



Federal Environmental Assessment
Review Office

Bureau fédéral d'examen
des évaluations environnementales

**MANUAL ON PUBLIC INVOLVEMENT
IN ENVIRONMENTAL ASSESSMENT:
PLANNING AND IMPLEMENTING
PUBLIC INVOLVEMENT PROGRAMS**

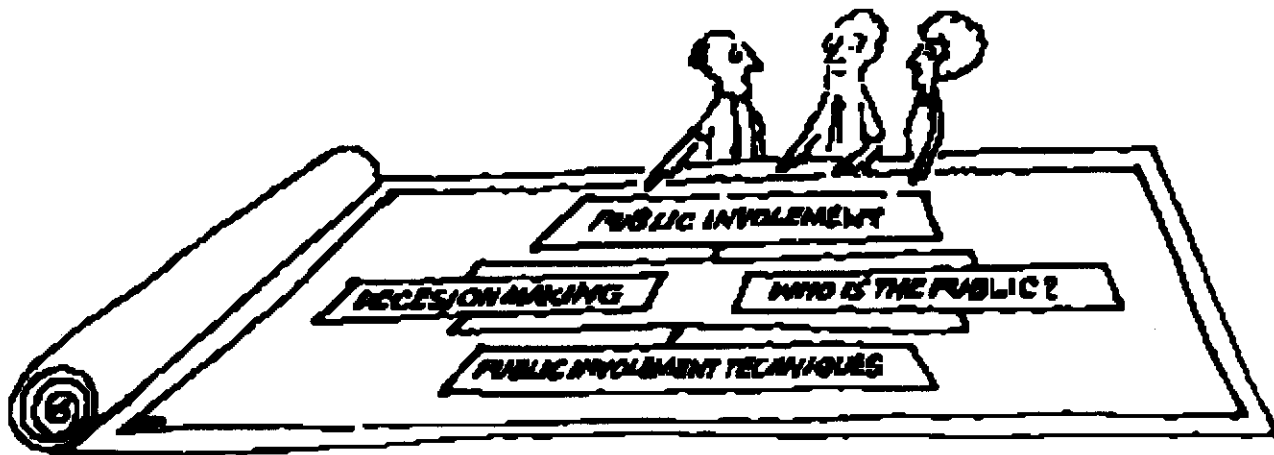
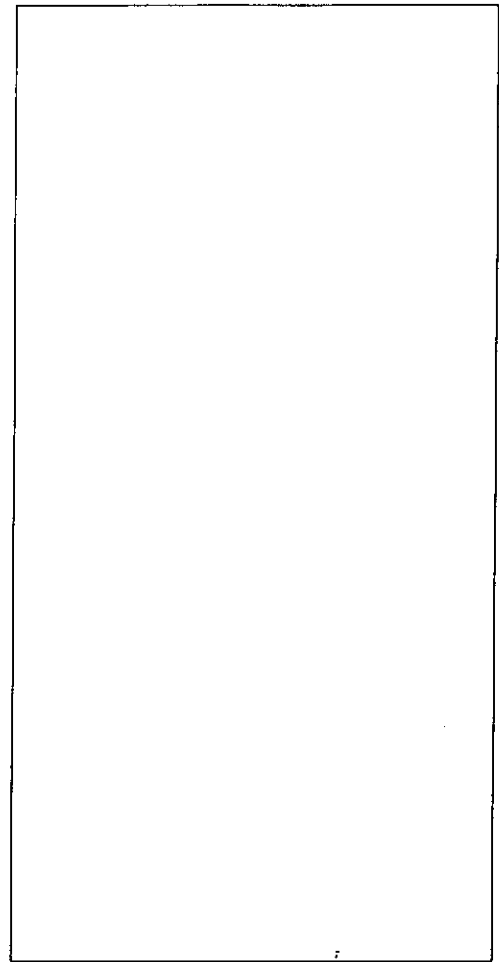


Canada

PUBLIC INVOLVEMENT

PLANNING AND IMPLEMENTING PUBLIC INVOLVEMENT PROGRAMS

Executive Overview



Praxis

Calgary, Alberta
1988



The Federal Mandate for Public Involvement

The Federal mandate for public involvement is contained in the Environmental Assessment and Review Process Guidelines Order, 22 June, 1984. This order specifies that the initiating agency shall:

