

## **Public Engagement, Planning, and Politics in the Forest Sector in New Brunswick, 1997–2014**

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### **Abstract**

This article documents developments and debates in policy formation for Crown land in New Brunswick from the period 1997 to 2014. Particular focus is given to how the public was engaged in those policy deliberations. The Department of Natural Resources experimented with several public engagement exercises from 1997 to 2007. From 2005–2007 the government sponsored, but then backed away from, a public opinion study that demonstrated the public's preference for a conservation-first timber-second strategy for Crown land management. Since 2008, successive governments of both major parties have adopted a more closed and less consultative approach to natural resource policy development.

### **Résumé**

Cet article décrit les développements et les débats liés à l'élaboration de politiques visant les terres de la Couronne du Nouveau-Brunswick, et ce, de 1997 à 2014. Une attention particulière est accordée à l'engagement du public à l'égard des délibérations relatives à ces politiques. Le ministère des Ressources naturelles a mis à l'essai plusieurs activités d'engagement du public de 1997 à 2007. De 2005 à 2007, le gouvernement a parrainé une étude d'opinion publique qui montrait la préférence du public pour une stratégie privilégiant la conservation plutôt que l'exploitation quant à la gestion des terres de la Couronne. Or, par la suite, il a pris ses distances par rapport à cela. Depuis 2008, les gouvernements successifs des deux grands partis ont adopté une démarche plus fermée et moins consultative quant à l'élaboration de politiques sur les ressources naturelles.

### **Introduction**

This article covers seventeen years of recent New Brunswick history (1997–2014) and documents the sporadic attempts by the government to engage the public in forest policy and planning decisions. While some important data on forest values and citizen's policy preferences has been gathered over that period of time, the government has had difficulty instituting any innovative policy experiments or reforms based on the input they have received from citizens and non-industrial stakeholders. As well, there appears to have been a historical opportunity between 2004 and 2007 when the government understood the importance of and believed in providing more and better opportunities for public engagement. Since 2008, however, governments led by both main political parties in the province have had little appetite for sponsoring additional public engagement regarding Crown land management. Recent changes in Crown land management have been tightly controlled by the government and closely choreographed with the forest industry. This article reviews several government-sponsored public-engagement initiatives, ranging from public hearings to solicitations of

online submissions. Particular focus is given to a province-wide public opinion survey and the political fallout that occurred after its release. The overall intent is to consider the consistency of the messages that come from New Brunswick citizens regarding their priorities for Crown lands and the extent to which successive provincial governments have accepted or ignored these messages.

I wish to comment on my unique perspective on this topic. I have been a vigilant observer throughout my sixteen-year residence in New Brunswick, but I have also been an occasional, albeit minor, player in this policy discussion. I have co-authored reports that have been co-sponsored by the provincial government relevant to the topics at hand (Nadeau et al. 2012, Nadeau et al. 2007). I have made written and oral presentations to the Legislative Select Committee on Wood Supply, and I have testified to the Senate Standing Committee on Agriculture and Forestry in Ottawa (Senate Standing Committee on Agriculture and Forestry 2011). I have contributed written comments to the Department of Natural Resources, submitted proposals for tenure pilot projects for consideration, and been a periodic commentator on forestry issues on radio and television. My professional expertise and concern throughout the past sixteen years has been to encourage more and better public engagement in natural resource planning and management and to champion democratic process in the disposition of Crown resources in land and forests. Others may characterize my work as “having an agenda,” but in this line of scholarship I am merely concerned with promoting procedural and participatory democracy in the forest sector in New Brunswick, and to have resource allocation and management decisions made in the light of day for the expressed interests of the owners of Crown forests, the citizens of New Brunswick.

Forestry is a practice that is informed by science, but ultimately it is about values. Conveying this message to forestry students has been a core part of my professional life since joining the Faculty of Forestry and Environmental Management at the University of New Brunswick in 2000. Forest planning and policy, especially in a public lands context, is a matter of deciding how much and which types of forests are allocated to which stakeholders and for what uses. The title of Marion Clawson's (1975) seminal book says it all: *Forests for Whom and for What?* The answers to those questions are values questions, and they are inescapably political. The answers to those questions will produce winners and losers as there is a wide spectrum of competing interests for the resources, opportunities, and services inherent in the public forest. While the forest may seem vast, it is finite and it is impossible to give everyone everything they want all of the time. Therefore, policy decisions, especially about the allocation of land for different uses, results in benefits to some (financial and otherwise) and costs or losses to others.

Ultimately this article is more about democratic theory than it is about forest science. The forest management system in New Brunswick is a complex web of institutions, policies, resources, and social groups; and of course it encompasses the changing ecological conditions of the resource itself. Theoretically, the citizens of New Brunswick are the owners of Crown land in the province. The government is the steward, or in essence the manager that the public hires to carry out its wishes. The way the forestry debate unfolds is important as it is generally framed as a debate over science and not a debate over values; information generated from the biological or ecological sciences is generally given precedence over social science information, or information derived from direct engagement with citizens or stakeholders. Framing the debate as a technical problem makes an implicit assumption that if we get the science right, we can achieve a societal consensus and achieve an outcome beneficial to everyone. However, if we accept that forestry issues are values problems, then this has serious implications for Crown land policy. Rather than focusing heavily on the biophysical sciences, a values frame for the

forestry problem suggests that we need to spend more time identifying the competing values, examining the degree to which they conflict, and then managing and fairly adjudicating such conflicts.

## **The Forest System in New Brunswick**

Forest land tenure in New Brunswick is unique in Canada. New Brunswick has a balance and distribution of private and public forest land that does not compare to any other province. Newfoundland and Labrador, as well as all the provinces from Quebec to the west coast are dominated by Crown land. All of these jurisdictions have more than 88% of their forests in public hands. Conversely, Nova Scotia and Prince Edward Island are dominated by private land ownership. New Brunswick falls in the middle, with 51% of land publicly held by citizens as Crown land, and 49% in private hands (Luckert, Haley, and Hoberg 2001). Of the half of the land base in private hands, the majority (31% of the total provincial land base) is held by roughly 42,000 private owners, while 19% of the total land base is in a category known as “industrial freehold” (Floyd, Ritchie, and Rotherham 2012). This land is owned by the forest industry. For forestry purposes, industrial freehold is subject to similar rules as Crown land, but owners of freehold have some privileges of private woodlots (rights of transferability, exclusivity, and the right to earn profit from resources on the land).

The private land that is owned in small holdings in the province is concentrated along the north, east, and south coastlines, and along the major river systems (St. John and Miramichi). The administration of the public forest is overseen by the New Brunswick Department of Natural Resources (DNR). Since 1982, much of the direct management responsibility for that land has been in the hands of large industrial licence holders. At the advent of the Crown Lands and Forests Act (CLFA), the Crown land base was divided into ten licence areas and notionally allocated to eight firms that owned large processing facilities. Smaller sawmills were deemed “sub-licensees” and also had access to Crown timber to feed their mills, but the overall management of the land was done by the licensees, with oversight and monitoring by DNR (Baskerville 1995).

According to the stipulations of the CLFA, licensees must create an industrial plan for five-year periods. Estimations of available wood supply go into these plans, as well as maps that project the forest blocks that will be harvested. These plans are reviewed and serve as a negotiation point between DNR and industry. In the early years of the CLFA, there was not much public consultation in this process. However, in the ten years following the CLFA, there was a policy known as primary source of supply. The government wished to avoid the perception that industry competing with private woodlot owners using cheap wood from Crown land. Therefore, primary source of supply was established whereby each spring, industry representatives went into negotiations with the organizations representing the private woodlot sector. The government required that industry contract a certain volume of wood at a certain price that was negotiated each year. Only after this annual volume and price negotiation was concluded would companies be given permission to harvest Crown timber resources. In 1993, without a formal change to the CLFA, the government reinterpreted primary source of supply to mean something different. Industry still purchased private wood, but they were no longer required to reach a contract to access Crown timber; this substantially compromised the woodlot owners’ negotiating position.

