

An Assessment of Public Participation under the Manitoba Environment Act

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EXECUTIVE SUMMARY

This study was conducted for the Manitoba Environment Department to assess public participation activities under the Manitoba Environment Act. The Act was proclaimed March 31, 1988; this study took place over the period April 1, 1988 to September 31, 1989.

A series of questionnaires were designed to study public participation activities in five areas: the public registry network, public hearings, The Manitoba Environmental Council, non-government organizations, and provincial and federal government initiatives.

Public registries, introduced under the Environment Act were considered a positive step by study respondents. Some confusion existed among participants as to what stage the registries allowed input into the licensing process. A general perception that participation is not encouraged early enough in the process was also present.

The public hearing process was generally accepted as a means for citizens to have a say in environmental issues. Concerns about the meaning of public input were raised because of a perception that hearings are designed to make projects more acceptable, and not to discuss their authorization. Respondents were in favour of the government requesting their input into the scoping process for environmental impact assessments.

Participants suggested the government be encouraged to contract independent experts to interpret technical data, be available to assist the public, and make presentations at hearings upon request by the CEC. Respondents generally felt the hearing process could address the broader scope of environmental issues and values. Intervener funding was considered necessary by a majority of respondents, to assist organizations in hiring researchers, for transportation, administrative and legal costs.

Directors of the Manitoba Environmental Council believe their organization provides the government and public with an informed voice on environmental issues. Members believed their responsibilities included promoting environmental awareness and education, and presenting position papers at public hearings. The Council recently requested government approval for a research position for special projects.

Members of public interest groups saw their most important role as one of promoting environmental awareness, followed by education, networking, and lobbying. Addressing controversial issues, and conducting small group meetings with government were also considered important.

The Manitoba and FEARO processes have both encouraged public input in the earlier stages of environmental assessment by encouraging input into the proposal and guideline stages of impact assessments. Study respondents were not pleased with the Environment Minister's control over final licensing conditions, but were very pleased when personally invited to discuss their project concerns on a one to one basis with government.

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INTRODUCTION

The Manitoba Environment Act was proclaimed on March 31, 1988, replacing the Clean Environment Act of 1968 and the Environment Assessment process of 1975. This project addressed one of six principles outlined in the Guide to the Manitoba Environment Act (Government of Manitoba 1988), that of strengthening public participation in environmental decision making through increased public access to environmental assessment information.

Participation under the Act is encouraged in four areas: review of project proposals through a public registry network; participation at public hearings conducted by the Clean Environment Commission (CEC); consultation with the Environment Department on regulation development (not covered in this report); and participation in activities of the Manitoba Environmental Council (MEC).

Public input into the environmental assessment process under the new legislation was developed to assist managers of environmental matters in considering the values and interests of those who will be affected. Participation encourages people to express their concerns and has the potential to reduce conflict which might arise because of poor communication and planning. This study assessed the level of public participation in the environmental assessment and decision making process during the first year and a half of operation under the Manitoba Environment Act.

An extensive literature review was conducted by the author (Barringer 1990 unpublished practicum), and may be referred to for background information on the public participation process. The

bibliography from this unpublished practicum is provided at the conclusion of this paper.

STATEMENT OF ISSUES

This study was undertaken to provide the Environment Department with feedback from those who had utilized the public participation process under the new Act. To assist the government in ensuring that environmental considerations become a major component of Manitoba's development proposals, citizens, interest groups, communities and environmentalists were encouraged under the new Act to become involved.

A main focus of this study was to determine if public involvement would be strengthened through use of the public registries or public hearing process under the Environment Act. A case study of an environmental hearing was conducted to determine the extent of public involvement. Participation mechanisms in Manitoba were also compared with similar initiatives under provincial legislation and at the federal level. This assessment was undertaken over an eighteen month period from April 1, 1988 (when the Act was proclaimed) to September 31, 1989.

SCOPE

This project assessed the public's interest in participating in an environmental assessment and decision making process. The sampling universe involved those organizations and individuals who had been involved in an environmental public participation process, or who had identified themselves as 'public interest' groups with environmental concerns. The 'public' within the scope of this study includes

individuals, organizations and communities who wished to express concerns, objections, or support regarding a development proposal.