- "consider the concerns of the public regarding the proposal and its potential environmental effects." Section 4 (1) (a)
- "use a public review under the Process as a planning tool at the earliest stages of development of the proposal rather than as a regulatory mechanism and make the results of the public review available for use in any regulatory deliberations respecting the proposal." Section 5 (2)
- "ensure that the public have access to the information on and the opportunity to respond to the proposal in accordance with the spirit and principles of the Access to Information Act." Section 15 (b)

INCREASING SUPPORT FOR PUBLIC INVOLVEMENT IN DECISION MAKING

In September, 1987, the National Task Force on Environment and Economy released its final report outlining recommendations towards integrating environmental and economic decision making. The report was developed through a multi-partite consultation process involving a broad range of public, private and educational representatives of Canadian society. One of the Task Forces' recommendations was that "government, industry and non-government organizations should use multi-partite processes to deal with specific issues, projects or programs."

It is in the context of this trend towards increasing consultation that this manual on public involvement has been prepared. This overview introduces senior decision makers of the Government of Canada to the principal concepts of public involvement.

The manual's purpose is to assist agencies in the Government of Canada in developing and implementing public involvement programs in the

early stages of project planning, particularly within the Initial Environmental Evaluation phase of the Environmental Assessment and Review Process. The manual is oriented to small and medium sized projects which, for the most part, should not require sophisticated or extensive public involvement programs.

The emphasis towards increasing public involvement is reflected in the words of the Minister of the Environment in the introduction to a discussion paper on environmental assessment. He underlines the need to provide "for maximum public participation in government decision-making", and suggests that public comment should be invited during early planning stages.

WHAT IS PUBLIC INVOLVEMENT?

Public involvement is the process by which the views of all parties interested in agency decisions – interested and affected individuals, organizations, provincial, territorial and local governments, and other federal agencies – are integrated into an agency's decision making process.

One of the several important factors responsible for this PI program achieving its objectives was that the agency acknowledged the concerns raised by the residents and, with the cooperation of other federal agencies, made strenuous efforts to develop a workable compromise solution.



People will forgive a lot of mistakes if the genuine intent is there. If you're just going through the motions, people get the message.....

The public involvement process provides a means by which public concerns, needs, and values are identified prior to decisions, so that the public can contribute to the decision making process.

Public involvement is two-way communication, with the overall goal being better overall decision making by the agency in question and the federal government in general.

The most important qualities in any public involvement program are that the agency and its representatives are sincere, and have integrity and commitment. Experience has shown that it is preferable to hire people with these qualities and train them than to hire those with experience but whose attitude and personality are inappropriate.

WHEN IS PUBLIC INVOLVEMENT NEEDED?

Most decision processes will benefit from some form of public involvement. The thrust of this manual is to encourage the increasing use of public involvement at early stages in the decision process, no matter how small the project.

WHO IS THE PUBLIC?

The public is a constantly shifting multiplicity of affiliations, interests, and alliances. **There are many publics, rather than "the public"**. These publics change for each issue, and grow larger as a decision gets closer and its consequences are better understood. A public involvement program may use several different involvement techniques at the same time, each designed to reach a different segment of the public.

BENEFITS OF PUBLIC INVOLVEMENT

Experience has demonstrated that **public involvement does make a difference in project planning**. Because of the trend for increased participation in all aspects of society, the public generally will not accept being left out of a decision making process, or only superficially involved at the end of the process.

This manual presents a wide variety of information, tools and techniques which can be used to manage public involvement programs. If these strategies are implemented, a wide range of benefits can accrue to the project manager and the agency in question including the following:



Increase quality of decisions

The thought process in preparing for a public involvement program will assist in clarifying and organizing the objectives and requirements of a project, in turn improving the overall decision making. An even greater benefit is that the public's response may require the rethinking of some assumptions about the decision to be made.

Provide for more efficient project management

Planning for public involvement can lead to more efficient overall project management. As a manager, how do you know that you have not spent 80 percent of your available resources on alternatives or solutions that are not implementable? Answering that question is crucial. Public involvement management is a tool to help manage

The Practitioners Speak.....

An engineer from the U.S. Army Corps of Engineers related the following to me:

"I developed and used public involvement approaches for wetland management and general permitting for five reasons:

Our workshop approach reduced the workload on a regulatory staff already stretched very thin. The disputants did most of the work!

I wanted more management control. The agency was always reacting. Our public involvement approach put us in a pro-active stance. It helped us to be up front on the issues.

Our public involvement approach promoted public understanding of the permit process.

Public involvement actually enhanced our ability to ensure environmental safeguards for cumulative effects. Experience showed that it was difficult for judges to rule on the issue of cumulative effects for single permits. It was easier on a general permit which could be obtained for the entire region, if the public supported it in the public involvement process.

