomes. The rationale for highlighting these specific areas is to identify what the Board should focus the evaluation on to determine success. Section 3.4 links the theory of adaptive management to the discussion by suggesting that the Board process can be viewed as an experimental probe into the realm of innovative institution building. This section highlights the ways in which the theory of adaptive management may serve as a guiding principle for evaluating the Board’s performance, especially as this relates to the monitoring of relationships between different interests and institutions.

Part Four provides a synthesis of the challenges the Board will face in evaluating the internal and external goals mentioned above. The discussion provides ideas for the Board members in the implementation and evaluation process. Questions that must be answered to assess the general value of the decisions reached by the Board will then be discussed. The analysis suggests the evaluation should consider measures of the Board’s success in reaching better decisions as well as the Board’s success as an institutional innovation in decision-making and as a fisheries management agency. The concluding section contemplates the issues concerning this project and suggests recommendations for evaluating the Board during and after its term.

During the implementation stage of the Board, the governments and other representatives will have to recognise that the process requires a long-term

investment to build commitment, establish legitimacy, and to bring tangible benefits to government institutions, communities and the environment. This report may thus provide the client with a tool for monitoring implementation of the West Coast Vancouver Island Aquatic Management Board. More generally however, this study will be of value to those involved with designing and testing multi-party collaborative natural resource decision-making processes.

2 STAKEHOLDER INVOLVEMENT & CITIZEN ENGAGEMENT IN FISHERIES DECISION-MAKING

2.1 Overview Of Current Challenges In Fisheries Decision-Making

Although the West Coast has not yet faced the severe fisheries resource depletion that the East Coast cod fishery has seen, there has been significant pressure on salmon stocks in the past decade. In their 1999/2000 Annual Report, the Pacific Fisheries Resource Conservation Council reported that the fisheries of the West Coast are experiencing smaller-scale collapses, occurring over longer terms and having the most effect on local populations. Both the Fraser River and Rivers Inlet experienced collapses in salmon runs in 1999 (Pinkerton, 1999). In addition, in 2000 the expected Hake run did not arrive, due to changing ocean temperatures, and caused significant losses to fishermen and processors on the West Coast of Vancouver Island (BC Fisheries, 2000). The communities of this area have been calling for changes to policies that they perceive concentrate allocations and access to larger companies and emphasize short-run economic returns rather than ecological sustainability. Although poor management decisions and over-harvesting may be one cause of low returns, other factors have had a significant impact as well. Poor land use practices and hydroelectric dams, as well as global climate changes and subsequent disruptions of cycles have also been blamed for the decline in the fishery.

In the face of increased competition, allocation and access to the resource has become a serious conflictual issue. The interests have been identified as both aboriginal and non-aboriginal commercial fishers using various gear types, aboriginal food, social and ceremonial fishers, aboriginal participants in the pilot sales of the Aboriginal Fisheries Strategy (AFS), commercial sports fishers and a wide range of environmental organisations. Formal institutions involved in the fishery include DFO, provincial freshwater fisheries and habitat protection officials and seafood processing regulators and businesses. In addition, forestry

industries, land developers and local governments also pursue interests with substantial impact on fisheries.

The jurisdictional division between the province and the federal government in fisheries management presents another barrier to effective policy formation. Conflicting issues between the federal and provincial governments flow from Privy Council jurisdictional determinations at the turn of the century, which attempted to make clear distinctions between federal and provincial responsibilities in the inland fisheries of Canada (Thompson, 1974). Coordination issues are crucial since many fish species exist in both jurisdictions and thus require an integrated management approach. The final report of the Peckford Inquiry, commissioned by the government of British Columbia in November 1998, states that several factors have led to an impasse between the province and the federal government, such as:

- A reluctance by the federal government to accept meaningful input from the province and other local authorities despite the increasing desire of the province to become more involved in the fishery;
- Differences in perception of the province and the federal government over the future direction of the industry, including the international dimension; and
- Sensitivity of DFO given the problems they have encountered on the East Coast.

Peckford further asserts that “[t]he failure of the *Canada-BC Agreement on the Management of Pacific Salmon Fishery Issues*³ is a significant drawback” to resolving fisheries management problems.

³ See Appendix C

Another major impetus to creating more inclusive institutions has been First Nations' calls for governments to address unresolved land claims. Recent Supreme Court decisions, such as *Marshall* (1999) and *Sparrow* (1990), have put pressure on the government to take treaty and aboriginal rights into account. While there is no dispute that First Nations have been impacted by the imposition of policies by the central governments since contact, in some cases progress is being made to restore resource access and management rights. Licence retirements and the AFS and the pilot sales agreements have provided increased First Nations access, but have at the same time pushed other equally dependent non-aboriginal community members out of the sector, spawning dissension.

Policy decisions and the success or failure of their implementation are often a reflection of the type of consultation that has taken place. The process for deciding on policies has the greatest effect on what decisions are made, how they are implemented and who is ultimately affected. Fisheries management agencies have been seeking new ways of making better decisions in fisheries management.

2.2 Recent Dialogue Concerning Consultative Processes

In 1982, Peter Pearse was commissioned by the federal government to report on Pacific Fisheries Policy. His final report discusses consultative arrangements made by the federal government and comments that there are many shortcomings. He suggested constructing better consultation guidelines and principles, with consultation bodies that provide improved communication through reporting to relevant authorities (Pearse, 1982). The recent stream of policy papers on improved decision-making from both the federal and provincial levels is evidence that the government is aware of the need for change (see Appendix D). The recent May 2001 release of the Independent Review of the Pacific Salmon Fishery from the Institute for Dispute Resolution provides a convenient summary

of past problems in consultation. Further, the IDR review team recommended that governments:

Test the WCVIAMB for exploring area-based management and greater community and First Nations participation...and that the role of communities and regional management boards be a priority topic for the Policy Advisory Committee [to be created] (IDR, 2001: 40).

As a pilot project, the Board presents a positive challenge for governments and the public to explore the possibility of working together and learning from each other by respecting many different ways of knowing. However, the idea of devolving authority to communities presents a challenge to higher-level decision-makers, who have the authority and legal responsibility to act in the best interests of society at large. With respect to improving decisions, it is important to remember that decisions are really about tradeoffs between advantages, disadvantages and the risks associated with different options. Thus, the goal of the Board is to produce more equitable tradeoffs in the management area.

The West Coast Vancouver Island Aquatic Management Board evolved out of the combined pressures on the affected communities and growing evidence of declining resources. While governments perhaps could have continued to operate in a command and control fashion, the development of this initiative demonstrates a decision to choose collaboration and consensus decision-making to solve fisheries management issues. The next section describes the development of the Board process, followed by an explanation of its structure and mandate.

2.3 Creation of the Board⁴

The WCVI is home to about 40,000 people, most of whom live adjacent to the rivers and ocean. For thousands of years the Nuu-chah-nulth peoples lived in a

⁴ This section is primarily drawn from the Information Package for the WCVIAMB—a public document created by the governments.

close relationship with the resources in their environment. Nuu-chah-nulth communities were sustained primarily by their intricate dependence on the sea resources, from which they drew sustenance, cultural, and economic fulfillment. Over the past two hundred years other people settled in Nuu-chah-nulth Ha-houlthee (Nuu-chah-nulth word for territories), developing a similar shared dependence on the sea resources of the area.

In the late 1980's the Nuu-chah-nulth Tribal Council began to examine how community-based management — giving local people a greater say in how local resources are managed — might rebuild WCVI aquatic resources and restore their participation in fisheries. Nuu-chah-nulth leaders joined academics looking at other areas, such as Japan and Alaska, where local people were using community-based management to achieve similar objectives.

These developments coincided with the growing movement among environmentalists to protect forests from clear-cutting and unsustainable land use practices, culminating in the mass arrest of protesters in Clayoquot Sound in 1993 (Abrams, 2000). The provincial government had recently responded to some extent by passing the *Commission on Resources and Environment Act* (CORE: BC) in 1992, which had the mandate to develop a province-wide strategy to build sustainability in a way that balanced social, economic, and environmental interests. The CORE process would “assist the transition to sustainability through the development of regional strategic land use plans, increased public participation and aboriginal involvement, improved government coordination, and dispute resolution processes” (Owen, 1998: 14).

During this time, the BC Treaty Process was also fully operational and the Nuu-chah-nulth First Nations entered into negotiations in 1994. Through an Interim Measures Agreement, the mechanism within the Treaty Process that can provide protection for First Nations interests while treaty negotiations are taking place, the Nuu-chah-nulth decided to negotiate for the protection of their interests in the

fisheries resource. In 1996, the Nuu-chah-nulth declared a fisheries access crisis and searched for a solution. A delegation of Nuu-chah-nulth Ha'wiih (Hereditary Chiefs) and leaders met with the DFO Regional Director General in October 1996 to outline their interest in establishing a working co-management relationship with DFO. They felt that a regional management process could be a bridge to treaty settlement by creating a relationship to other communities. Nuu-chah-nulth fishers and leaders began meeting with their neighbours to discuss their common plight. They agreed that they needed to work together to effect positive change and formed the West Coast Sustainability Association (WCSA), a locally based, native/non-native association. In January 1997, the Nuu-chah-nulth formally presented their proposal to the federal and provincial governments through the BC Treaty Process.

In May of 1997, over 70 diverse representatives from throughout the WCVI region met at a workshop to address their concerns and interests. The result was the same: participants agreed that there was more to be gained by working together and that most of their concerns and interests could be addressed by having a say in local aquatic resource management. The Regional Aquatic Management Society (RAMS) was created as the steering committee to facilitate the establishment of a Regional Aquatic Management Board for the whole West Coast of Vancouver Island, from Brooks Peninsula to Port Renfrew, including the area occupied by the Nuu-chah-nulth (see map, Appendix B).