## **Crown Land Policy and Public Engagement, 1997–2014**

The 1990s represented an extremely active era in public engagement in the forest sector in Canada. National and provincial governments were acknowledging the importance of social aspects of forestry. Part of this recognition included calls for more and better opportunities for the public to be involved with or consulted on forest policy and management at multiple scales. In Ontario, the Lands for Life process occurred in the late 1990s, which substantially increased the area of Crown forest that was protected (Cartwright 2003). In British Columbia, several consultative processes occurred during the 1990s (Mascarenhas and Skarce 2004). National-level criteria and indicators for sustainable forest management were defined and indicators regarding public engagement were a part of that process. As well, forest certification arose during the 1990s and it also had requirements for public engagement. In short, there was great demand for public engagement and considerable innovation in forestry in the mid-to late-1990s across Canada (Duinker 1998; Chambers and Beckley 2003).

The following section describes three phases of Crown land policy history in New Brunswick and the nature and extent to which public engagement occurred during each period. The first phase entails the protected natural areas (PNAs) process and the Legislative Select Committee on Wood Supply (1997–2004). The PNA process is mentioned only briefly, but this process is important in the story, in part, because the anticipated allocation of Crown land for permanent protection prompted concerns from industry and factored in to their demand for a guaranteed timber supply. The debate and discussion over industry's desire for this defined timber objective is another important element of the first policy phase. The second phase comprised a number of commissioned studies and the formulation of strategies resulting from recommendations from the report of a bipartisan legislative committee (2004–08). This period culminated in the forest plan announced by the Liberal government of Shawn Graham in early 2009. The third phase (2009–14) documents the subsequent abandonment of many of the consultative practices that were established for forest policy and planning during phase two. Governments led by both political parties have significantly changed their practices regarding public engagement after briefly experimenting with a range of public engagement tools in the mid-2000s.

### **Protected Natural Areas**

In 1997 the province undertook a province-wide exercise to identify and protect additional lands for protected natural areas. As a new resident of New Brunswick, employed by the Canadian Forest Service, I was just learning the political landscape and the particulars of the forestry issues in the province. I was perplexed by the seemingly contradictory positions of the forest industry and environmental non-governmental organizations (ENGOS). The ENGOS claimed that less than 3% of the land area of New Brunswick was protected. Environmental advocates were hoping to bring the area of Crown land under protected status to something closer to the 12% suggested by the Bruntland commission on sustainability (World Commission on Environment and Development 1987). Industry, on the other hand, claimed that over 30% of New Brunswick's Crown forest was already protected. The discrepancy was due to the fact that there were several land categories under different degrees of protection. Protected natural areas were conceived as places where no industrial activity would be allowed: no industrial forestry, no mining, no prospecting. In 1998, the percentage area with this status was less than 3%. Industry, on the other hand, was referring to more than 30% of the Crown land base that was in what is broadly called the conservation forest. This is land in various categories where harvesting is restricted, such as deer wintering areas, watercourse buffers of varying widths, and mature

coniferous forest habitat. Industry had partial access to some of this land for fibre. For example, a certain percentage of the volume of timber could be harvested from watercourse buffers, but industry claimed that the higher operating costs of selection harvest over clear-cutting, made operations in buffer zones too expensive.

The modern era of formal public engagement in Crown forest policy and management began with this PNA process. Department of Natural Resources staff was not trained in the tools of public engagement but they knew they needed someone to coordinate a public engagement strategy as part of their effort to identify new Crown land for permanent protection. The Liberal government of Camille Theriault hired a Université de Moncton scientist, Louis Lapierre, to oversee the creation of a PNA plan and the public engagement process that would be part of the process of identifying candidate sites. Dr. Lapierre had access to a team of DNR staff and other supporting scientists. Ultimately they created criteria for candidate parcels of land for selection into the network of protected areas. Following the identification of candidate sites, Dr. Lapierre and his team held well-attended and widely available public meetings on the proposed protected areas. The process was not always smooth and there was some confusion about whether the plan to protect areas was limited to Crown land, but in the end New Brunswickers were given considerable opportunity to provide input into the process of site selection. Some of the meetings, run by Dr. Lapierre but sponsored by the provincial government, were attended by hundreds of people. In New Brunswick, the PNA process represented first steps in engaging the public in identifying priorities for Crown land management.

## **Jaakko Pöyry Report and the Legislative Select Committee on Wood Supply**

In 2001, a letter addressed to Jeannot Volpe, minister of natural resources in Bernard Lord's Conservative government, was leaked to the media. The letter, from the New Brunswick Forest Products Association (NBFPA), outlined a number of concerns. At the time, the forest industry in New Brunswick was importing as much as 10% of its fibre from out of province and they were worried about the stability of that supply. Industry also expressed concern with potential reductions in the supply of wood fibre from private woodlots, which traditionally contributed around 25% to New Brunswick's industrial fibre supply. Most importantly, however, the letter from the NBFPA expressed concerns over reductions and potential reductions of fibre from Crown land. They saw threats from the following sources: (1) incremental increases (since 1982) in the conservation forest (mature habitat requirements, old forest requirements, and watercourse buffers), (2) commitments to First Nations for a share of the Crown land timber harvest, and (3) the ongoing PNA process, which was slated to take an additional 2% of the Crown land base permanently out of production.

The letter from the industry organization generated considerable debate and discussion. The ENGO community became mobilized around the issue of Crown land being a public trust. They demanded that a more inclusive public engagement process be undertaken. Not long after the letter was leaked, the NBFPA announced that they had commissioned a report from the Finnish forestry consulting firm, Jaakko Pöyry, to analyze the province's forest management system and its outcomes, and benchmark these against three other jurisdictions: Maine, Ontario, and Finland. While this was an industry initiative, Bernard Lord's Conservative government asked to be a co-sponsor so that they could make the results of the report public (Jaakko Pöyry 2002).

The Jaakko Pöyry (JP) Report was released in November of 2002 and the debate over Crown land management intensified. The Finnish consultants made the six following recommendations:

- (1) A timber supply objective should be set for each license area that would be binding on the Government and on the licensee. Timber supply objectives should be set for the range of species harvested commercially from each license. This would include a feedback loop to evaluate timber supply implications of DNRE management changes.
- (2) The industry and DNRE should jointly fund and support research and development of science-based forest management practices applicable in New Brunswick.
- (3) The public should participate in reviewing the objectives of management for New Brunswick's Crown lands to provide a mandate for the direction and magnitude of change in forest management.
- (4) The DNRE should reduce overlap in management and oversight of Crown lands. Ontario provides a model on how industry/government responsibilities have been streamlined.
- (5) Special management zones should be critically reviewed and where possible additional harvesting permitted. These areas should be managed using the best science to meet habitat and timber supply objectives.
- (6) Conservation values of private lands should be taken into account when evaluating the need for set asides and special management on public lands. This should include a process to establish a form of voluntary conservation designation on private industry lands (and woodlots). (Jaakko Pöyry 8)

There was considerable speculation following the report's release regarding collusion between government and industry. The technical and political aspect of the report that most caught the media and the public's attention was the statement in the report that "It is possible to almost double the long-term softwood supply for industrial purposes while meeting the current non-timber objectives for Crown Land in New Brunswick" (10).

