

## *Public Participation in Next Generation EA – A Primer*

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Participatory processes in next generation assessment regimes need to incorporate the insights of deliberative democracy, collaborative rationality and environmental justice – in other words they need to be more citizen oriented. By participation we mean encouraging and facilitating the active involvement of members of the public, stakeholders, relevant authorities and proponents in environmental assessment with the aim to enhance the quality and credibility of assessment decision making and to ensure associated learning and capacity building benefits are captured. To ensure the basic legitimacy of next generation assessment, participatory processes also need to be meaningful by incorporating the basic components of participation into environmental assessment.

The basic components of meaningful participation have been well documented. They begin with the certainty that the public has the ability to influence the final decision, and include provisions to ensure adequate public notice, timely and convenient access to information, participant assistance, opportunities for public comment, public hearings, other forums that allow for discussion and dialogue and early and ongoing participation throughout the process stages. These provisions include

- early deliberations on purposes/needs and alternatives, criteria specification, main consultant selection, and determination of effects assessment priorities and design of effects studies;
- review of initial effects findings and conclusions concerning the relative merits of alternatives;
- formal review of submitted proposals for approval, including environmental impact statements (or the equivalent in sustainability-based assessments), as appropriate draft review recommendations and decisions by the responsible authorities; and
- design of and participation in monitoring programmes and review of findings and response plans.

While each of these basic components enjoys some recognition in assessment practice in Canada, special and renewed attention needs to be given to providing the capacity and funding necessary to enable representation of important interests and considerations not otherwise effectively included (for example, disadvantaged populations, future generations, broader socio-ecological relations). This will be a significant step given the level of support currently offered to participants. Provisions for public hearings on cases of particular public interest and significance for sustainability will also have to include explicit detailed criteria for determining

when public hearings are necessary and the establishment of a truly arm's-length body for advising on contested cases.

Initiating forums for discussion and dialogue as an integral component of participation also requires new attention. Proponents, who most often lead participatory activities, frequently use open houses and similar consultation methods, Government officials occasionally convene hearings. But dialogic participation techniques are rarely used in Canadian assessment processes. Effective techniques for assessment participation use vehicles such as multi-party advisory committees and task forces, mediation and non-adversarial negotiation, and community boards to facilitate ongoing dialogue and communication among project proponents, environmental assessment officials, and civic organizations. These techniques serve important mutual learning, relationship building, and conflict resolution functions. Such approaches also anticipate the re-engagement of public officials and experts as well as stakeholders and members of the public in the participatory process.

Beyond specific provisions for involvement, next generation assessment also needs to realign the locus of design and execution of participatory processes away from proponents and into the hands of the public and the government agencies responsible for taking the public's knowledge and views into account in making decisions. Achieving this outcome is the only way to remove the bias, or perception of it, that currently impacts participatory processes led by and reported on by proponents. As well, provisions for the formal assessment of the success of a participatory program need to be in place so that we can learn from experience, build common understanding and make effective adaptations to EA public participation programs. This would help to underscore the interactive, adaptive nature of next generation participatory processes.