In February 1999, the governments of Canada, British Columbia, and the Nuu-chah-nulth agreed to establish the pilot project. The governments established a joint policy framework to guide and inform a collaborative shared decision-making process that would determine the precise geographic scope, specific responsibilities and activities, structure, membership, funding, enabling mechanism, implementation strategy and other matters required to operationalise the Board. From the beginning, the process was voluntary and open to any interest. For those organizations that chose not to participate directly, repeated

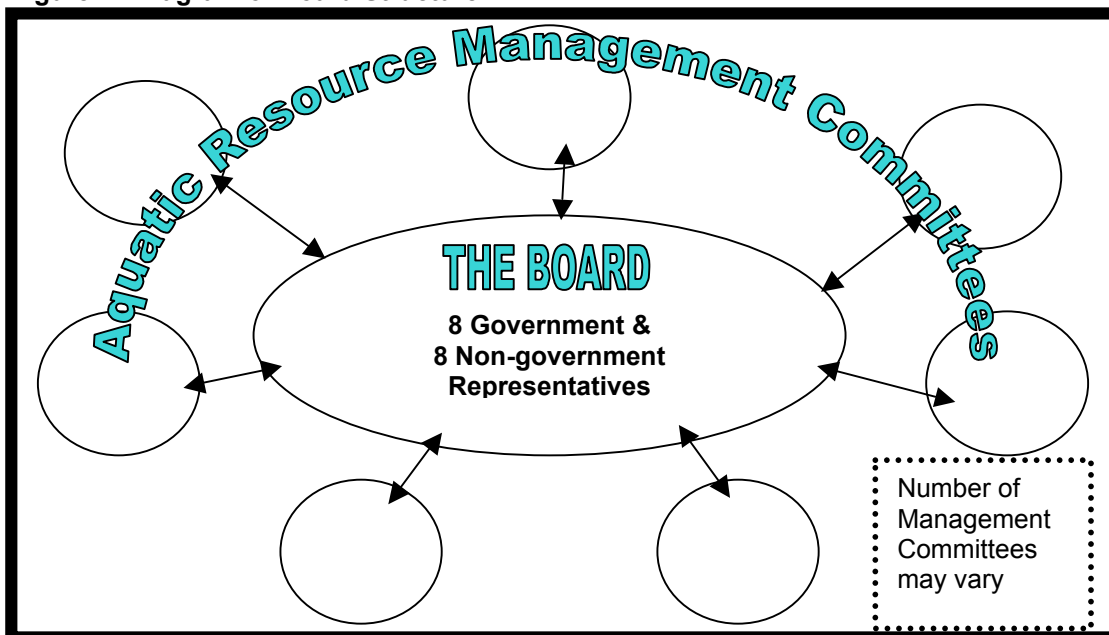
efforts were made to inform and include their advice, including a two-day workshop in Tofino, in April 1999.

A consensus on the terms of reference for the Board was reached in early October 2000. In March 2001, senior officials ratified the terms of reference for the three-year pilot project. Regrettably, the members have yet to be named.

2.4 Aquatic Management Board Structure and Mandate

The Board represents an innovative approach to aquatic resource decision-making in Canada because it includes the federal and provincial governments as active participants in reaching consensus decisions, rather than simply funding the process and mediating stakeholder communications from above. It will focus governments, communities and stakeholders on principles-based, integrated ecosystem management. The Board, and its wider management committee structure (Figure 1), will involve people with an understanding of local aquatic resource issues in decision-making.

Figure 1. Diagram of Board Structure



Non-governmental Board members will be chosen for their skills and ability in working with people, their support from the community, as well as their understanding and acceptance of the principles. The principles upon which the Board is grounded include:

- Hishukish Ts'awalk and Isaak⁵;
- Conservation;
- Precautionary approach;
- Adaptive management;
- Sustainability;
- Shared responsibilities;
- Area-based management;
- Participation;
- Full cost accounting;
- Benefits; and
- Flexibility.

See terms of reference (Appendix B) for more detailed definitions of the principles following Hishukish Ts'awalk and Isaak.

The Board's priority will be to provide consensus recommendations or decisions regarding fisheries management issues and to participate in integrated fisheries management regarding several species, including local and passing salmon stocks, herring and clams. Appendix E provides a chart of the Board's participation in fisheries management and shows the extent of authority the Board will have over activities affecting the above-mentioned species. The level of the Board's participation in integrated management may vary from information sharing to consultation, shared decision-making or assigned decision-making

⁵ The Nuu-chah-nulth phrase Hishukish Ts'awalk (pronounced 'he-shook-ish tsa-walk') means 'everything is one'. Isaak (pronounced 'e-sock') means 'respect'. These phrases embody an understanding that all things are sacred and nothing is isolated from other aspects of life surrounding and within it. This concept contributes to a value system that promotes the need to be thrifty, not to be wasteful, and to be totally conscious of one's actual needs when interacting with others. The belief underlying these two principles is that the goal in interacting with other people or species is not to maximize personal benefit, but to produce mutually beneficial outcomes. These outcomes arise from understanding and respecting the needs of other people or species, and recognizing an essential 'oneness' or interconnection with other people or species.

responsibility. Input will be received from the Board's aquatic resources management committees. Interpretation of this chart, capturing as it does the summary of a debate about power sharing, can be expected to be a controversial and contested element in the Board's ongoing work. Indeed, RAMS representatives argue that allocation and licensing decisions should not be separated from management decisions, as they have profound effects on the kinds of management that will be required. They further argue that the allocation and licensing processes should be driven by social and ecological principles and objectives, as well as reward those who make contributions in stewardship of the resource (RAMS, 2000).

While it is important to consider all the principles, objectives and administrative and process issues set out in the terms of reference, it is crucial to remember that the Board's main purpose is to make better decisions than have been made previously. The terms of reference contain specific provisions that set out the process through which consensus decisions will be made. Where consensus decisions have been reached, it is understood that some members will have to take the agreement back to their constituencies or to a higher decision-making authority for ratification. Where consensus decisions are not reached the members will actively seek agreement on a statement describing the areas of disagreement, any lack of information or data that prevents such agreement and, where possible, a process for achieving agreement on such issues. A member who withholds agreement will be responsible for explaining how its interests are adversely affected or how the proposed agreement fails to meet those interests. The member withholding agreement must propose alternatives and the other members must consider how all interests may be met. If agreement is still not reached, the concerns of all members will be included in a written report to the appropriate statutory authority, or, in the case of a management committee, to the Board.

It is realistic to anticipate that because of the wide variety of interests and cultures represented on the Board, full consensus may not always be achieved. However, as Owen (1998) explains from the CORE lessons, “where full agreement cannot be reached, efforts of participants can still richly inform the decision-making process by clearly defining problems, narrowing the scope of issues, and identifying a range of possible alternatives for resolution” (18). He further asserts that the process of building working relationships and mutual understanding through the collective will to reach consensus builds capacity among the participants to better deal with future issues. Therefore, it is important to assess the Board’s success not only in terms of its ability to bring forward consensus decisions, but also on the impacts of bringing people together that may not previously have participated in such activities.

In light of what we know about why some past fisheries management decisions have been problematic, a baseline evaluation of the Board’s success may be the extent to which it can address these problems. Although the parties may wish to focus the Board’s evaluation on its ability to achieve improved decisions, this evaluation should be distinguished from the means by which the decisions are made and desired outcomes the Board seeks to address. I suggest that evidence of improved decision-making can be linked back to the process by which decisions were reached and, in some cases, the level of difficulty of the issue. This latter point is mentioned to suggest that no matter what the process, some problems may not have known solutions. Thus, the Board should monitor what has been achieved and what has continued to prevent the Board from making better decisions.

The next part of this report will focus on a way to link the process back to the Board’s consensus decisions. A way of linking the Board’s success in achieving sound decisions is through the separation of its goals as (a) an institution for building social capacity to solve fisheries resource management—the internal goals (how the Board will make decisions) and (b) as an operating agency that

creates solutions for solving the ecological fisheries management issues—external goals (what substantive objectives the Board decisions seek to address). While it may be interesting to ponder specific strategies or interventions, such as the use of fishing methods, fishery closures or decisions to monitor a certain species, these tasks are better left for scientists and local and indigenous experts. Subsequently, specific fisheries management interventions will not be addressed in the discussion. The discussion will speak to the challenges the Board may face in achieving consensus decisions and how it can identify when decisions have been improved. This analysis will enable us to focus on the questions that need to be answered in order to decide whether the Board should be continued, expanded or made permanent.

3 FRAMEWORK FOR ANALYSIS

3.1 Introduction: The Framework

With sufficient knowledge of the context and a description of the Board's creation, structure and mandate, we can now expand on its objectives as set out in the terms of reference. A determination of the Board's main contributions as an institution is dependent on the interpretation the parties will bring to the terms of reference. In this report, I suggest that the Board's primary goals can be classified as how the Board will address decision-making—the process design, as set out in the terms of reference—the internal goals; and what the Board is designed to address—social, environmental and economic issues in fisheries management—the external goals. The overarching question is whether the Board will be a better institution for making decisions related to aquatic resources. Essentially, the Board will be responsible for maintaining an innovative decision-making process as a goal in itself and to participate in fisheries management in the local area. The Board will also be required to bring forward timely and implementable consensus decisions on fisheries matters that have included all affected parties. It is expected that the decisions then meet the goals of bringing social, economic and environmental benefits to the management area. Thus, the mandate of the Board is not only to achieve consensus decisions, but also to create an effective environment for achieving consensus decisions that will bring about specific results to the community and environment.

It has been observed from the background section that decisions of the past have not been made in a timely manner, have often been made without including the necessary participants and have been problematic to implement. In addition, other reasons, such as those identified by Yaffee (1997) in his article "Why Environmental Policy Nightmares Occur" may have resulted in poor decision-making in the past. Yaffee suggested that five "behavioural biases" lead to policy

impasses or poor decisions. First, there is a tendency to make decisions that make sense for the short term, but are counterproductive in the long term; second, there is a tendency to promote competitive behaviour over cooperative behaviour; third, there is an inclination to separate different elements, values and interests in society rather than integrating them to achieve more creative solutions; fourth, resource management agencies tend to divide responsibility for management, thus diminishing accountability and increasing the likelihood that solutions are less than comprehensive; and fifth, information and knowledge tend to be poorly organised, dispersed and difficult to access, leading to inadequacy of information for decision-makers. It is anticipated that the Board will make better decisions that reflect an ability to overcome these problems.