Ultimately, the public discussion of the report died down in the spring of 2003. Premier Lord called a late spring election and was successful in obtaining a second majority government. However, the Lord Conservatives garnered only two seats more than the Liberals, compared to the resounding 44–10–1 margin of victory the Tories enjoyed when they swept into power in 1999. There was very little discussion of forestry during the election campaign, but once the election was over the issue came to the fore once again. During the summer, Premier Lord established a committee to examine the Crown land issue. The Legislative Select Committee on Wood Supply (LSCWS) was charged with a dual mandate: to examine "opportunities and strategies arising from the JP report to increase available wood supply from NB Crown land" and to examine "opportunities and strategies for the future direction of Crown land management" (Legislative Select Committee on Wood Supply 2004). The LSCWS was an eleven-member, multi-party committee with representation from the ruling Conservatives, the opposition Liberals, and the one sitting member of the New Democratic Party, Elizabeth Weir. The LSCWS sought information and input through public hearings and by soliciting expert and stakeholder input on the Crown land forest management issue. The LSCWS originally scheduled seven days of public hearings during which any citizen or stakeholder group could sign up to give a presentation. The demand was so great, however, that ultimately thirteen days of hearings were scheduled between mid-November and

late December of 2003. In total, more than two hundred individuals made presentations to the committee. Another 250 letters and written submissions were offered.

In early 2004, the LSCWS continued to call for expert testimony and input. Enough attention had been given during the hearings to the concept of community forestry that I was invited to address the committee on this issue. I had written scholarly articles about community forests elsewhere in Canada and had been a co-applicant for pilot funding to conduct a community forestry policy experiment in 2001 and so was asked to provide expert opinion on the subject.

In January 2004, a DNR staff review of the JP Report was released. Recommendation 4 of the JP Report was viewed as a not-so-thinly-veiled attack on DNR staffing levels. The report cited redundancy in monitoring and oversight, and suggested that with forest certification, industry was capable of policing itself with the occasional oversight of third-party auditors. The DNR staff report did not zero in on this point alone, however. Internal workshops with DNR staff were carried out across the province with 175 participants and seventy written submissions. The report included thirty-one recommendations. Perhaps the most critical related to the idea of adaptive management, or maintaining flexibility and reflexivity in management systems so that changes could be made (tinkering) as a result of monitoring the results of previous management actions. As stated in the report, “It is imperative to maintain an adaptive and flexible management approach, which can accommodate changes in forest and social values. The NB forest management approach would be restricted if a binding, long-term timber objective was adopted” (iv). The DNR staff review also took issue with the softwood focus in the JP Report. The authors did not object to the principle of setting targets or objectives for timber supply, but they recommended these be set for all commercial species, not simply spruce, fir, and pine.

The staff report also suggested that there be more meaningful consultation with the public. The staff report recommended that DNR draft a strategy and guidelines for engaging the public in the goal-setting process for Crown land management. As well, the authors suggested that a provincial advisory group be set up to provide advice to the minister of natural resources on Crown land management. Additional recommendations of the DNR staff review of the JP Report included enhancing linkages between existing research initiatives and DNR field staff, forgoing the aspiration to double the wood supply until more research had been conducted, and exploring the potential of more value-added products.

The Legislative Select Committee on Wood Supply continued to gather information throughout the winter of 2003–04. They continued to interview experts and solicit advice and examine the reams of public comments received in the fall of 2003. The report was originally scheduled to arrive in June, but due to delays with translation, it did not appear until September 2004.

The LSCWS went to great lengths to portray its recommendations as “balanced” (i). The committee was also clear that it understood what industry sought, but it was not willing to recommend guarantees for a fibre supply for industry: “The Committee well understands the industry’s desire for a secure wood supply future and the investment advantages this offers. It also understands the Government’s role as trustee of the public forest and its responsibility to maintain management flexibility to accommodate future shifts in public values” (i). The LSCWS also strongly affirmed the government’s rightful place as steward of Crown land. Both industry and ENGO reformers were lobbying for more control over Crown land and its resources. Many presenters at the public hearings suggested community forestry as an alternative model for management of public land. Industry, on the

other hand, wanted a freer hand to harvest timber and intensify its silviculture efforts, but it wanted guarantees if it was to make investments in those areas. While either of these reforms could have been undertaken in an experimental framework to test hypotheses that such reforms could boost the rural and forest economies of New Brunswick, the elected members that made up the LSCWS viewed such reforms as a threat to government's authority over Crown land.

The LSCWS made twenty-five recommendations in total, nine coming under the heading of governance and accountability. Public engagement proposals were made in that section. The committee stated one of its key principles as follows: "The Government has delegated responsibility to the Department of Natural Resources (DNR) to manage the natural resources of the Province in the best interest of the people. The fulfillment of this mandate of public trust and stewardship can only be accomplished with meaningful input from the citizens of the Province" (13). Overall, the LSCWS suggested that government needed to design a strategy for public participation, with a suggested target of 2007. The committee was impressed with the quality, passion, and breadth of presentations they heard in the public-hearing process and they recommended that a similar public participation process be undertaken every ten years. Had that recommendation been heeded, there would have been a timely round of public hearings in 2013. The committee echoed the DNR staff review's suggestion of establishing a provincial advisory committee that would report to the minister of natural resources. They recommended that the roles of the licensee stakeholder advisory committees be clarified, and they recommended that DNR and the minister produce an annual state-of-the-forest report.

With respect to forest management objectives, the committee recommended that quantifiable wood supply objectives be determined for all commercial species. This did not mean they would guarantee a supply to industry, but rather that analysis should be conducted on a regular basis so that DNR staff would know what species of wood was available and in what quantities. The committee recommended that the amount of clear-cutting be reduced. At the same time, they recommended that existing thinning and silviculture rules be altered in an attempt to reduce the impact of the anticipated short-term softwood shortfall. The committee also gave a nod to private woodlot owners by recommending that "primary source of supply" negotiations be supported. In order to increase transparency, the committee recommended that the Crown royalty rates for timber be subject to a third-party review. The committee further recognized the link with future fibre supply and silviculture and recommended the government make longer-term commitments to silviculture investments (which previously had been announced only on a year-to-year basis).

The LSCWS report stressed recommitment to government stewardship and extolled the efficacy of the Crown Lands and Forest Act. Reforms, it claimed, could and should occur within the context of the existing rule and tenure structure. While this was a balanced approach, experimentation with more intensive fibre production in some regions and with community forest tenures in other regions could also have been balanced, but more experimental. In effect, by recommending that government retain sole responsibility for the stewardship of Crown forests and in denying industry its desired timber objective, the LSCWS recommendations prolonged the conflict. Experimentation with different management and tenure models might have answered some questions about the desirability of reforms. Members of the committee claimed that they were seeking balance, and in large measure, they achieved that goal. However, they were also cautious. For example, the LSCWS report states clearly that community forestry should not be pursued:

The Committee does not recommend establishment of community forests on New Brunswick Crown land. Such a form of forest tenure was advocated by some at the hearings on the grounds that the current system allows too little public influence over management objectives, provides too few local employment opportunities, and stifles opportunity for innovative value-added and non-timber based economic enterprises. These three claims have merit and the Committee has attempted to address each in its recommendations. (iii)

At the same time, the report did not consider a wholesale adoption of the Jaakko Pöyry recommendations:

While the Committee does not claim to have all the answers to the difficult questions about managing New Brunswick's public forest, after careful deliberation, it does not view the Jaakko Pöyry Report as a "go forward" document. The Committee appreciates the value of the Jaakko Pöyry Report in stimulating a broad and open discussion regarding the future of forest management on Crown land. However, it believes management of the public forest is best served by a public vision, put forward by Government as trustees of that forest. (ii)

The creation of the LSCWS was an important event in New Brunswick forest history. It marked the first time in the modern management era that elected members of the legislature directly reached out to garner public and stakeholder comment on the job the government was doing with Crown land management and preferences for future directions for management of the 3.4 million hectares the government managed in public trust for the citizens of New Brunswick. Unfortunately, the release of the report, delayed as it was, landed right in the middle of a tempest in the forest sector. On 14 September 2004, the Saint Anne Nackawic mill announced its closure, putting four hundred people out of work. The LSCWS report was released on 15 September. Two weeks later, the UPM Kymenne mill in Miramichi announced that it was closing the following January, putting another four hundred forestry workers on the street (CBC News 2004). The combination of these announcements gave the impression that New Brunswick's forest sector was in a free fall. The rollout of the LSCWS report at the same time as an apparent crash in the New Brunswick forest sector put a huge amount of pressure on political leaders to come up with a strategy to support industry at all costs rather than to implement the wide-ranging and balanced recommendations in the LSCWS report. While some promising initiatives did emerge from the committee's recommendations, few were sustained in the long term as one forestry crisis merged into the next.