Public involvement helped the agency to better manage conflict in the whole geographic area. Instead of being drawn into either mediating conflicts which have 'ripened' or into being a disputant, we got likely disputants to talk before the conflict was ripe.

These factors sold not only myself, but the agency on the effectiveness of public involvement."

Public involvement must be conceived as an integral part of the project ... from its conception to its implementation.

ers answer such questions. It accomplishes this by identifying the crucial issues and constraints on a project early in the process. It also can foster a shared understanding of the project's problems early enough so that positive actions can be taken by all parties involved.

Minimize project cost and time delay

A common perception is that a public involvement program adds to project costs and increases time lost to delays. In reality, early public involvement can reduce the delays and costs associated with public controversy. In the short term, public involvement does result in increased time and cost to arrive at a decision. However, a decision that is costly and time-consuming to make may be economical if it leads to action. A decision that is made quickly and cheaply may be costly if it does nothing to create agreement between parties on a conflicting course of action.

Public involvement can result in a higher level of commitment to the decision by interest groups with a stake in the decision. This will minimize controversy during implementation; thus the cost savings will more than offset the original cost of the public involvement program.

Increase ease of implementation

Public involvement can result in a higher level of commitment to the decision by interest groups with a stake in the decision.

Avoid "worst-case" confrontation

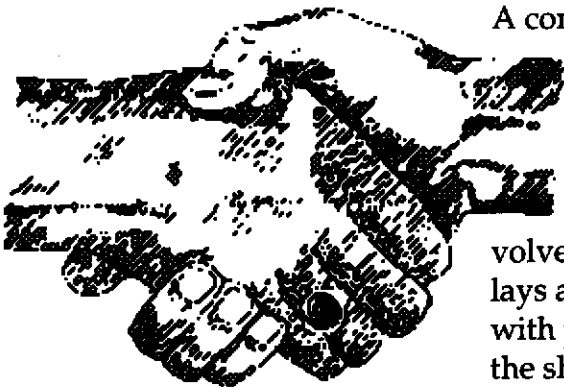
Early public involvement can help reduce the probability that the agency will be faced with "acute adversarial situations". Therefore, in the long run, public involvement can reduce the manpower and financial resources allocated to projects. However, public involvement is not magic, it will not reduce or eliminate all conflicts.

Maintain credibility and legitimacy

The way to achieve and maintain legitimacy, particularly when controversial decisions must be made, is to follow a decision-making process which is visible and credible with the public, and involves the public. PI programs will also leave the public more informed of the objectives and operation of the organization.

Increase management expertise

More and more, management is being required to meet and work with the public. Man-



Local publics can have very positive responses and creative solutions if they are consulted. Listening to the public pays off!!!

agement can increase their level of expertise in working with the public by undertaking programs that are non-controversial, where time is available to plan the program without the time considerations of a high profile, reactive situation. In this way, whether the programs are successful or not, a learning experience has occurred. This will help in future situations, especially if they happen to be very controversial.

Develop team building opportunities

As managers decide on the proper public involvement approach, team members will be debating not only project expenditures but also project objectives. Thinking about how to explain a study to people outside the agency often forces the agency to "get its act together" internally. That is, project objectives are clarified and trade-offs among these objectives are identified and negotiated.

The Practitioners Speak.....

I remember one project which involved siting a major 500 KV hydro-electric right-of-way through delicate delta and wetlands near a northern lake. The area was traditionally used by local native Indian people so they were involved in the impact studies as part of the team. The general public was also involved in many of the public meetings. The route location engineering team was unable to find an alignment that didn't pose environmental problems to the wetlands or the delta or did not result in massive costs for underwater alignments across the lake. In a major team meeting, which was attended by the native people, the lack of a suitable route location was discussed at length with no resolution. Then one of the native people put up a hand, and suggested that if several artificial islands were constructed, during winter when little environmental damage would occur, these islands could be combined with several existing islands and a relatively inexpensive route alignment could be constructed. As you can imagine, there were a few red-faced members of the route location team when this was stated in front of the department minister. And guess what, the solution was proven viable. **Local publics can have very positive responses and creative solutions if they are consulted. Listening to the public pays off.**

Figure 1 Degrees of Public Involvement

(First - Least public involvement Last - most public involvement)

Public involvement and controversy: Public involvement is not a tool that, on its own, can end controversy. However, the controversy may be lessened compared with not using it. Public involvement can manage controversy. It is also a way to allow entry into the decision process for a "new" social partner, the public..