The terms of reference define the process for achieving sound decisions. It is therefore useful in the evaluation to focus on the dynamic social processes that promote or prevent sound decisions from being made. Approaching the evaluation from this perspective forces us to recognise the fundamental importance of the means of attaining the desired result and to separate the evaluation of these process issues from the evaluation of the more tangible ends that may be the result of the decision-making process and related activities of the Board. This perspective acknowledges that the process itself and relationships that are created during the making of the decisions may often be more important than the actual decision that is reached. The process of consensus seeking is important as it allows for a cultural transformation among participants and their associated constituents. However, little research has been done into the social and relational reasons for failing to solve problems (Shindler and Cheek, 1999). In contrast, scientific and economic studies around the effects of human interaction with the environment abound.

In general, the theory of adaptive management can be applied to this inquiry because of its treatment of problems by way of learning through experimentation and evaluation. Adaptive management provides a methodology for ensuring that

important achievements are recognised and recorded, but more importantly, that difficulties and failures might also be recognised, analysed and corrected. In this way, we can keep learning and improving the process.

3.2 Suggested Goals and Measures for the Board

The Peckford Inquiry (1998) points out a lack of an overall vision by management agencies as a weakness in the federal and provincial approach to fisheries management. The Board's terms of reference respond to this lack by clearly setting out principles, goals and objectives that speak to their vision for the aquatic resources West Coast of Vancouver Island. However, in order to know whether the goals have been achieved, some way of measuring results is necessary. Performance measurement methodology offers many ways of measuring the achievement of intended results.

Using performance measurement on this project is complex due to the wide range of unforeseen external factors that may affect the Board's performance, including economic factors, environmental disasters, international agreements and incidents, and political commitments. In addition, the terms of reference state that the Board may have input into a multitude of different activities, many of which may prove challenging to evaluate. Appendix F contains a range of measures for each provision in the terms of reference. These measures provide the governments with a preliminary tool for further developing evaluation criteria for the Board.

To facilitate a discussion, two main components of the terms of reference are highlighted in this report. The Board's general goals can be classed as internal goals—evaluating the process for making decisions, and external goals—assessing whether Board decisions and activities have addressed problems in the environment and the community. Table 1 is an illustration of the

proposed internal and external goals of the Board along with some suggested measures.

Table 1. Suggested Evaluation Approach

Internal Goals	External Goals
<p>Board Member Commitment</p> <ul style="list-style-type: none"> ➤ Extent to which government and non-government members feel the process can address their issues ➤ Level of preparedness for discussions ➤ Government commitment: in the achievement of adequate and stable funding and support 	<p>Socio-Economic Benefits</p> <ul style="list-style-type: none"> ➤ Number of initiatives fostered that maintain or enhance opportunities for coastal communities to access and benefit from local aquatic resources ➤ Increased sense of well-being among community members—not necessarily related to increase in financial returns, but related to a sense in the community that their interests are taken seriously
<p>Enhanced Communication</p> <ul style="list-style-type: none"> ➤ Demonstrated ability to listen, understand and genuinely appreciate another's point of view without having to give up their own values ➤ Number of recommendations that reflect expertise and knowledge from First Nations, local, scientific, and other sources 	<p>Ecological Benefits</p> <ul style="list-style-type: none"> ➤ Number of issues addressed and decisions made that have resulted in the protection, maintenance and rehabilitation of aquatic resources ➤ Number of decisions made that have resulted in the prevention of ecological damage
<p>Demonstration of Accountability</p> <ul style="list-style-type: none"> ➤ Number of recommendations successfully and accurately submitted to higher authorities ➤ Rate of response regarding issues brought back to constituents 	<p>Improved Information Sharing</p> <ul style="list-style-type: none"> ➤ Number of people who consider the Board the key source for fisheries policy issues on the WCVI ➤ Number and quality of reports generated that provide feedback to other processes, authorities and regional or national advisory boards

This is by no means a detailed list but suggests a way of separating the two key axes for purposes of evaluation. However, this not meant to imply that these issues are not connected. Indeed, as can be inferred from the background section, it is often the way the decisions have been made that has led to their unsuccessful implementation. For example, the lack of trust expressed by community members may be a result of previous poor decisions by an outside authority, which affects the relationship between the agency and citizens, which in turn, affects the process for making future decisions. Consequently, a significant challenge will be to enhance the relationship between communities and central agencies through the Board members.

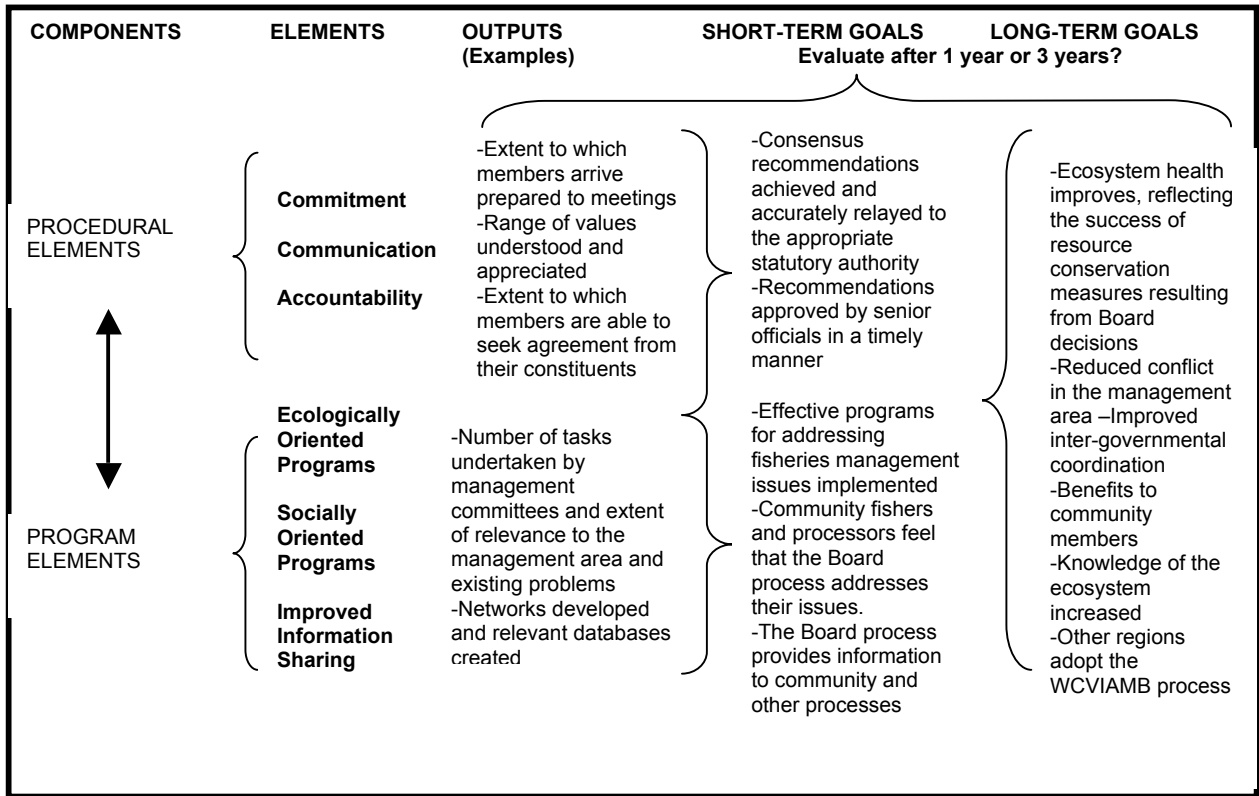
Since all the members will arrive with their own perspectives and be representing particular viewpoints, the test will be to see how well they agree to the principles

and vision set out in the terms of reference. This aspect in particular may be difficult to reconcile with the need to have an inclusive process. The requirement for members to understand and make decisions in keeping with the principles set out in the terms of reference may turn out to be fundamentally at odds with their own interests. Without shared agreement on goals, the Board will have trouble deciding what issues to discuss or what activities to initiate. Suggesting some short-term goals and ways of thinking about them, as illustrated above, can provide a point of departure for the negotiation process. The suggested logic model in the next section is another way of illustrating a preliminary approach to evaluating the Board.

3.3 A Logic Model for the Board

In performance measurement theory, logic models can provide a way to merely categorize various components of a program, or they can be more complex, showing the inter-linkages between the components. Logic models can be helpful in illustrating how complex elements (clusters of activities that are sufficient to produce an output) might be linked by activities (outputs) and short-term goals to outcomes (intended objectives) (McDavid, 2001). However, it is difficult to diagram the nuances between internal goals and external outcomes. Furthermore, logic models may not be useful for diagramming constantly changing contexts because they only express a situation at a moment in time. A related caution then, is not to fully embrace any model as this can arrest our ability to recognise the need for change. Thus Figure 2, a proposed logic model that attempts to show linkages, is simply a tool to facilitate our initial understanding of the nature and character of the Board's activities and how they may be linked to eventual outcomes.

Figure 2.



As can be seen, the model displays only limited possibilities, whereas in reality, there may be many ways of measuring how the Board will be successful. Furthermore, it is important that the measurements themselves be relevant to the agreed upon goals and that attribution can be linked. This approach places an emphasis on measuring tangible outcomes, such as increases in abundance of resources or economic benefits to individuals. For a more holistic evaluation it will also be necessary to develop qualitative measures of relationship and power-sharing issues that emerge when diverse interests are brought together. As a concept, adaptive management can help evaluators to focus on the objectives of cross-cultural cohesion, harmonious power-sharing and effective devolution as goals in themselves, as well as learning how to improve fisheries management policies. The following section clarifies this approach.