## **Follow-up to LSCWS Accountability Commitments**

A number of positive initiatives emerged from the work of the LSCWS. One was a large-scale wood supply modelling exercise with broad stakeholder representation. Dr. Thom Erdle from the UNB Faculty of Forestry and Environmental Management was seconded by the provincial government to lead the study. The initiative was dubbed the Erdle Task Force, though its formal name was the New Brunswick Task Force on Forest Diversity and Wood Supply. Its objective was to develop a set of forest management alternatives for Crown land that allow a healthy wood supply for all commercial species while retaining the essential features of the Acadian forest. Dr. Erdle was very clear that the task force's objectives were not to make recommendations but rather to conduct analyses, present some trade-offs,

demonstrate the likely consequences for forest diversity and wood supply of different potential paths, and identify tools that would need to be employed to achieve different outcomes (e.g., planting, thinning, or setting aside additional land for conservation or preservation). The task force was made up of two industry representatives, two ENGO representatives, one federal and one provincial government representative, a representative for private woodlot owners, and two academic experts on wood supply modelling.

At the same time, the government began to correct the deficiencies identified in the LSCWS's report regarding public engagement. To that end, in September 2005 the executive committee of the DNR invited me and Dr. Solange Nadeau from the Canadian Forest Service to give a presentation on options and tools for public engagement. The executive committee was open to a broad range of possibilities and we advocated a diverse approach. Given the diversity of stakeholders, the different degree of stakes in outcomes, and the geographic breadth of the province, among other factors, we suggested that they develop a public engagement program consisting of social science tools that employed multiple methods across a range of dimensions (large group/small group, quantitative/qualitative, anonymous/participatory). Our key message was that there was no one "silver bullet" tool for soliciting input from the public (Beckley, Parkins, and Sheppard 2006). While the leadership of DNR understood that point and agreed in principle, they decided to proceed with a province-wide random sample survey in order to gauge public sentiment and opinion regarding Crown land. A secondary objective was for DNR to obtain feedback on public satisfaction with the job it was doing regarding stewardship of Crown land.

In early 2006 a research team was put together, including Dr. Nadeau, Dr. Stephen Wyatt of the Université de Moncton Edmundston campus, and Dr. Bonita MacFarlane of Natural Resources Canada. There was some interesting discussion between our home institutions' lawyers and legal counsel for DNR about who would own the intellectual property (IP), but eventually a collaborative research agreement was reached in which we agreed to share the data and the IP. The researchers from three different institutions gave their time and the Department of Natural Resources provided the operating expenses required to do a large mail-out survey.

Throughout 2006 the team worked closely with DNR staff to create a survey that covered a broad spectrum of topics, including DNR's performance, respondents' forest use, forest values, attitudes toward public policy, and attitudes toward forest management activities. As well, there were questions regarding trust of forest-sector institutional players, and one scenario question about future management of Crown land. After over a dozen rounds of survey drafts, translation into French, and printing, the survey was administered in March 2007.

During the period of survey development, another provincial election was held. Bernard Lord's Conservatives were ousted by the Liberals under the leadership of Shawn Graham. Initially there was concern that the Graham government might cancel the survey and the Erdle Task Force and take the forestry file in a very different direction; however, both project teams were given instructions to carry on with their work. In addition, Don Roberts, vice-chairman for CIBC World Markets, Inc., was retained to do an economic study to identify international product trends and to match those up with New Brunswick's resource base.

As the survey took form and was put in the field, some other public engagement and/or accountability activities took place. The Graham government did take up the LSCWC suggestion that

the Department of Natural Resources create an annual state-of-the-forest report (Department of Natural Resources 2008). Such a report was published in 2008, but the practice remained in place for only one year. (The department has continued to publish annual reports.) A provincial advisory council was established to provide input directly to the minister from science experts, and key stakeholders such as the NB Federation of Woodlot Owners, the NB Forest Products Association, and First Nations. This advisory council met three to four times per year from 2007–10 but became dormant under David Alward's Conservative government (personal communication, Don Floyd, 2 April 2014).

## Results and Highlights from the Survey

There were some unique aspects of the province-wide survey. We were careful in the design to provide regional balance and balance between Francophone and Anglophone respondents. We over-sampled in rural regions based on the level of forest dependence to see if respondents from low, moderate, or high forest-dependent communities differed in their responses. In the past, it was commonly assumed that places such as Dalhousie, Miramichi, Doaktown, and Nackawic would be very supportive of industrial forest policies and Crown land management strategies that maximized access to Crown timber by industry. We constructed the survey sample so that we could test that hypothesis. Ultimately, there were four distinct segments: residents from urban areas (with forest dependence 0–24%), and residents from low (0–24%), moderate (25–49%), and highly (50% and higher) forest-dependent communities (Nadeau et al. 2007; MacFarlane et al. 2011).

The survey consisted of approximately thirty questions, though many had several components. In all, it was sent to 2,502 respondents. We used the standard tailored design method, whereby a survey was sent, then a reminder postcard was sent to non-respondents a few weeks later; and a second survey was sent to non-respondents two weeks later. In the end, we received more than 1,500 usable responses for an unusually large 62% response rate. The response rate suggests that people were very engaged with this issue and wanted to make their opinions known. As well, we had very even distributions of response to the four geographical categories, and a proportional representation by language group (Nadeau et al. 2007).

Overall, New Brunswickers expressed a very strong preference for environmental values with respect to Crown land. We asked respondents to rank what they felt was most important between air, water, and soil quality; wildlife habitat; timber and jobs; recreation; and non-timber forest products. Some 62% ranked air, water, and soil quality maintenance as number one or two in their list of priorities. Maintenance of wildlife habitat came in second, with 50% expressing a rank of one or two for that category. Jobs and timber was third, with 30% ranking it first or second; a full 21% ranked this as their lowest priority. We asked respondents their preferences regarding the seven priorities set out in DNR's Vision Document (2005). Since these were the broad objectives and goals that the government sets out for Crown land, we expected support for all of them, but what was most of interest was the degree of support. Water quality and habitat protection were rated most important, with more than 90% saying these were very important or important. Protection from fire was also deemed to be "very important" by over 80% of respondents. "Ensure that wood supply for the forest industry remain at current levels" was deemed important or very important by over 70% of respondents, but it received the least support from among the seven choices (Nadeau et al. 2007).

There were additional responses to the survey that demonstrated the public is not in favour of accommodating industry's fibre needs ahead of perceived conservation needs. A majority (58%) agreed or strongly agreed with the statement "The amount of timber cut in New Brunswick is too high." As well, 57% agreed or strongly agreed that "The forest industry has too much control over forest management in New Brunswick." Interestingly, counter to the hypothesis regarding greater rural support for industry, agreement with these statements was stronger in rural regions. Conversely, 57% of New Brunswickers disagreed or strongly disagreed that "The economic contributions of the forest industry outweigh the environmental impacts" and 56% disagreed or strongly disagreed that "New Brunswick has enough protected areas" (Nadeau et al. 2007).