Persuasion

The use of public involvement techniques in legitimate endeavours to change attitudes without raising public expectations of participating in the planning process.

Education

The use of information dissemination and general instruction to create an awareness of programs and issues.

Information Feedback

The distribution, by the authority, of information on a policy planning situation on which the authority has a stated position and the request for public feedback on the position.

Consultation

Use of formal dialogue between authorities and public based on initially established mutually accepted objectives.

Joint Planning

Shared decision making. The public is represented on departmental planning boards, is given voting and decision making authority. Issues should be geographically specific and understandable by local participants.

Delegated Authority

The transfer of responsibilities, normally associated with the authority, to the public or other levels of government possessing the necessary expertise.

Self Determination

The undertaking of the planning process by the public directly.

In short, substantive discussions among team members, including those from other departments and agencies, are encouraged early and throughout any project. The benefits from such dialogue reap dividends two and three years later when the project is in the developmental and operational stages.

Public involvement planning thus becomes an occasion for building a team.

Develop public expertise and creativity

Public involvement offers the potential to expand available expertise by fostering shared ownership in the project. Public involvement can encourage outside expertise to engage in research, present arguments and otherwise enrich debates. Frequently, those participating in public involvement activities are experts in their own right.

Their contributions can be significant. Many times agencies have discovered that the public's expertise and creativity was invaluable in contributing to the development of sensitive compromise solutions to problems. Managing public involvement can actually enhance both the study's quality and quantity of scientific expertise.

With early public involvement, agencies can respond to new ideas before getting locked into defending standard, possibly outdated, approaches.

Concensus Building

A public involvement program can build a solid, long term agreement and commitment between otherwise divergent parties. A program that builds understanding between parties can only help with project implementation and eventual operational phases.

TYPES OF PUBLIC INVOLVEMENT

Degrees of public involvement can range from public information, where the goal is to inform the public about a decision, to inviting the public to be heard before a decision is made, to more encompassing approaches, where the public can influence a decision directly or be given the latitude to determine the decision in partnership with the agency.

Figure 1 presents a broad spectrum of public involvement approaches. The first two, Persuasion and Education, are not truly public involvement, although they are important in combination with other approaches. At the other end of the spectrum, Delegated Authority and Self Determination may only be usable if your agency has substantial flexibility in its mandate. This means that the most feasible range of approaches will be those of Information Feedback, Consultation, and Joint Planning.

Selecting the approaches to employ will be part of the process outlined in the next section of this overview.

The essence of public involvement is two-way communication. It isn't genuine public involvement unless there's some information coming back from the public (although there may be times during a public involvement program when it is appropriate to be simply providing information).

PLANNING FOR PUBLIC INVOLVEMENT

Public involvement must be integrated into the total project planning process, rather than added on as an afterthought. To achieve successful public involvement, it is essential to develop a carefully thought out plan. Paradoxically, the presence of a plan enables those carrying out public involvement to be flexible, and adjust the activities of the program in response to the situation.

In government agencies, decisions are rarely a single choice made at a single point in time; rather they are usually a series of decisions resulting in a final outcome. There are key points when decision makers want engineering, economic, social, and environmental information.

When public involvement is well integrated into the decision making process, a decision maker would be as unwilling to make a decision without adequate public involvement information as he or she would be unwilling to make a decision without adequate engineering, economic or environmental data.

Public involvement must thus be accepted as the agency's "way of doing business". For each project, the program for involving the public must be designed to meet the project scale and the decisions which must be made. The programs' approaches must be geared to the public's needs, with sufficient time allowed for the