3.4 Adaptive Management Strategy

Kai Lee (1999) suggested the conclusion that “[e]fficient, effective social learning, of the kind facilitated by adaptive management, is likely to be of strategic importance in governing ecosystems as humanity searches for a sustainable economy”. Adaptive management acknowledges that the world is uncertain but that we can learn from experimenting, and monitoring the experiments, with a view to continuous improvement. Table 2 outlines the adaptive management approach, as suggested by Lee (1999).

Table 2.

Adaptive management is a model for guiding natural resource managers in sound ecosystem management.

Ecosystems and the societies that use them are continually evolving. Therefore, managers must be **flexible** and **adaptable** in the face of uncertainty and lack of knowledge.

To couple good science to management, it is important to **develop goals, models, and hypotheses** that allow us to **systematically learn** as we manage.

Goals and models **guide the development and implementation** of management practices.

The need to **evaluate models and test hypotheses** mandates monitoring, which feeds into a **continuous cycle of goal and model reformulation**.

Adaptive management promotes active experimentation with different knowledge systems to solve problems. However, as Shindler and Cheek (1999) state, “[a]lthough the concept of adaptive management is not new, nor is the need to involve people in the process, there is a gross lack of monitoring and evaluating citizen-agency interactions in adaptive systems.” Further, they draw from Ostrom (1998) that there is a need for institutions to facilitate more productive outcomes as well as a continuing need for scientific understanding of predictable behaviours. From this frame of reference, we can see the Board process as a way of experimenting with the design of collaborative decision-making institutions. Adaptive management methodology can be used to assess social and behavioural processes, as well as the decisions themselves, in order to select strategies for improving both the process and the outcomes.

The final part will address the issues raised throughout the previous parts of the report to determine how decisions can be improved, taking into account the need to explore how the process affects the decisions reached. The focus on whether consensus decisions have been made or not and whether the decisions themselves are good, should not detract from the significant benefits and learning that is gained through the consensus seeking process.

4 MEASURING SUCCESS

4.1 Synthesis

Since the process is integral to the development of improved decisions, it is necessary to examine in more detail the challenges the Board will face in evaluating its performance. It is important to mention here that the Board may be unable to identify a decision that completely satisfies all the interests. Thus, good decisions can be characterized as ones that result in more equitable distribution of the costs and benefits. The following discussion focuses on the challenges and strategies of producing improved decisions. First the internal goals of commitment, communication and accountability will be discussed, followed by the external goals of socio-economic benefits, ecological benefits and improved information sharing.

Internal Goals of the Board

Participant Commitment to the Process

The issue of commitment to the process is of significant importance to the quality of decisions that emerge from the process. However, measuring the extent of participant commitment will be complex. Committing funding to a process and showing up for meetings are only a small part of the commitment. Agreeing to commit to the principles, objectives and consensus decision-making procedure and acting in accordance with that agreement are more difficult and time consuming undertakings. Participant commitment may be measured by assessing whether or not Board members attend meetings and are prepared to discuss identified issues. Lack of attendance and decreased dedication to search for common ground can result in the retrenchment to positions, leading to a breakdown in the process. If participants are unsure of how their interests will be served, they may feel they have nothing to lose by not participating.

Therefore, it will be important to ensure that the Board is the best alternative for meeting their needs, otherwise the process will be undermined (*National Round Table on the Environment and the Economy* [NRTEE], 1996).

Commitment can be further fostered if members have realistic expectations of the process. Unrealistic expectations that decisions will be quickly achieved may frustrate some participants. Furthermore, the attempt to reach consensus under pressure may lead to compromise decisions or decisions that satisfy a short-term need of a particular group. This problem ties into what Yaffee (1997) describes as the tendency for “short-term rationality [to] out-compete long-term rationality” (329). It will be important for the Board to recognise that procedures and commitment building will require long-term investment and that evaluation cannot be leapt into. Members can be encouraged to stay committed by emphasizing working relationships and marking progress by reaching agreements on incremental targets. Breaking the larger goal into more manageable goals and achieving the small goals develops a sense of accomplishment and builds confidence in the overall process.

Accurate, informed and open communication between Board members, management committees and constituents/governments

Interpersonal and inter-group communications are a crucial aspect of the Board's overall goals. Communications can be assessed according to relevance to the issue, its quality and the quantity interactions. Recognising and acknowledging the different approaches members have is crucial to building a shared understanding. While scientific and economic knowledge are important, traditional and local knowledge have proven to be necessary for understanding localized ecosystems and how humans can maximize benefits in a sustainable manner (Pinkerton and Weinstein, 1995). Thus, cross-cultural and cross-disciplinary communication becomes important. Cross-cultural communication challenges occur both inside the bureaucracy and with the external environment.

This takes place through the interaction of conflicting philosophies and disciplines in government—biologists vs. economists, for example, and their interaction with aboriginal peoples, environmentalists and business people in the community.

In multi-party consultation, differing values are often expressed as opposing positions. The challenge will be to take the time to understand, accept and respect different ways of knowing and to search for the underlying interests that people share. It is possible for members to learn the skills necessary by hiring a facilitator or by providing training. In addition, informal events can provide participants with a more relaxed venue to learn more about each other.

According to Owen (1998), participants may require specific orientation in new communication processes that allow for:

...analysis of one's self-interest; articulating this to those with different interests, perspectives and needs; listening to others' articulation of their interests; jointly identifying fundamental principles; developing new analytical tools for measuring the advance of one's own interest and the overall impact of alternative solutions; defining a common problem; and collaboratively designing all-gain solutions through an iterative process of proposing, debating, analyzing impacts, and comparing alternatives (18).

As mentioned, listening is a crucial aspect to effective communication. It is often the case that messages are not delivered accurately or effectively. Therefore, it is important for the participants to develop ways of assuring that agreements and issues are understood the same way by all present. Participants or the facilitator should use skills of paraphrasing to ensure that meanings are transmitted accurately. The members must feel that they are being listened to and understood by others, or trust may be difficult to achieve.

Respect and appreciation is vital to consensus building because of the high emotions that are often associated with resource disputes. In addition, respect and appreciation for other values increases the chance that participants will come up with creative solutions to address their diverse needs (NRTEE, 1996). Misunderstandings often arise when people have committed to a position and

feel that respecting and understanding another's values means giving up their own. For example, other interests often perceive the historical and traditional role that First Nations played in the management and regulation of the fishery as an illegitimate form of governance. However, by integrating such knowledge with more contemporary methods, innovative solutions to difficult problems can be created. In order to promote the understanding of differences and ensure that respect is shown it may be necessary to agree on a protocol or written statement of acceptable behaviour by Board members. By committing to such a protocol the members make themselves accountable for their own behaviour towards others and create rules for dealing with mistakes and misunderstandings. Again, the participants will have to commit to taking the time to understand and respect different viewpoints as well as be willing to share their own views openly.

Demonstration of Accountability by Board Members

In addition to providing evidence of financial accountability in their efforts to reach consensus decisions, the Board will be successful when both government and non-government members demonstrate accountability to their constituents as well as the Board. Yaffee (1997) identifies "fragmentation of responsibilities and authorities" as a cause of poor decision-making as it "creates slow and inconclusive decision-making, diminished accountability and piecemeal solutions" (334). Since the Board provides a way of integrating responsibilities and authorities into one forum all the members will have the major task of assuring that their own lines back to their governments or constituents are clear and serve the common interests of the Board. He suggests establishing clear measures and the ability to monitor for indicators of success are ways to improve responsible and accountable behaviour.

The Board terms of reference set out specific reporting requirements that promote accountability. It will be the task of the Board members to ensure that the information regarding decisions is accurately transmitted to their constituents.

Misunderstandings can arise during the decision-making process if people are not accurately and adequately informed. In addition, the consensus decisions must be received by the constituents or governments and be returned to the Board in a timely manner. Accountability means that Board members will be required to explain the reasons for decisions—or lack thereof—to their constituents. Failure to demonstrate accountability can lead to mistrust by other Board members or the constituents, and an eventual decline in commitment to the process. Strategies for promoting accountability include ensuring that information is correctly transmitted to the constituency or government agency and to seek their approval for commitments (NRTEE, 1996). Another significant challenge will be monitoring whether and how changes in power sharing affect communities and the federal government's ability to develop, implement and ensure compliance with national and international decisions.

Accountability brings up the issue of representation. Board members will be required to ensure that they are accountable to their constituents or governments for the decisions made by the Board. But how will we know there has been adequate representation? The IDR report calls for any stakeholders who have not had the opportunity to be involved in the board to be involved. If the Board is to meet objectives of timeliness in decision-making, it may be impractical to seek out all the interests. However, this issue could be addressed through the invitation of outside interests to the Board's management committees. The process, if successfully implemented, may include spokespersons from the various interest groups who show a wide base of support and who fully appreciate, understand and are able to abide by the main principles of the Board. By implication, any interest groups whose values are contrary to the principles set out in the terms of reference, may not be legitimate participants to the process. The principles-based approach of the Board will require that governments monitor the nomination process for non-government members to determine whether there is adequate inclusivity.

External Goals

Evidence of socio-economic benefits

The Board will be considered successful if there is evidence of benefit to the community. The difficulty arises in attributing the benefits accrued by individuals or groups to Board decisions. Consequently, measuring these improvements requires accurate baseline data against which changes can be assessed and appropriate timelines. Moreover, the benefits themselves may be difficult to measure if they affect dispersed interests rather than groups or community organisations. Thus, it will be crucial for the Board to monitor baseline data as an initial priority task.

Another factor is that benefits may not be monetary, but relate more to peoples' sense of well-being. For example, the benefit might be a change in people's perception in benefit or sense of empowerment through increased understanding of complex fisheries management issues and inclusive participation. People may therefore not receive more tangible benefits, but are more understanding of their loss of access. The Board can be assessed in terms of its ability to reduce local conflict and to foster the type of respectful, inclusive and open dialogue that is needed in the fishery. This achievement might then result in enhanced relationships that could carry over into other regions or benefit other processes, such as land use planning negotiations.