As previously mentioned, the Department of Natural Resources was interested in using the survey as an evaluation tool to find out what the public thought DNR was doing well and where it could improve. The department scored highest on managing deer habitat. As well, more respondents expressed satisfaction than dissatisfaction with DNR's performance related to "promoting economic development through forest industries" and "supporting management of private woodlots." However, the department did not fare as well in two important categories. Nearly 45% expressed dissatisfaction with DNR's record on representing the public interest, compared to only 25% who expressed satisfaction in this regard. Even more dramatic, by more than a 2:1 margin (47% to 22%), respondents expressed dissatisfaction with DNR's job involving the public in decision making (Nadeau et al. 2007).

In anticipation of additional public engagement opportunities, we asked survey respondents to identify what types of public engagement tools they would be likely to participate in going forward. Interestingly, the two engagement tools that respondents suggested they were least likely to use were licensee advisory committees and making presentations at public hearings. Advisory committees require a large investment of time. Presentations in a public-hearing format require participants to overcome the fear many have of public speaking, so both of these tools, while potentially effective, have high costs to participants in time or trauma. More popular choices for future public engagement were "respond to requests for information," "use toll-free numbers," "answer future surveys similar to this one." The most popular response was "vote in a province-wide referendum" (Nadeau et al. 2007). The last two governments of both Liberal and Conservative persuasion have moved toward giving opportunities to "respond to requests for information," but as discussed below, they have done so in a manner that lacks transparency.

We asked respondents to list the organization or group that best reflected their own values when it came to forest management issues on Crown land. The two government agencies on the list set scored the highest (respondents were allowed to circle up to three from a list); 50% of respondents chose New Brunswick DNR and 42% named New Brunswick Department of Environment, which also has some responsibilities with respect to the oversight of environmental rules on Crown land. There were three organizations, tightly clustered with around the 30% range among respondents: the Conservation Council of New Brunswick (the highest profile and politically most active ENGO), the more generic "watershed management groups," and "environmental organizations." Forest companies garnered only about half the support of these three response entities, coming in just under 15%. Interestingly, members of the provincial legislature and the media came last, with only 2.5% and 2.3%, respectively, responding that these organizations best reflected their values.

Finally, we asked a question that took considerable negotiation with our DNR partners to even include in the survey. We were curious about a scenario wherein one of the existing industrial forest

licence holders wanted to close a mill, thereby “freeing up” Crown land that could be allocated to another enterprise or institution. In that event, we were curious as to which institution(s) respondents would prefer to see as a land manager (respondents were able to check all that applied from a list). Only 2% checked the box “I think things are working fine the way they are.” Responses to this were strong and clear, and matched well the priorities respondents had listed before for management priorities to go to environmental values first, industry needs after. The highest response category was environmental organizations, which received endorsement by 56% of respondents. Second and third on their list were local communities (46%) and woodlot owners (38%). An agency managed by the provincial government received a 37% favourable response. The category “existing forest companies that currently have access to Crown wood” received endorsement by 21% of respondents (Nadeau et al. 2007).

## Survey Aftermath

In October 2007, a draft of the survey report was delivered to DNR officials. The principal authors of the report met with DNR senior staff and went through the results. The government representatives were not surprised or concerned with any particular components of the survey. With respect to their own performance, the DNR executive felt that the survey confirmed their own suspicions about where they were perceived to do well (protection issues) and where they lacked support (public engagement). They also were not surprised with the public’s strong expression of environmental values and support for environmental organizations. In short, the senior leadership seemed satisfied with the results and with the professional quality of the exercise; they realized that the results might have implications for how they would conduct their business in the future. It should be noted that in the early days of the instrument design, one member of the executive committee essentially said, “Why are we doing this [the survey], the Erdle Task Force will tell us what direction to take.” In fact, the task force’s terms of reference explicitly stated that they would provide options but that they would not make recommendations. Like our own survey, the task force’s job was a technical one, not a political one. However, the opportunity would exist, if decision-makers so desired, to match up public priorities and preferences from the survey with options outlined in the Erdle Task Force.

Well after the Erdle Task Force began its work and while the survey was being implemented in the field, the Graham Liberals contracted Don Roberts, vice-chairman of CIBC World Markets, Inc., to do a study on the economic opportunities afforded by New Brunswick’s forest resource. Roberts partnered with Peter Woodbridge of Woodbridge Associates and produced a report that described where new economic and export opportunities might lie for the forest sector and which of these offered long-term prospects for success (Roberts and Woodbridge 2008). The intent was to round out the work on social preference and public opinion (i.e., the survey), and ecological possibilities and constraints (i.e., the Erdle Task Force’s work) with information regarding the economic feasibility of various options.

The release of the survey report was delayed, first due to an inadequate translation into French, then to delays with the premier’s state-of-the-province address. Finally the report was released at the end of February 2008. We had previously arranged with DNR officials to do a seven-city tour to present results to interested citizens. The minister of natural resources, Donald Arseneault, however, requested that we add his hometown, Dalhousie, and also St. Stephen, so the tour would consist of nine dates. The format was to present the survey results and respond to questions. The tour was not intended to be a formal government consultation process. However, an hour before the first presentation, which was held in Fredericton, the DNR contact for the research team informed us that evening’s event would go

forward but that the remainder of the tour had been cancelled. We were also told that the leadership of DNR hoped that we would “respect that decision.” The latter reference was recognition that through our collaborative research agreement, the report’s authors co-owned the data with the government, and therefore we were free to disseminate it as we saw fit. This order came down within an hour or two of the end of a cabinet meeting. The superiors of two of the principal authors residing in New Brunswick were phoned—the dean of the Faculty of Forestry at UNB and the director general of the Atlantic Forestry Centre of the Canadian Forest Service. They were asked to encourage us to refrain from disseminating the results of the survey.

The media reaction to the cancellation of the tour was strong and swift. Former minister of natural resources, Jeannot Volpé, attacked Minister Arseneault in the legislature for cancelling the tour:

I just can’t believe it. New Brunswickers want to be part of the process. They want to be able to say something about how we manage our forests. The only way that I can see why [the sessions] were cancelled is because the industry doesn’t like what was in the report. It’s like [the Liberals] are a bunch of puppets out there and the industry is controlling what they say and when they say it. (O’Toole 2012: A2)

*The Telegraph Journal* reported further that

Arseneault stood by his move to kill the sessions, saying the survey information is easily accessible online to all interested parties. He pointed to a coming report from Thom Erdle, the leader of the government’s forestry task force, as the key to moving forward and said that’s what they want to focus on now. “With the Erdle report, which is coming out really soon, we will make the decisions,” Arseneault said. (O’Toole 2012: A2)

To the survey team, this seemed an unusual turn of events. The very minister who had reviewed the results of our survey and requested us to increase the number of public information sessions suddenly cancelled the entire tour. Our feeling was that using the survey results in tandem with the Erdle Task Force results and Don Robert’s recommendations could have resulted in a policy direction that was socially acceptable, ecologically achievable, and economically feasible. The tour cancellation and the calls to our superiors made us relatively certain that the attempt to shelve the survey was a cabinet-level decision, not one taken exclusively by DNR.