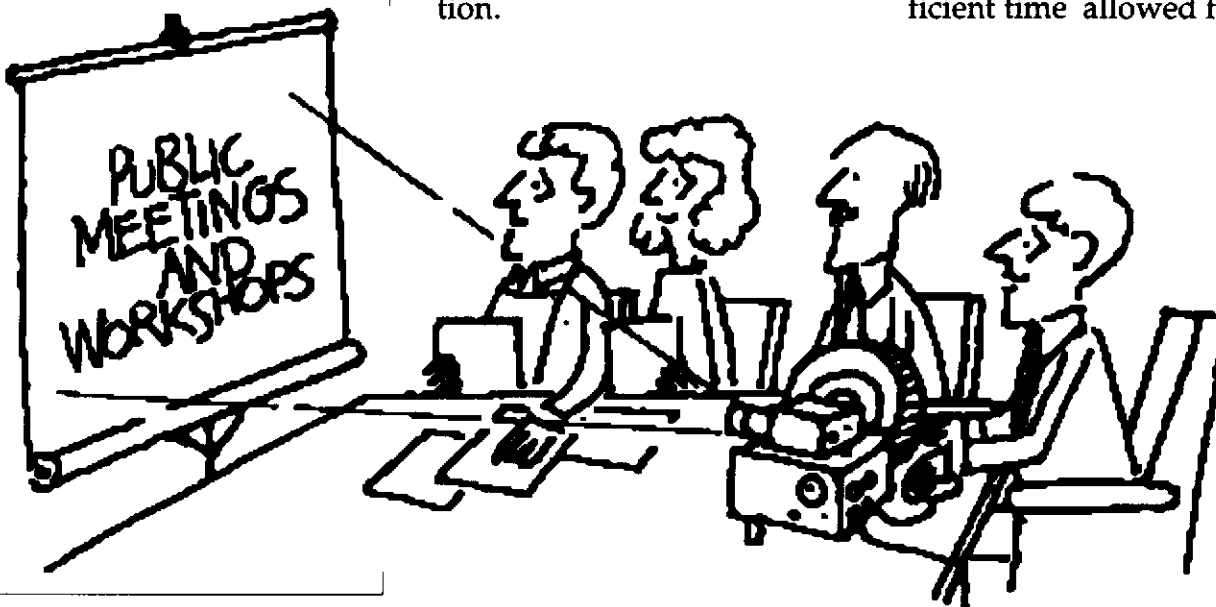
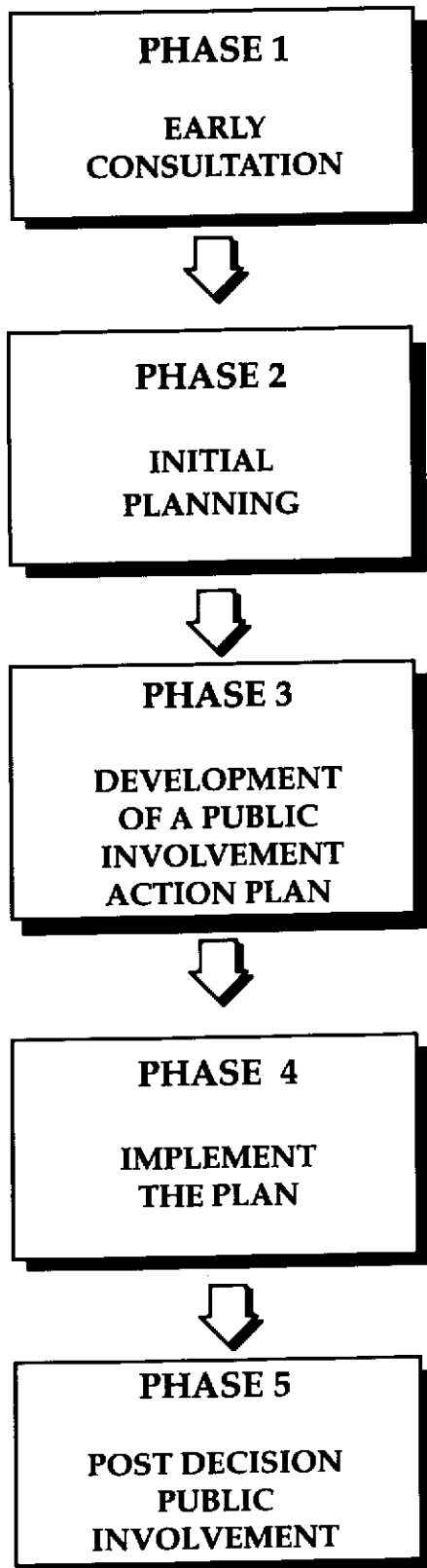


FIGURE 2

Steps in a Public Involvement Program



public to become informed on an issue, and with technical reports translated into layman's language.

Figure 2 outlines the five main phases of public involvement planning.

In practice, no public involvement process is as linear as that portrayed here; rather the process is an iterative one in which parts of a process are redesigned as steps are monitored for results.

Volume 2 presents the planning process in detail.

Your agency must provide proof that you are flexible, not only in conceiving and implementing but in meeting the post decision requirements of your public involvement activities. In public involvement, you must take nothing for granted. Each public process is new and unique. Never act on a preconceived idea or process.