Evidence of ecological benefits

The Board will be successful if it can demonstrate that its activities have positively affected the environment. Some criteria for measuring this success might include increases in abundance of resources or an improvement in the range and diversity of species, for example. Once again, problems of attribution may cloud results. For example, it might be difficult to discover whether a

particular decision directly benefited abundance levels or if there were compounding factors. Moreover, measuring whether Board recommendations have affected streams and fish stock—and perhaps more importantly, *how* they have been affected—is not likely to be possible over the short term (three years).

Another major problem arises over the definition of a healthy ecosystem, improved conditions and sustainability. Pinkerton and Weinstein (1995) define sustainability as continuance and advise that sustainable use cannot be measured by itself. They go on to say that “[t]he required indicators for sustainable fisheries unfold from our definition of fisheries management as a comprehensive social and biophysical system” (190). This requires biological, fisheries production, social and economic measurements (Pinkerton and Weinstein, 1995).

All five of the behavioural problems suggested previously by Yaffee may prevent the Board from reaching consensus on how sustainability should be approached and what a healthy ecosystem looks like. Strategies to enhance the process, such as improving communication, encouraging commitment and promoting accountability will increase the likelihood of decisions that result in measurable increases in ecosystem health.

Adequate and appropriate information has been compiled, shared and understood

Yaffee (1997) has written of “fragmentation of information and knowledge” as a significant impediment to the creation of sound decisions in resource management. The problem of fragmentation occurs when information is scattered throughout many different agencies. Subsequently, Yaffee suggests, “because information is initially collected in response to specific needs, it is generally biased to past problems and reflects specific organisational contexts” (335). It will be necessary for the Board to demonstrate that it can collect,

organise and disseminate adequate, accurate and appropriate knowledge and information to keep the Board members and other processes informed. In addition, government Board members must be forthcoming with new scientific and policy information, and the development of new information that would assist the Board in reaching decisions and implementing programs.

On an individual level, it will be important for Board members to be informed so they can participate meaningfully in the decision-making process. Sharing of adequate and relevant information is crucial, particularly in cases where there are differences in power among the members. It may be necessary for the Board to remain sensitive to the capacity of other Board members to understand the information (i.e. use of jargon or technically complex information by government or socio-cultural information by local groups) and to respond by developing or making available appropriate materials.

Information includes tacit and explicit knowledge as well as specific skills that may be necessary for attaining the best decision. Any decisions arising out of the Board process should be made once the best information has been considered and understood by the parties. The information considered must seek to integrate the important scientific information with local and indigenous knowledge to achieve a holistic perspective. This will allow the Board to make decisions according to the principles set out in the terms of reference.

Once a consensus decision has been reached Board members will be required to ensure that it gets accurately transmitted to the appropriate authority. The Board's success may also depend on the extent to which it is able to educate the community and the public at large about fisheries management issues and the progress towards sustainable development. The Board may wish to produce reports and newsletters to disseminate its enhanced knowledge. A comprehensive database would include information on all aspects of fisheries

management and industry issue, as well as political issues that may have provided or prevented opportunities for improved decision-making in the past.

From the preceding discussion it is possible to gain some general understanding of the complexities involved in determining what will constitute a successful Aquatic Management Board for the West Coast of Vancouver Island. The next section concludes by summarising the approach taken in this report. In addition, it offers some preliminary questions that need to be answered in order to determine the success of the Board during its term. The recommendations provide a further breakdown for a suggested evaluation on a yearly basis and after the third year.

4.2 Concluding Observations

In order to evaluate the Board it is important to clarify what the Board was created to address through a study of how it came to be and its design. Therefore, in this report I first made some general observations about problems in fisheries decision-making that have resulted in the creation of this process. Second, I described the creation of the Board and its structure and mandate. Third, I discussed the Board's overarching goal of generating sound and durable decisions in relation to the goals of (a) maintaining an effective decision-making process—internal goals and (b) external goals of creating solutions or capacity that results in benefits to society and the environment. Sample measures for these goals were suggested and the theory of adaptive management was described as a way of learning from monitoring and correcting the ongoing process.

This report is offered as a case study to see how we might learn about collaborative institutions and how they can help bring better, more appropriate policies to affected communities. In order to have a well-managed fisheries resource where people abide by allocation and seasonal harvest regulations, the

decisions must be made and legitimized through a social process within the community. This social process must have the capacity and authority to make decisions relating to the biological environment with which it interfaces. A great deal of recent research suggests that successful resource management is most effective when practiced at the local level by people who have a vested interest in seeing the resource grow (Pinkerton, et al.).

It remains to assess the role of the decision in the evaluation process. As mentioned earlier, it is likely that the Board may not be able to address and overcome all past problems in decision-making to make the optimal decision in every case. Concluding success therefore requires that a multitude of factors have been appropriately addressed. The Board can be evaluated on the actual decisions it reaches by consensus, but should also include a comprehensive evaluation of the process design and the activities it has undertaken. Some general guidelines may be offered to answer the question: How will we know the Board has succeeded as an improved decision-making process?

First is a list of measures that may assist in determining whether or not the Board has made a good consensus decision.

- Does the community accept the decision? Is it perceived as legitimate and effective? Who opposes the decision and why do they oppose it?
- Does the decision violate any of the principles set out in the terms of reference?
- Is the decision implementable? It may be a good decision, widely accepted by the public, but is either too costly or complicated (i.e. lack of capacity/knowledge in the community) to implement.

- Does the decision address the issue it was designed to address? Is it relevant to the problem? It may be that the decision addresses a short-term or surface issue, but neglects to address deeper causes.
- What are the wider and secondary impacts of the decision? Are they positive or negative? Does the decision adversely affect other sectors, communities or species?
- Is the decision enforceable? In the case of access and allocation there must be a legitimate and accepted presence of authority or a shared sense among the interests to self-enforce the rules. Does the decision lead to increased or reduced conflict?

Second, it is equally important to evaluate the Board's internal and external goals as discussed previously. This evaluation acknowledges opportunities within the process itself that allows for enhanced learning, information sharing, trust, and accountability. I suggest that the more positive the answers to the following questions, the greater chance the Board will improve aquatic resource management decisions.

- Has the Board been able to bring together a wide variety of individuals who have different thoughts and values, to arrive at consensus decisions?
- Are the Board members able to agree on priority issues for discussion? Are the issues the Board discusses relevant to the area, communities and individuals?
- Can the Board present its consensus decisions to the relevant authority in such a way that they are accurately understood, interpreted and recorded, resulting in approval of the decision or the provision of an

appropriate and thorough explanation for the final decision taken? Have governments become more sensitive to the needs of the local community?

➤ Does the Board reduce overlap and duplication by sharing and collecting new information, which it communicates to a broad audience? Does this result in an increased capacity to respond accurately to complex issues? Is the Board capable of engaging a wide range of interests in a single integrated discussion, rather than the numerous segregated processes used to date?

➤ Do the Board's activities bring benefits to the community and enhance environmental and social health? Is sustainability continuously monitored and does the Board promptly address issues of unsustainable use? Subsequently, is there a consistent effort by the management committees to create long-term solutions that promote regeneration of the resource?

➤ Has the Board process enhanced the capacity of participants to innovate new systems and mechanisms to accomplish their goals? Has the Board process strengthened the organizational and management capacity of the local community?

➤ Does the Board show financial accountability and cost-efficiency?

➤ Can the Board reduce local conflict and foster the type of respectful, inclusive and open dialogue? Does the process allow for relationships that carry over into other local activities? As a consequence of the Board's ability to address issues, have other regions adopted its process?

➤ If, in a particular case, no decision has been reached, has other action been agreed to by the Board, such as seeking reasons for disagreement

or undertaking additional research to determine a way of resolving the issue?

In conclusion, the Board's success depends on a myriad of factors that may or may not be controllable through the process design. Therefore, it is useful to focus in the evaluation on the benefits that emerge from consensus seeking, rather than on individual consensus decisions themselves. The ability of the Board to achieve consensus will be limited until the parties recognise a long-term shared interest in solving aquatic resources problems, thus the process becomes crucial. Appendix G sets out this integrated approach to evaluating the Board's success.

The recommendations below set out a suggested approach to the yearly and final evaluation. Topics are set out in the broad categories of Process Considerations, Issue Definition, Public and Participant Perception, Information Sharing, and Financial Accountability. These five headings integrate the above questions and can form a basic outline for evaluation.

4.3 Recommendations

These recommendations are intended to provide a proposal for determining what should be evaluated during the three-year term. They integrate the above conclusions reached and set out five topics for assessment. The Board may wish to limit the yearly evaluation to achieving consensus on a particular type of issue or issues of a particular scope and scale. Moreover, the Board may wish to set other limits on the type and number of goals it monitors on a yearly basis. It will be important to define these and create strategies to improve in areas that are not successful after the first and second years.

Yearly Evaluation

Process Considerations: Members should reach an understanding and agreement on broad definitions of the principles and be prepared to discuss issues in relation to them. To protect the process, there should be an agreement among the participants to promote understanding and respect towards each other—essentially, a protocol for behaviour. Board member accountability and commitment to the process and their constituents should be tested during this time.

Issue Definition: The Board should recognise that trust building and commitment to the process take time and, depending on participant experience and complexity of issues, the first year may be spent entirely on scoping the issues for discussion. It will be crucial during the yearly evaluations to monitor and address the key behavioural and institutional constraints that prevent issues from being identified and decisions from being reached. Further, the Board should assess the issues it has deliberated for relevance and scope—determined by previously agreed criteria.

Public and Participant Perception: The public should be aware of the Board's operation and perceive it as a legitimate process for addressing their common issues. Participants should be interviewed at the end of the first year to discover whether consistent problems are expressed and to assess successes and opportunities for learning and improvement.