For a week the survey team did nothing while public outrage over the cancellation of the tour percolated. One of the clearest results in our findings was that the public wanted more and better opportunities to provide input on forest management on Crown land. The Graham government was clearly ignoring this key finding. After a week, the survey team decided to conduct our own shortened tour. We rented community halls, brought cider and cookies that we purchased, and told people what the survey revealed about public opinion regarding Crown land management. The first presentation in Miramichi was a bit contentious because some in the audience mistakenly took us for government employees. They were angry about the implosion of the forest industry in their region and took our presentation as an opportunity to vent their feelings. In subsequent meetings, we made it very clear from the outset that the government did not want us to be there, but as the survey was conducted with public money, we felt a professional obligation to disseminate the results. Introducing our presentations that way resulted in a much warmer reception.

The cancellation of the government-sponsored tour served only to heighten public interest and increase the concern that Liberal government was trying to bury or at least downplay the results. There was a political cartoon that depicted the government cutting off its own legs with a chainsaw. By attempting to silence the survey results, the Liberal government succeeded in making the public much more interested in its contents. Six years later, the survey is still mentioned frequently in policy discussions.

Throughout the summer, however, the survey team was still in discussions with our primary contact at DNR about the possible public engagement activities that might ensue following the release of the Erdle and Roberts Reports. We talked about the possibility of additional public engagement tools that we had briefed the DNR executive about two years earlier. In August, the Erdle Task Force Report and the Roberts Report were issued at a joint press conference attended by Dr. Erdle, Mr. Roberts, Minister of Natural Resources Donald Arseneault, and Minister of Finance Greg Byrne. With full government sponsorship, Dr. Erdle and Mr. Roberts did conduct a five-community dissemination tour with a similar format to the one we had planned—a report summary presentation followed by questions for the authors.

There was a moment in the fall of 2008 when the Liberal government had an opportunity to do something unique. Results from the public opinion survey described the general priorities and preferences of the public for Crown land management. The Erdle Task Force Report described eight scenarios that involved varying intensities of management for fibre versus management strategies more in line with conservation objectives. Every scenario provided trade-offs, but in aggregate, the report focused on the tools that would be required to achieve one of eight visions for the future forest of New Brunswick. Finally, the Roberts and Woodbridge Report (2008) outlined what was economically feasible and practical given New Brunswick forest resources and trends and directions in global markets. All three dimensions of what are generally considered the three pillars of sustainability were present: what was economically feasible, what was ecologically possible, and what was socially acceptable. The three reports made for the perfect springboard for a broad and deep provincial dialogue about the way forward. During the 2006 election campaign, the Liberal opposition emphasized their commitment to listening to the people and to consulting them on major issues. Around the time of the information tour for the Erdle and Roberts Reports (and it was merely information, not consultation), the government announced a comment period for citizens to provide input. DNR received over six hundred e-mails and additional input from face-to-face meetings and hardcopy letters (DNR 2009a); however, no summary of those comments was ever published or presented and the opportunity passed without further public engagement on the issue.

## **New Brunswick Forest Policy and Public Engagement since 2008**

At the end of January 2009, Premier Graham announced his government's plan. The document was titled "Be Sustainable in This Place: A Balanced Management Approach to New Brunswick's Crown Forest." The plan did not involve major alterations to the annual allowable harvest but did shift priorities going forward. The area of conservation forest was scheduled to decrease from 30% to 23–25%. The area designated protected natural areas was scheduled to increase from 4% to 6–8%. The minimum old forest area stayed the same at 25%, but the maximum area allowed for plantations increased from 25% to 28%. Industry representatives at the announcement seemed pleased and said that

the strategy represented a balanced approach. Conservation and ENGO leaders were upset and many said that minimum thresholds for habitat and conservation values had been crossed (DNR 2009).

In direct contrast to the approach favoured by a majority of respondents to the public opinion survey released roughly a year earlier, the plan appeared to put industry's needs for fibre above the maintenance of conservation values. The plan did not adopt wholesale any of the eight options presented in the Erdle Report. Rather, it created an "option nine" that was an amalgam of the strategies and trade-offs outlined in that report. However, it did adopt the language and indicators of the Erdle Report and used the report to justify its new plan as "science-based." The press release also referenced the Roberts and Woodbridge Report. The scientific and economic aspects of the plan were highlighted, but no mention was made of the public opinion survey (DNR 2009a).

On page two of that document, in a section titled "Government Process to Develop Response," it is stated, "In mid-September 2008, public hearings were held in five cities across the province" (Department of Natural Resources 2009). This is disingenuous at best and purposefully deceptive at worst. The five sessions in Nackawic, Campbellton, Dalhousie, Sussex, and Miramichi were information sessions only in which Dr. Erdle and Mr. Roberts presented their respective reports and responded to audience questions. There were no elected officials or DNR employees explicitly representing the government or formal record of the public comments. The report authors did not put forward any specific policy recommendations, there were no formal interveners, and participants did not have to sign up for a presentation as is normally the case in a formal public hearing. The government did receive six hundred responses to their call for input, but there was never a public process to discuss alternatives or possible outcomes to the "option nine" identified by Graham's government. In reality, nothing close to a public engagement process occurred. DNR representatives assembled feedback individually and then made what they claimed was a "balanced decision" behind closed doors, without any public or bipartisan scrutiny of the results of the public feedback.

During the week of the announcement there was considerable media attention to the issue as is common when new Crown land policies are brought forward. Despite the lack of alignment between the public preferences expressed in the survey and the Liberal government's plan, there was little sustained public outcry. The ENGOs redoubled their efforts, but a more widespread movement against the forest policy did not emerge. However, by fall, Shawn Graham's plan to sell NB Power to Hydro Quebec was leaked and for the next six months the premier was preoccupied with damage control on that issue. This was a different file, but one in which his government also seemed out of step with public opinion, and one for which virtually no public consultation or engagement preceded a major public policy announcement related to natural resources. One year after Graham's attempt to sell NB Power began, the Liberals were voted out of office. Shawn Graham retained his seat but the Conservatives gained a strong majority. The demise of Graham's government was largely viewed as result of the non-consultative nature of his government on the NB Power file but the NB Power issue was only the continuation of a trend of non-consultation that extended to forestry and also a key decision on French immersion.

David Alward's Conservatives swept into power, just like Graham's Liberals had four years earlier, with the promise that they would listen to the people and govern with a much more open and consultative style. Of course, this was exactly the campaign promise that helped Graham come to power in 2006. On the forestry file, Premier Alward opened with a summit of invited stakeholders in November 2010, just two months after coming into power. Many in the profession thought that the

summit was going to entail a broad dialogue about charting a path forward for Crown land management. Instead, it was exclusively about what government could do to help the ailing forest industry. Don Roberts from CIBC was the keynote speaker, and he emphasized again how New Brunswick had the ingredients to be successful in international forest product markets, but in order to achieve that success, we would need to be nimble and that various stakeholders that historically had been at odds (particularly industry and private woodlot owners) would need to cooperate and collaborate better than we had in the past (DNR 2010). Following the summit, the Alward government decided to sponsor reports to be undertaken by two task forces: one on Crown land management and one on private woodlot management.

The Crown Lands Task Force was headed by UNB business professor and former finance minister Norm Betts, and included Andrea Fuenekes and Roger Clinch. The Private Land Task Force was led by UNB Forestry and Environmental Management Dean Don Floyd, and included Tony Rotherham and Rob Ritchie. While members of both task forces did speak to dozens of key forest-sector informants in developing their reports, there was no formal public engagement dimension in the creation of the reports or following their release. Dr. Floyd organized a one-day symposium for contributors to the reports to share their results and it was attended by a veritable “who’s who” in forestry in New Brunswick. Following the trend set by the Liberals, however, Minister Northrup announced each report, said that they were available to view online, and invited citizens to e-mail comments.