You've got to get management to feel that the public involvement program is their program. They may have staff to help them run it, but they need to have an emotional stake in the program or it's not going to change anything.

SUPPORT FROM DECISION MAKERS AND SENIOR MANAGEMENT

To carry out public involvement effectively, project managers and public involvement staff must have the support of senior management, in terms of resources of time and budget, training programs, decision making support, and contact. Even though senior managers are usually not involved in the day to day activities of a public involvement program, they influence it through their style of decision making, the organizational structure of the agency, and the nature of the support they can provide. There must be commitment from senior management if public involvement programs are to be effective.

It is important that management not underestimate the additional time and costs of public involvement, so

that realistic budgets and schedules are established.

Senior management can also demonstrate its support for public involvement by being present at important public meetings.

Finally, top management must provide a model of open communication to all groups. It is wise to stay in frequent, informal communication with these people and groups as the issues develop, because this kind of regular communication is the best possible "early warning system". In particular, it is essential to work with both political and media interests, keeping them informed of a project's progress.

The importance of support from decision makers and senior management is discussed in detail in Volume 1.

STAFFING AND ORGANIZING FOR PUBLIC INVOLVEMENT

The success of a public involvement program is dependent on a number of organizational factors which must be considered when developing, planning and implementing a program.

Such factors include:

- organizational decision making style;
- appropriate staff performance measurements;
- providing a model of open communication within the agency; and
- inter and intra-agency coordination.

These factors are discussed in Volume 1.

HINTS TO DECISION MAKERS REVIEWING PUBLIC INVOLVEMENT PROGRAMS

Some factors to be considered in management's review of public involvement programs include:

- Look for links between public comment and the decisions made.
- Examine the range of publics that have been included.
- Check to make sure that mechanisms are in place to keep the public informed during quiet, or low profile, periods of a project.
- Insist that documents be in the public's language.
- Role play the various interests as part of management review.

These are critical factors to take into consideration in reviewing any public involvement program. Detailed discussion of these factors are provided in Volume 1 of this manual.

PLANNING AND IMPLEMENTING PUBLIC INVOLVEMENT PROGRAMS

Take care of your public involvement managers. Managing public involvement has never been easy. They need to know that their work is appreciated by senior management. A good public involvement manager is rare .

TRENDS IN PUBLIC INVOLVEMENT

Volume 1 of the manual presents a section designed to increase the awareness of senior managers to some of the trends currently affecting the field of public involvement. While there are many trends which could be included, two relate closely to the issues which have been raised in this overview.

The first trend discusses techniques for senior decision makers to monitor current issues of public concern and priority. Through the techniques presented in Volumes 1 and 2, the decision maker can be better prepared and more knowledgeable of the public and governmental issues, thereby responding in a more pro-active manner.

The second trend relates to building consensus with the publics with which you will have to work. While this has

been an ongoing strategy in the United States over the past few years, it has been slow to catch on in Canada. This is due primarily to the different political and judicial systems in the two countries. As stated by numerous American counterparts, "Whatever you do, stay away from the court system. Every project we now propose ends up going through the legal system. This is causing tremendous and costly delays on all projects". The response in the United States has been toward more public involvement programs, many of which now involve a variety of mediation and consensus building techniques.

Detailed descriptions of these two major trends can be found in Volume 1 of the manual.

Other external issues are out there that will influence your activities and problems: you must be aware and ready to respond to these other issues.

USING THE MANUAL ON PUBLIC INVOLVEMENT

The three volumes contained in this manual have been prepared for use by departmental agencies of the Government of Canada. The manual is designed to guide senior managers in the development of public in-

volvement programs that may be needed by their department or agency as part of the environmental review process or for their own, smaller, internal projects which may never require a review process by other agencies.

ORGANIZATION OF THE MANUAL

The manual is organized as a set of four volumes:

Executive Overview:

This volume, targeted for the senior executive, provides a rationale for public involvement and a brief overview of the public involvement planning process.

Volume One: Management Implications for Decision Makers

This volume is directed to senior managers to assist them in determining when public involvement may be required in their organization and how it should be established within the agency.

Volume Two: Developing a Public Involvement Program

This volume is directed to those line managers and practitioners who will be responsible for designing and implementing a public involvement program.

Volume Three: Public Involvement Techniques: A Dictionary of Ideas and Methods

This technical volume acts as a dictionary of possible methods and strategies which can be used by the practitioner. Methods are identified along with the processes which can be used to implement them. Their advantages and disadvantages are presented.

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