Information Sharing: Board members should have increased capacity to deal with different information and transmit successes, values and ways of seeing the issues, including an ability to respect the historical and traditional role that First Nations played in the management and regulation of the fishery. Governments, in particular the federal and provincial governments, facilitate the transmission and understanding of environmental data and other governmental information to the Board. The Board administration or management committees should have

developed an information system for collecting, storing and disseminating information.

Financial Accountability: The Board should have adequate funding to become operational. In addition, it will be expected to meet its predetermined budget. After the second year, the Board should have secured adequate and stable funding from the governments and have identified additional funding sources.

Final Evaluation (after 3 years)

Process Considerations: Protocols for building and maintaining relationships have been agreed to by the parties and have worked to create a feeling of trust among participants. Participants have the capacity to discuss issues in relation to the agreed principles and discussions focus on creative solution building. Members have demonstrated accountability by returning to their constituents to obtain approval or provide reasons for disagreement with Board decisions.

Issue Definition: The scale, scope and number of issues that have been reached through consensus have increased each year. The decisions themselves reflect the growing capacity for the group to integrate different knowledge systems and develop creative solutions. This is demonstrated by the variety and effectiveness (implementability) of recommendations and projects emerging from the Board process.

Public and Participant Perception: Because several socio-economic and environmental benefits have resulted from improved decision-making in the area the Board process has been an integrating force in the community and between community and governments. In addition, benefits to the WCVI region have resulted in the adoption of the process by other regions. Participant interviews may reveal that learning through consensus seeking is equally important to reaching consensus on issues.

Information Sharing: Governments and other organisations approach the Board as a key source of information, which reduces the overlap and duplication of effort. The Board has provisions in place for monitoring the sharing of information and has created information databases and networks.

Financial Accountability: The Board has been successful in receiving adequate funding to support the process and activities and has provided evidence of sound financial accounting practice and cost-effective operation.

In summary, these recommendations offer a general framework for assessment and show that each component may affect other components. This framework and the preceding discussions may guide in the negotiations over the development of an appropriate evaluation of the Board. Additional measures and the extent of the measures may be obtained by referring to the measures in Appendix F or created as a result of negotiations regarding specific topics. In addition, this information is summarised in Appendix H.

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APPENDIX E

PROVISION	MEASURE
1. VISION: The aquatic resources of Nuu-chah-nulth Ha-houlthee are managed by people working together for the benefit of current and future generations of aquatic resources, people and communities.	
2. MISSION: The West Coast Vancouver Island Aquatic Management Board (the “Board”) is a forum for the coastal communities and other persons and bodies affected by aquatic resource management to participate more fully with governments in all aspects of the integrated management of aquatic resources in the management area.	
3. PRINCIPLES: Hishukish Ts’awalk and Isaak ¹ Conservation Precautionary Approach Adaptive Management Sustainability Shared Responsibility Inclusivity Benefits Flexibility	<input type="checkbox"/> To what extent do Board decisions reflect the principles? <input type="checkbox"/> What level of understanding and awareness do representatives share? <input type="checkbox"/> Number of policies designed to promote learning and reduce uncertainty? <input type="checkbox"/> Number and types of monitoring undertaken? <input type="checkbox"/> Number of decisions that violate principles?
4. The objective of the Board is to lead and facilitate the development and implementation of a strategy for the integrated management of aquatic ecosystems in the management area, in a manner consistent with statutory authorities, policies, standards, and processes, which will: <ul style="list-style-type: none"> · protect, maintain and rehabilitate aquatic resources · manage aquatic resources on an ecosystem basis · respect and protect First Nations’ food, social and ceremonial requirements and treaty obligations · support a precautionary approach to aquatic resource management · consolidate information relating to different 	<input type="checkbox"/> Was the Board able to agree on a strategy for integrated management? <input type="checkbox"/> How many initiatives facilitated led to the rehabilitation of aquatic resources? <input type="checkbox"/> Did initiatives reflect an ecosystem approach? <input type="checkbox"/> Were First Nations FSC respected? <input type="checkbox"/> Was there increased conflict over this? <input type="checkbox"/> How many initiatives under consideration could not be supported under statutory authorities, policies, standards, and processes already in existence? Is this bad, or does it tell us something about need for new initiatives? <input type="checkbox"/> How many initiatives and decisions had an effect in the areas outlined under objectives? <input type="checkbox"/> Was the Board able to meet all these objectives? <input type="checkbox"/> Were the issues addressed relevant to the Board’s mandate and the area?

¹ The Nuu-chah-nulth phrase Hishukish Ts’awalk (pronounced ‘he-shook-ish tsa-walk’) means ‘everything is one’. Isaak (pronounced ‘e-sock’) means ‘respect’. These phrases embody an understanding that all things are sacred and nothing is isolated from other aspects of life surrounding and within it. This concept contributes to a value system that promotes the need to be thrifty, not to be wasteful, and to be totally conscious of one’s actual needs when interacting with others. The belief underlying these two principles is that the goal in interacting with other people or species is not to maximize personal benefit, but to produce mutually beneficial outcomes. These outcomes arise from understanding and respecting the needs of other people or species, and recognizing an essential ‘oneness’ or interconnection with other people or species.

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<p>aquatic resource uses and utilization to provide a holistic picture of the health of ecosystems within the management area</p> <ul style="list-style-type: none"> · integrate expertise and knowledge from First Nations, local, scientific, and other sources · ensure opportunities for coastal communities and other persons and bodies affected by aquatic resource management to participate in all aspects of integrated management, protection and restoration of aquatic resources · foster initiatives that maintain or enhance opportunities for coastal communities to access and benefit from local aquatic resources, while achieving sustainable social, cultural, and economic benefits from the integrated management and harvesting of aquatic resources for British Columbians and other Canadians. 	
<p>5. The Board will consist of</p> <ul style="list-style-type: none"> · 2 members appointed by the Government of Canada · 2 members appointed by the Province of British Columbia · 2 members appointed by Nuu-chah-nulth Tribal Council · 2 members appointed by the regional districts · 8 non-government members jointly appointed by the governments pursuant to nominations solicited from coastal communities and other persons and bodies affected by aquatic resource management in the management area. 	<ul style="list-style-type: none"> <input type="checkbox"/> Was the total number of representatives appointed? <input type="checkbox"/> Was there interest in participating? <input type="checkbox"/> What level of commitment did governments show?
<p>6. Members will be appointed on the basis of</p> <ul style="list-style-type: none"> · commitment to the Board's vision, purpose, principles and objectives · skills, knowledge and experience relating to aquatic management issues in the management area · base of support. 	<ul style="list-style-type: none"> <input type="checkbox"/> Were the members committed to the Board's vision? <input type="checkbox"/> What was the general level of skill and experience of the board members (taking into account non-academic skills, knowledge and experience—as well as ability to work with others)? <input type="checkbox"/> What was the demonstrated base of support?
<p>7. Non-government members will be generally representative of the diverse geography and range</p>	<ul style="list-style-type: none"> <input type="checkbox"/> How many interests and geographically diverse non-government members are represented on the Board?

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<p>of aquatic resource interests in the management area, including commercial harvesting, aboriginal harvesting, recreational harvesting, processing, environment / stewardship, aquaculture, tourism and labour.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Do the public and various interest groups perceive they are represented on the Board? <input type="checkbox"/> How many people and groups responded to the nomination packages sent out by government members?
<p>8. The Board will appoint a chairperson from among its members.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Did the representatives reach consensus on the appointment of a Chair? <input type="checkbox"/> Was the Chair effective?
<p>9. The Board will convene management committees to address particular issues or perform specific tasks concerning the integrated management of aquatic resources in the management area. Management committees will perform their tasks consistent with the vision, purpose, principles and objectives of the Board.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Were management committees convened? <input type="checkbox"/> Did they reflect the vision, purpose, objectives and principles of the Board? <input type="checkbox"/> Did any management committees not reflect these values?
<p>10. To the extent possible, the composition of management committees will be determined by prospective participants and representative of those directly affected. Generally, committee members will be involved in aquatic resource use or management, knowledgeable about the management area, together reflect the appropriate diversity of interests relevant to the committee's task, have a broad base of support, and share a commitment to working together. Using these criteria as a departure point, the Board will consult with communities and stakeholders and invite them to</p> <ul style="list-style-type: none"> · assess the appropriateness of their participation · identify their desired level of involvement · reach agreement on who needs to be involved · help reconcile the challenges of inclusiveness and effectiveness. 	<ul style="list-style-type: none"> <input type="checkbox"/> Were the management committees made up of local people/interests who were directly affected by fisheries policy decisions? <input type="checkbox"/> Did they demonstrate knowledge of the management area and did they reflect the appropriate diversity of interests relevant to the committee's task? <input type="checkbox"/> How much interest was demonstrated by the communities or individuals approached regarding forming a committee for the Board? <input type="checkbox"/> Was the Board able to reach agreement on who should be involved? <input type="checkbox"/> Was there increased communication and information-sharing in order to facilitate inclusiveness and effectiveness? <input type="checkbox"/> Was effective action taken to promote progress toward these goals? <input type="checkbox"/> Were groups surveyed?
<p>11. The Board and its management committees will work cooperatively in shared decision-making processes to achieve the Board's objectives and responsibilities.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Did the Board members work and cooperate with committees in shared decision-making processes? <input type="checkbox"/> How satisfied were Board members and committee members with the level of cooperation?
<p>12. Shared decision-making means that on a certain set of issues, for a defined period of time,</p>	<ul style="list-style-type: none"> <input type="checkbox"/> How many recommendations were made to the appropriate statutory authority?