A major mandate for the Crown Lands Task Force was to make recommendations on the establishment of a timber objective (Crown Lands Task Force 2011). In fact, the idea of a timber objective was a major part of the agenda at the forestry summit of 2010, and the same idea was at the heart of the Jaakko Pöyry Report. Throughout the entire ten-year period from 2002 to 2012, industry’s quest for a “timber objective” had an ambiguous element to it. It was never really articulated in 2002 or at the 2010 forestry summit if industry was merely seeking a government promise or a stronger commitment in the form of guaranteed contracts. Normal practice is for the government set targets for the annual allowable cut (AAC). Indeed if the licence holders did not harvest to within 5% of their AAC, they risked being penalized. In that sense, the AAC number was a commitment more than a target. But industry seemed to want more—a guarantee of some sort that AAC numbers would remain stable for the long term, not simply in five-year increments. As well, the talk of a timber objective seemed to imply committing to a given fibre supply first, and doing conservation on the land that remained after timber targets were met, but that point was never clarified in the first decade of the debate.

In March 2012 Minister Bruce Northrup announced the Alward government’s new forest plan. To the relief of the ENGO community, he committed to keeping 28% of the Crown forest in some form of conservation status (stream buffer, deer wintering areas, or any of the twenty forest ecological communities that require protection to maintain thresholds of intact habitat). While this was a decrease from the 30% of the land base in the conservation forest prior to 2009, it represented an increase over the 23–25% conservation forest that Liberal Premier Graham had announced in 2009. Assistant Deputy Minister Paul Orser gave the bulk of the presentation. He announced that AAC levels would remain the same for softwood. Again, there was no guarantee of a timber objective given, but a target that government committed to and that industry would need to meet. Orser reported good news for industry in that the plantations and thinned stands from the 1980s and 1990s were growing faster than anticipated and that more wood would very likely be available in the medium-term future (ten to fifteen years hence). The hardwood AAC was reduced slightly, from 1.77 million m<sup>3</sup> to 1.41 million m<sup>3</sup>, but the minister explained “it would be in no one’s interest to harvest hardwood species at a level that would

require an even larger AAC reduction in the future” (CBC 2012). The announcement also included a pledge to increase the amount of Crown land in protected natural areas from 4% to 8%. Despite the pledge from the Liberal government for exactly the same amounts in 2009, no new areas had yet been defined. Work was ongoing to define candidate sites, but the slowness of the process allowed Minister Northrup to pledge this change a second time.

The ENGO and woodlot representatives in attendance at the announcement were not thrilled, but those I spoke with felt it was a plan that they could live with. Industry representatives, on the other hand, appeared visibly upset. The government stated that AAC levels were stable and that there would be growth opportunity in the future; they extended the planning period (and hence a commitment to fibre allocations) from five to ten years. It appeared, however, that industry representatives expected a commitment to a guaranteed wood supply and they did not get it.

In the subsequent two years there has been little in the news regarding forestry and again no government-sponsored public engagement save for input requested at the new slate of candidate PNAs. During that time the woodlot owner associations have become locked in a legal battle with J.D. Irving, Ltd., over a ruling on the implications of selling stumpage (cutting rights) for property rights (“The Thing Itself” 2014). In the fall of 2013 there was a cabinet shuffle. Minister Northrup was moved out of natural resources, as was the deputy minister of that department. Assistant Deputy Minister Paul Orser, the senior DNR official with a forestry background, left for a private-sector opportunity. The new minister (Paul Robichaud) and deputy minister (Bill Levesque) were brought in from economic development. Through the winter of 2013-14, there was talk that industry was lobbying government hard once again for a guaranteed fibre supply. Premier Alward announced in his state-of-the-province address in January 2014 that a new forest strategy would be announced in the coming days. The days stretched to weeks. During those weeks, there was considerable speculation the forest industry would get its way and that the woodlot owners and conservation community would be shut out. One woodlot owner organization leader who wished to remain anonymous informed me that DNR was no longer even returning his calls. People were concerned about the arrival of a new plan given the anecdotal evidence that industry had been lobbying relentlessly and there was very little interaction between the DNR minister and other stakeholder groups on future policy directions. When confronted outside the legislature by street blogger Charles Leblanc about whether he would give the public the opportunity to comment on the plan, the premier said twice that “the public has already been consulted” (Leblanc 2014).

On 12 March 2014, the Alward government announced its new forest strategy. By most accounts, it was a complete victory for the forest industry. The strategy promised a 20% increase in the softwood AAC (660,000 m<sup>3</sup>) from Crown land. In a reversal of what Minister Northrup said two years before, Minister Robichaud announced the hardwood AAC would remain at the 1.8 million m<sup>3</sup> level, but that this was suddenly sustainable. In order to achieve that volume of harvest, the conservation forest was slated to be reduced by 20% (back to 23% of the entire Crown forest, as had been announced before by the Graham Liberals). While the minister and the premier claimed that this was a balanced approach, the DNR launched an aggressive campaign with the slogan, “Putting Our Resources to Work,” to sell the new policy (DNR 2014). There were full-page colour advertisements in the newspapers, and in the three subsequent days following the announcement a string of industry infrastructure investments were announced around the province. This only enhanced the perception that this was a highly choreographed collaboration between the forest industry and the government. The minister alleged that five hundred permanent jobs would be created, though upon closer inspection only two hundred were anticipated to

be “direct jobs” and three hundred were expected to be “indirect jobs.” New investments in mills would result in short-term benefits of twelve hundred construction jobs. If these projections prove accurate, the province will have gained a 1.5% increase in forest-sector employment in exchange for a 20% increase in wood supply and a 20% reduction in the conservation forest. Incidentally, the government also announced, for the third time, that protected natural areas were being increased from 4% of the Crown land base to 8%. This represented the second time the Alward government took credit for this commitment even though it was originally announced by the Liberals back in 2009. The continued re-announcement of this commitment was an effort to assuage environmental interests, but as UNB wildlife professor Graham Forbes explained on CBC radio, “If I gave my child four Christmas presents last year, and this year I give her four more but I re-wrap the ones I gave her last year, it does not really mean that I gave her eight Christmas presents this year.”

After more than a decade of lobbying, industry achieved their coveted guaranteed timber objective. In fact, the timber supply for industry was guaranteed in twenty-five-year contracts that are quite favourable to industry and quite difficult for any future government to cancel. If that were to happen, lawsuits for damages would almost certainly ensue. The contracts stipulate that industry is required to make investments in their mills, but only if market conditions are favourable. In contrast, the government has committed the fibre to industry in a way that leaves future governments with little room to renegotiate the deals despite what appears to be a publically unpopular decision.

There was a sustained outcry over the forest strategy that lasted several months. In addition to the usual environmental groups expressing outrage over the Crown forest giveaway, several other groups and individuals stepped up to express opposition to the plan and to the secretive manner in which it was planned and executed. A prominent member of J.D. Irving’s science advisory team spoke out about the plan (CBC News, 19 March 2014). Some 184 professors and instructors from of a wide variety of disciplines from several New Brunswick universities made a written plea to quash the deal until further study was undertaken (CBC News, 16 May 2014). Eighteen staff members of the Faculty of Forestry and Environmental Management (a significant majority) signed the letter. The academics’ concern was less with the content and more with the lack of consultation in the process. Two former ministers of the DNR, one each from the Liberals and Conservatives, spoke in opposition to the plan (CBC News, 5 May 2014). A survey conducted by the author in May 2014 showed that 61% of respondents opposed the forest strategy compared to 20% who supported it. Furthermore, 80% of respondents expressed a preference for taking care of conservation needs first from Crown land before allocating timber to industry on the remaining land. Conversely, 11% preferred allocating timber first and looking after conservation needs second (CBC News, 13 June 2014). A subsequent industry-sponsored poll suggested an even split among the public regarding the forest strategy (CBC News, 4 July 2014).