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<p>those with authority to make a decision and those who will be affected by that decision will jointly seek an outcome that accommodates the interests of all concerned. The outcome of the process is a recommendation to the appropriate statutory authority, except in the case of a specific assigned responsibility, where the outcome of the process is a decision. Shared decision-making does not fetter the discretion or affect the legal authority of the participating governments.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Did the appropriate authority consider the Board's decisions? <input type="checkbox"/> Were reasons for decisions offered by relevant authorities satisfactory to the Board?
<p>13. The members of the Board and its management committees will seek integrated outcomes based on interests (the desires, needs, concerns, fears or hopes that underlie a negotiating position) rather than positions and demands. An integrated outcome is one in which the members work together — integrating their resources, creativity and expertise.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Did the Board use an interest-based approach? <input type="checkbox"/> How many decisions were compromise decisions and how many were integrated?
<p>15. The members of the Board and its management committees will allow each other the freedom to test ideas without prejudice to future discussion or negotiations and will not hold tentative ideas or exploratory suggestions against those who made them. Discussion papers and other materials prepared for this purpose and identified as confidential will be treated as such.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Did the Board and committee members feel comfortable testing their ideas? <input type="checkbox"/> Did the Board members feel comfortable sharing information that was confidential? <input type="checkbox"/> How often did members feel that they were not free to share information or ideas?
<p>Decision-Making</p>	
<p>16. The members of the Board and its management committees will make decisions by consensus.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> How many consensus decisions were made? <input type="checkbox"/> How many difficult issues were successfully addressed? <input type="checkbox"/> Did the members understand the concept of consensus decision-making?
<p>17. Consensus means an agreement that the members can live with. The members may not agree with every aspect, but taken as a whole, a decision based on consensus satisfies the major interests and concerns of the members to the extent that all can support it.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> What was the level of satisfaction in the decisions that resulted from consensus? (Were major interests satisfied?)
<p>18. All agreements reached during discussion of an issue are tentative pending consensus on the total package of agreements necessary to resolve</p>	<ul style="list-style-type: none"> <input type="checkbox"/> How often were agreements tentative to other agreements? <input type="checkbox"/> Did this prove to be a barrier in attaining agreements? <input type="checkbox"/> Were participants able to bring together other agreements in a timely

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the issue, unless the members explicitly agree otherwise on a specific item.	manner?
<p>19. When the Board or a management committee reaches a consensus on the resolution of an issue, it is understood that some members will have to take the agreement back to their constituencies or to a higher decision-making authority for ratification. Members will not agree to anything that they do not believe will be supported by their constituencies. It is understood that agreement obliges members to strongly represent the benefits of the agreement to their constituents.</p>	<input type="checkbox"/> Were the agreements strongly represented to the constituents?—How did constituents react to decisions? <input type="checkbox"/> What was the rate of reoccurrence of the topic if the issue was not addressed? <input type="checkbox"/> Did the constituents ratify the decisions? <input type="checkbox"/> How many and what type of decisions did the constituents ratify?
<p>20. An agreement ratified pursuant to paragraph 19 constitutes a consensus recommendation of the Board or management committee, except in the case of assigned responsibility, where the agreement will constitute a consensus decision.</p>	
<p>21. The Board will submit its consensus recommendations to the appropriate statutory authority.</p>	<input type="checkbox"/> ...same as #12.
<p>22. Management committees will present their findings and recommendations to the Board. These will be included in a report from the Board to the appropriate statutory authority.</p>	<input type="checkbox"/> Number and quality of reports submitted by the Board?
<p>23. The statutory authority will provide a timely, written response to the Board's recommendations.</p>	<input type="checkbox"/> Rate of return of responses from statutory authorities? <input type="checkbox"/> Weight of decisions submitted and the time taken to respond?
<p>24. Should the members of the Board or a management committee reach a consensus on a set of recommendations that resolves most but not all of the issues that are being addressed, they will actively seek agreement on a statement describing the areas of disagreement, any lack of information or data that prevents such agreement and, where possible, a process for achieving agreement on such issues. With respect to the issues on which a member withholds agreement, that member is responsible for explaining how its</p>	<input type="checkbox"/> How many cases led to Board members withholding agreement? <input type="checkbox"/> How many cases of disagreement were ultimately resolved effectively?

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<p>interests are adversely affected or how the proposed agreement fails to meet those interests. The member withholding agreement must propose alternatives and the other members must consider how all interests may be met. If agreement is still not reached, the concerns of all members will be included in a written report to the appropriate statutory authority, or, in the case of a management committee, to the Board.</p>	
Empowerment	
<p>25. The members of the Board and its management committees will bring their authorities, constituency interests and resources to the Board to participate in integrated aquatic resource management.</p>	
<p>26. The Board may enter into agreements to undertake activities on behalf of the governments.</p>	<input type="checkbox"/> Number of agreements? <input type="checkbox"/> What kinds of activities and how did they help to achieve the goals of the Board?
Policy Development	
<p>27. The Board will be the primary forum for discussion of advice to decision-makers on aquatic resource policy specific to the management area. Local aquatic resource policy issues with implications outside of the management area will be linked and coordinated with coast-wide processes.</p>	<input type="checkbox"/> Was the Board the primary forum for discussion of advice to decision-makers on aquatic resource policy specific to the management area? <input type="checkbox"/> Can the Board demonstrate this?
<p>28. The Board will be a key source of advice to decision-makers on coast-wide aquatic resource policy relating to the management area. Government board members may elect not to participate in the development of advice to their respective governments on coast-wide issues.</p>	<input type="checkbox"/> How well have the Board's views and advice been reflected in decisions on coast-wide aquatic resource policy relating to the management area?
Planning	

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29. The Board may participate in the development and delivery of ocean and watershed plans related to aquatic resources.	<input type="checkbox"/> Did the Board participate in any planning activities related to ocean and watershed plans related to aquatic resources? <input type="checkbox"/> Was the Board asked by other organizations and authorities to participate in planning?
Capacity Building	
30. The Board will endeavour to build local capacity for the integrated management of aquatic resources by: · increasing the involvement of local people; · encouraging local initiatives to improve aquatic resource management; · supporting training and education.	<input type="checkbox"/> How many capacity development projects considered? <input type="checkbox"/> Extent to which the Board can carry out all the desired activities within its local capacity <input type="checkbox"/> How many training and education programs were developed? <input type="checkbox"/> What was the effectiveness of the programs? <input type="checkbox"/> What was the level of satisfaction of people involved in the project? <input type="checkbox"/> Did they attribute the creation of the initiative to the Board?
Program Coordination & Delivery	
31. The Board may play a role in the coordination and delivery of fisheries management, stewardship, economic development and information/data management programs in the management area.	<input type="checkbox"/> Number and range of coordination and information/data sharing programs and activities undertaken? <input type="checkbox"/> Number and range of stewardship and economic development activities undertaken? <input type="checkbox"/> Rate of success—economic and stewardship activities <input type="checkbox"/> Survey of satisfaction from participants <input type="checkbox"/> Usefulness of information/data gathered
Program Development	
32. The Board may develop and implement new aquatic resource management programs within the jurisdiction of its government members.	<input type="checkbox"/> Number and range of aquatic resource activities developed and implemented? <input type="checkbox"/> Achievement of intended results?
Program Monitoring and Evaluation	
33. The Board may work with local communities and other persons and bodies affected by aquatic resource management in the management area to create cooperative frameworks for the monitoring, evaluation, and enforcement of policies and programs within the Board's responsibilities.	<input type="checkbox"/> Have effective cooperative frameworks been created?
Management Responsibilities	

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<p>34. The Board will undertake integrated aquatic resource management responsibilities in the management area in cooperation with the relevant government agencies. The level of the Board's participation in integrated management may range from information-sharing to consultation, shared decision-making, or assigned responsibility.</p>	<input type="checkbox"/> How extensive have been the Board's participation at each level of responsibility (including activities set out in Appendix D)?
<p>35. Recognizing overarching authorities, policies, standards and processes, and the necessity to link with these for effective management, the extent of the Board's participation in integrated management decision-making may increase with:</p> <ul style="list-style-type: none"> · the extent to which species remain within the area · the extent that an issue or activity has an impact on aquatic resources · the localized nature of an issue or activity · local capacity and demonstrated success. 	<input type="checkbox"/> Increase in participation in integrated management activities? <input type="checkbox"/> Was there an increase in both the capacity of the Board to participate in a wider range of activities and demonstrated success?
<p>36. Management responsibilities in which the Board may participate include</p> <ul style="list-style-type: none"> · stewardship · fisheries management · aquaculture management · community economic development · integrated oceans management. 	<input type="checkbox"/> Did the Board undertake to participate in any of the activities? <input type="checkbox"/> What was the rate of success in the activities? <input type="checkbox"/> Where was it most successful? <input type="checkbox"/>
Dispute Resolution	
<p>37. The Board may facilitate the resolution of aquatic resource management disputes in the management area.</p>	<input type="checkbox"/> Has the Board developed a good record and reputation as a forum for dispute resolution?
Communication	
<p>38. The Board will:</p> <ul style="list-style-type: none"> · communicate with interested parties and the public about the activities of the Board · foster productive relationships and cooperation between the people, communities and interest groups affected by aquatic resource management. 	<input type="checkbox"/> Does the Board have a record of communications to demonstrate its involvement with other interests and groups?