Premier Alward pitched his campaign for the September 2014 election as a referendum on their aggressive development strategies for the province’s natural resources. Rather than truly use the election as a referendum, the Alward government was alleged to have finalized signing the forestry contracts just days before the writ was issued in August. The door to changing the forestry deal was closed. As a result, hydrological fracturing for natural gas had a more prominent role than forestry during the campaign. Alward and his Conservative colleagues asked voters to “Say yes” to resource development, but voters did not comply. The race was close, but the Liberals, led by Brian Gallant, won twenty-seven seats with 42.7% of the popular vote compared to the Conservative’s twenty-one seats garnered from 34.6% of the popular vote. The candidate who was most outspoken about the need to cancel the forestry

deals and ban shale gas development, David Coon of the Green Party, was elected despite running against a high-profile incumbent who was Alward's minister of energy and mines.

## Discussion

Prior to the March 2014 announcement of the new forest strategy, Premier Alward said that the public had already been consulted on forestry. He claimed that more than a dozen reports had been done and that it was time for action. However, the premier did not explain how the government used or considered any of those reports or prior consultations in making its decision. While there has been considerable discussion and debate regarding forestry and Crown land since 1997, Alward's forest strategy represented a radical departure from the previous management philosophy. At public hearings in 2003 a majority of stakeholders said they did not want their government to comply with industry's wish for a guaranteed timber objective. The same message was clear in the 2007 survey. After that survey, successive governments led by Liberals and Conservatives stopped asking the public their opinion. Prior to the rollout of the forest strategy, the public was not consulted, nor was the private woodlot sector consulted, nor the ENGO community, nor First Nations with whom government is legally obliged to consult. No consultations or meaningful government-sponsored public engagement occurred after the announcement, either. Since 2001, industry has been dogged in its pursuit of a legally, contractually guaranteed fibre supply, and its *modus operandi* throughout the period was "If at first you don't succeed, try, try again." Eventually industry lobbying paid off.

Democracy comes in several forms. There is the democracy inherent in elections, which has to do with the fairness, legality, and legitimacy of the process whereby we choose our leaders. But second, and less often considered, there is participatory or procedural democracy, whereby those elected leaders and civil servants in charge of developing policy solicit input and provide citizens venues and opportunities to voice their views. On the forestry file in New Brunswick over the last decade and a half, there appears now to have been a brief period during which the government experimented with and then rejected the idea of gathering meaningful public input to facilitate the development of policy. The public meetings concerning protected natural areas in 1998 and the public hearings on wood supply in 2003 created an appetite for more engagement. The accountability and transparency reforms recommended by the all-party Legislative Select Committee on Wood Supply, and the government's acceptance of several of these, seemed to usher in a period of heightened sensitivity to citizen concerns. It is important to understand that citizen concerns are different than stakeholder concerns. Stakeholder politics is the battle between vested interests. It often involves winners and losers, as some stakeholder values are incompatible. Citizen concerns have to do with what the majority believes is in the best interest of society. It is not "me"-focused; it is "us"-focused. Even though public-engagement tools generally ask individuals their views, we are essentially asking "What course of action is best for New Brunswick with respect to Crown land?" rather than "What decision would benefit you the most?"

There was a historic opportunity in 2008 for a deep, meaningful, province-wide conversation about the fate of Crown land. The Liberal government of the day had released three government-commissioned reports: one related to social preferences for Crown land management (Nadeau et al. 2007), one related to the ecological capacities of the Crown land base (Erdle 2008), and one related to where New Brunswick's resources lined up with global economic opportunities (Roberts and Woodbridge 2008). With all this fresh information on the table, Premier Graham passed on the opportunity to have an open and public dialogue about the future course of Crown land management.

Comments were invited following the release of the Erdle Report and the Roberts and Woodbridge Report, but the Graham government had done its best to suppress the data on social preferences (Nadeau et al. 2007). Comments were mostly solicited via the Internet, but they were collated privately and not reported officially.

While the Internet does hold some promise with regard to democratic practice, it also has some inherent problems. Governments led by both Conservative and Liberal premiers have turned increasingly to online solicitation for public comment while abandoning the use of other public-engagement tools. When a report or policy document is commissioned, citizens are invited to send a comment by private e-mail or to a website. If there is no public accessibility to the electronic responses, we have to take it on faith that the government is honestly reporting the volume of comments they receive. More importantly, we need to take it on faith that they have interpreted and tallied the content of those comments correctly (public preferences). This is not to suggest that we should govern purely by the public's will—whichever policy direction receives the most letters wins. However, the public does have a right to know what the collective will is, and if the government chooses to go against the collective will, it needs to own that and explain why it has done so. The public opinion survey of 2007 was powerful because it showed that the successive governments that endorsed industry-friendly policies were doing so against the will of a majority of New Brunswick citizens. The poll results released in June 2014 confirmed that a 61% majority of the public remains uncomfortable with a “fibre-first” approach to Crown land management. The public hearings of 2003 forced the government of the day to back away from the most industry-friendly recommendations of the Jaakko Pöyry Report. What few seem to remember is that it was the very public nature of the wood supply hearings and passion expressed there that made the all-party LSCWS and later the government propose more a balanced policy than the ones we have seen in recent years.

## Conclusion

Throughout the ten-year period 1997–2007, many people involved in promoting greater accountability in Crown land management through the judicious use of an array of citizen engagement and public participation tools felt that the government was not doing enough. During the same period, the government seemed to be experimenting, sometimes awkwardly, with the processes of public engagement. The communications infrastructure of government was set up to disseminate information to the public, not to receive it. When government representatives (elected or civil service) did collect social data from the public, they did not seem to know what to do with it, or how to integrate it with ecological or economic data. For a time, resource professionals in DNR seemed open to outside help in creating an enhanced two-way flow of information between the public and decision-makers. However, following the public opinion survey of 2007, the government's direction for forest policy took a decidedly non-consultative, pro-industry turn. The experiment with engaging with ordinary citizens on natural resource files appears to have died in 2008.

It may be that the politics and the policy environment for natural resource management have changed. Recent New Brunswick governments have adopted a “governing from the centre” model, perhaps modelled after Stephen Harper's style of central control of information and decisions and strict party discipline (Savoie 1999). It is governance by edict, not by consultative or collaborative dialogue. In New Brunswick in recent years, few bipartisan legislative committees have been struck. Politics has become more about winning, more about making your opponent look bad, and holding on to power. At

the same time, New Brunswick's electorate seems unusually active and feeling its own potential power through well-networked mass, grassroots movements. The NB Power sale saw the rise of the first effective grassroots movement. Protest over shale gas exploration and development has not scored any decisive policy victories, though proponents of bans and a moratorium were elected in September 2014. It appears that the movement is not going to fade away any time soon. Shawn Graham was the first elected premier in New Brunswick not to be returned to office for a second term. David Alward was the second premier to achieve that dubious distinction, and many pundits point to both premiers' unwillingness to listen to or consult voters on major natural resource issues (NB Power, shale gas) as the chief reason for the demise of their political fortunes.

Will forestry be the next issue to capture the public's attention and inspire a grassroots movement as it did with the NB Power sale and shale gas development? If so, it will be going head-to-head against the most powerful economic interests in the province, and it will be doing so through social media, not with any assist from New Brunswick's English-language print media. A popular online film series is bringing sustained attention to the issue. Environmental coalitions are forming. Scientists are taking bolder stances in the media, and retired foresters and retired ministers of natural resources are even chiming in with their displeasure. While it appears the Alward government has locked us in to twenty-five-year binding fibre commitments, forestry has a way of always remaining in the political conversation in New Brunswick.

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