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39. The geographic scope of the Board is defined in Schedule 1. The management area corresponds with Nuu-chah-nulth Ha-houlthee, which extends seaward from Cape Cook on Brooks Peninsula to Solander Island, to the international boundary along the entrance to Juan de Fuca Straits, then true north to Sheringham Point. Inland boundaries generally follow the height of land along watersheds dividing Vancouver Island.	
40. The Board will determine its rules of operation based on the principles contained in this document.	<input type="checkbox"/> Were rules of operation established? <input type="checkbox"/> To what extent did they affect the successful operation of the Board? <input type="checkbox"/> Were their negative factors?
Secretariat	
41. The Board will be supported by an administrative secretariat.	<input type="checkbox"/> Was an administrative secretariat hired and evaluated according to negotiated expectations of governments?
Facilitation	
42. The Board may appoint a facilitator to support its shared decision-making process.	<input type="checkbox"/> Was a facilitator required? <input type="checkbox"/> When the need was established did the Board bring in a facilitator? <input type="checkbox"/> Rate of improvement after facilitator hired?
Funding	
43. The governments will resource administrative costs and the core activities of the Board, including policy development, planning, capacity building and management responsibilities, according to a three-year business plan prepared by the Board and approved by the governments, subject to an appropriation being available for that purpose in the relevant fiscal year. The Board will also utilize core funding to initiate program and proposal development. The Board will seek external program funding and partnerships to support program implementation and delivery.	<input type="checkbox"/> Adequacy and stability of core government funding? <input type="checkbox"/> Extent of efforts and degree of success in securing external program funding? <input type="checkbox"/> Adequacy of resources relative to perceived program needs? <input type="checkbox"/> Review of financial decisions? <input type="checkbox"/> Financial reports and activities demonstrate the Board's financial responsibility
44. Resourcing commitments will be confirmed annually in conjunction with a review of Board operations.	<input type="checkbox"/> Did governments clarify the requirements of the Board? <input type="checkbox"/> Were resourcing commitments received in a timely manner? <input type="checkbox"/> Was this done in conjunction with the annual review?
45. The Board will explore supplemental sources of funding.	<input type="checkbox"/> Number of organizations and agencies approached for supplemental funding <input type="checkbox"/> Amount of funding received from alternative sources
Aboriginal Rights	

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<p>46. This document and the establishment of the Board will not in any way define or limit any aboriginal rights of the Nuu-chah-nulth First Nations, and will be without prejudice to the positions of the parties with respect to aboriginal title or rights.</p>	
<p>Ministers' Responsibilities</p>	
<p>47. The Board will be subject to the final decision making authority of the responsible ministers of the governments of Canada and British Columbia, as set out by law.</p>	
<p>Links to External Processes</p>	
<p>48. The Board will liaise or coordinate with existing and developing policy, management, allocation and planning processes to achieve efficiencies, reduce overlap and duplication and facilitate better decisions.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Extent of effective networks <input type="checkbox"/> Survey results exploring community and stakeholder satisfaction with activities and understanding of Board operations
<p>49. The Board may enter into agreements with or establish working arrangements with other organizations, agencies, and bodies affecting or affected by aquatic resource management in the management area.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Number of agreements entered into and successfully undertaken? <input type="checkbox"/> Survey satisfaction level of partners

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Monitoring, Evaluation & Term	
<p>50. The Board will establish a monitoring and evaluation framework based on specific measures of success which include:</p> <ul style="list-style-type: none"> · how effectively the Board adheres to its principles · how well the Board meets tests of administrative accountability, including: <ul style="list-style-type: none"> - demonstrates fiscal responsibility - demonstrates efficiency - establishes linkages - communicates effectively · how well the Board meets test of functional accountability for results, including contributions to: <ul style="list-style-type: none"> - diversification (economic and resource use) - human/data/technical/management capacity in management area - socio-economic benefits - locally accruing benefits - environmental improvements (resources and habitat) - reduction in overlap and duplication - coordination of programs. 	<ul style="list-style-type: none"> <input type="checkbox"/> Was a framework for monitoring and evaluation established? <input type="checkbox"/> Was monitoring undertaken in a consistent and effective manner?
<p>51. The Board will evaluate its performance annually with the goal of continual improvement.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Were annual reports and performance measures undertaken? <input type="checkbox"/> Were steps taken to address areas in need of improvement?
<p>52. The Board is initially established for three years. At the conclusion of the third year of operations, the governments will complete their assessment of the Board with respect to its ongoing role.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Were the governments able to complete an assessment in a timely manner? <input type="checkbox"/> Was the assessment comprehensive?

APPENDIX G

Questions for Assessing the Success of the Board

Evaluation of Board's Ability to Improve Decisions in Aquatic Resource Management	Evaluation of the Board's Ability to Provide an Improved Decision-Making Process and Aquatic Management Activities
<ul style="list-style-type: none"> ➤ Has the Board been able to bring together a wide variety of individuals who have different thoughts and values, to arrive at consensus decisions? 	<ul style="list-style-type: none"> ➤ Are the Board members able to agree on priority issues for discussion? Are the issues the Board discusses relevant to the area, communities and individuals?
<ul style="list-style-type: none"> ➤ Does the decision violate any of the principles set out in the terms of reference? 	<ul style="list-style-type: none"> ➤ Can the Board present its consensus decisions to the relevant authority in such a way that they are accurately understood, interpreted and recorded, resulting in approval of the decision or the provision of an appropriate and thorough explanation for the final decision taken? Have governments become more sensitive to the needs of the local community?
<ul style="list-style-type: none"> ➤ Is the decision implementable? It may be a good decision, widely accepted by the public, but is either too costly or complicated (i.e. lack of capacity/knowledge in the community) to implement. 	<ul style="list-style-type: none"> ➤ Does the Board reduce overlap and duplication by sharing and collecting new information, which it communicates to a broad audience? Does this result in an increased capacity to respond accurately to complex issues? Is the Board capable of engaging a wide range of interests in a single integrated discussion, rather than the numerous segregated processes used to date?
<ul style="list-style-type: none"> ➤ Does the decision address the issue it was designed to address? Is it relevant to the problem? It may be that the decision addresses a short-term or surface issue, but neglects to address deeper causes. 	<ul style="list-style-type: none"> ➤ Does the Board show financial accountability and cost-efficiency?
<ul style="list-style-type: none"> ➤ What are the wider and secondary impacts of the decision? Are they positive or negative? Does the decision adversely affect other sectors, communities or species? 	<ul style="list-style-type: none"> ➤ Has the Board process enhanced the capacity of participants to innovate new systems and mechanisms to accomplish their goals? Has the Board process strengthened the organizational and management capacity of the local community?
<ul style="list-style-type: none"> ➤ Is the decision enforceable? In the case of access and allocation there must be a legitimate and accepted presence of authority or a shared sense among the interests to self-enforce the rules. Does the decision lead to increased or reduced conflict? 	<ul style="list-style-type: none"> ➤ Do the Board's activities bring benefits to the community and enhance environmental and social health? Is sustainability continuously monitored and does the Board promptly address issues of unsustainable use? Subsequently, is there a consistent effort by the management committees to create long-term solutions that promote regeneration of the resource?
<ul style="list-style-type: none"> ➤ Does the community accept the decision? Is it perceived as legitimate and effective? Who opposes the decision and why do they oppose it? 	<ul style="list-style-type: none"> ➤ Can the Board reduce local conflict and foster the type of respectful, inclusive and open dialogue? Does the process allow for relationships that carry over into other local activities? As a consequence of the Board's ability to address issues, have other regions adopted its process?
	<ul style="list-style-type: none"> ➤ If no decision has been reached, has other action been agreed to by the Board, such as seeking reasons for disagreement or undertaking additional research to determine a way of resolving the issue?

APPENDIX H

Preliminary Recommendations for Yearly and Final Evaluation

Yearly Evaluation	Final Evaluation (after 3 years)
<p><i>Process Considerations:</i> Members should reach an understanding and agreement on broad definitions of the principles and be prepared to discuss issues in relation to them. To protect the process, there should be an agreement among the participants to promote understanding and respect towards each other—essentially, a protocol for behaviour. Board member accountability and commitment to the process and their constituents should be tested during this time.</p>	<p><i>Process Considerations:</i> Protocols for building and maintaining relationships have been agreed to by the parties and have worked to create a feeling of trust among participants. Participants have the capacity to discuss issues in relation to the agreed principles and discussions focus on creative solution building. Members have demonstrated accountability by returning to their constituents to obtain approval or provide reasons for disagreement with Board decisions.</p>
<p><i>Issue Definition:</i> The Board should recognise that trust building and commitment to the process take time and, depending on participant experience and complexity of issues, the first year may be spent entirely on scoping the issues for discussion. It will be crucial during the yearly evaluations to monitor and address the key behavioural and institutional constraints that prevent issues from being identified and decisions from being reached. Further, the Board should assess the issues it has deliberated for relevance and scope—determined by previously agreed criteria.</p>	<p><i>Issue Definition:</i> The scale, scope and number of issues that have been reached through consensus have increased each year. The decisions themselves reflect the growing capacity for the group to integrate different knowledge systems and creative solutions. This is demonstrated by the variety and effectiveness (implementability) of recommendations and projects emerging from the Board process.</p>
<p><i>Public and Participant Perception:</i> The public should be aware of the Board's operation and perceive it as a legitimate process for addressing their common issues. Participants should be interviewed at the end of the first year to discover whether consistent problems are expressed and to assess successes and opportunities for learning and improvement.</p>	<p><i>Public and Participant Perception:</i> Because several socio-economic and environmental benefits have resulted from improved decision-making in the area. The Board process has been an integrating force in the community and between community and governments. In addition, benefits to the WCVI region have resulted in the adoption of the process by other regions. Participant interviews may reveal that learning through consensus seeking is equally important to reaching consensus on issues.</p>
<p><i>Information Sharing:</i> Board members should have increased capacity to deal with different information and transmit successes, values and ways of seeing the issues, including an ability to respect the historical and traditional role that First Nations played in the management and regulation of the fishery. Governments, in particular the federal and provincial governments, facilitate the transmission and understanding of environmental data and other governmental information to the Board. The Board administration or management committees should have developed an information system for collecting, storing and disseminating information.</p>	<p><i>Information Sharing:</i> Governments and other organisations approach the Board as a key source of information, which reduces the overlap and duplication of effort. The Board has provisions in place for monitoring the sharing of information and has created information databases and networks.</p>
<p><i>Financial Accountability:</i> The Board should have adequate funding to become operational. In addition, it will be expected to meet its predetermined budget. After the second year, the Board should have secured adequate and stable funding from the governments and have identified additional funding sources.</p>	<p><i>Financial Accountability:</i> The Board has been successful in receiving adequate funding to support the process and activities and has provided evidence of sound financial accounting practice and cost-effective operation.</p>