Under the Manitoba Environment Act a proponent is responsible to determine if their project requires a license and must submit a proposal to the Environment Department if they do. The Director or Minister of Environment decides the type and extent of environmental assessment required. The Environment Act provides for access to information on project proposals and assessments through the public registry network. The network consists of one main registry in Winnipeg and eight sub-public registries throughout Manitoba (see Barringer 1990 for locations). Each registry provides a listing of all proposed and existing developments under government assessment and is available for public review and comment. For purposes of this study, the views of those who had used the public registries, or who had attended or participated in a public hearing (conducted by the Clean Environment Commission), were considered. A public hearing refers to an advertised activity where the CEC requests submission of public concerns on development proposals, and provides recommendations on project approval to the Environment Department. All third party views are considered by the CEC before recommendations are made for issuing the proponent a licence.

The Environment Act recognizes the Manitoba Environmental Council as an advisory body to the Minister. Although the MEC is recognized by statute, other non-government citizen and environmental groups are recognized for their role in communicating and consulting with government officials on environmental matters. MEC members and other non-government environmental interest group members were surveyed for their views on

public participation initiatives under the Environment Act.

The case study on the CEC environmental hearings for the proposed Repap Phase I pulp mill was conducted in Winnipeg and The Pas. All interveners who gave presentations to the CEC panel were interviewed. An intervener can be any member of the public who attends a public hearing and makes a presentation on behalf of themselves or their organization.

The comparison between Manitoba's public participation initiatives and other legislation was conducted between provincial legislation in Ontario, Saskatchewan, Alberta, the Federal Environmental Assessment Review Process (FEARO), and the Canadian Environmental Protection Act (CEPA).

OBJECTIVES

A research schedule was developed to meet the following:

- 1) To conduct an assessment of public participation during the first eighteen months of operation of the Environment Act, under the following legislated areas:
 - a) the public registries at all nine Manitoba locations;
 - b) public hearings held by the Clean Environment Commission;
 - c) public awareness and representation on the Manitoba Environmental Council.
- 2) To assess public participation in environmental decision making by non-legislated groups, (i.e., environmental and other public interest groups).
- 3) To conduct a case study of public participation during the Clean Environment Commission hearings on the Repap Phase I pulp mill proposal, in Winnipeg and The Pas, Manitoba.
- 4) To compare the role of public participation under the Manitoba Environment Act with public input under environmental legislation in the provinces of Ontario, Saskatchewan, and Alberta.
- 5) To compare Manitoba's approach to public participation with the Canadian Environmental Protection Act (CEPA), and the Federal Environmental Assessment and Review Process (FEARO).

- 6) To summarize the activities which have involved public input under Manitoba's Environment Act over an eighteen month period from April 1, 1988 to September 30, 1989, determine strengths and weaknesses which may exist, and provide recommendations for improvement.

METHODOLOGY

The assessment of public registries, participation at hearings, and activities of the MEC and non-government organizations involved use of an anonymous questionnaire, standardized open-ended questionnaires and a mail-out closed answer questionnaire, as discussed in Mason et al. (1983). Personal interviews were conducted wherever possible. According to Mason et al. (1983) personal interviews have the highest probability of producing answers which reflect the views of that particular part of society. Telephone interviews were conducted for the rural and more distant locations. The anonymous questionnaire was self explanatory.

To meet the requirements of Objective #1 public registries were assessed by means of an anonymous one-page questionnaire, distributed to each of the nine provincial registry locations. The registries were also addressed as part of a mail-out questionnaire, sent to 100 randomly chosen people (out of a total of 287) who had attended a CEC hearing subsequent to the proclaiming of the Environment Act. Members of the MEC Board of Directors were interviewed on the assessment process as well as MEC's role in facilitating the public participation process.

To meet the requirements of Objective #2 a questionnaire was designed to interview 20 non-government public interest groups (out of a list of 30 provided by the MEC). The questionnaire asked about the role of public participation for non-government groups, their perceptions and

use of the public registry system, and their views on the public hearing process as a means to participate in environmental matters.

To meet the requirements of Objective #3 presenters were interviewed at the hearings for the Repap Phase I pulp mill between August 12 and September 14, 1989. Interviews were limited to the 'public' and did not include the proponent, their consultants, or Manitoba Environment staff.

To meet the requirements of Objective #4, officials from the environmental assessment branches in Ontario, Saskatchewan, and Alberta were requested to forward information on their provinces public participation initiatives. Comparisons were based on the following categories: public registries, notice of proposals, input into proposals, guidelines for EIA's, public hearings, public accountability, regulations and/or standards, enforcement, appeals, intervener funding, availability of grants, and state of the environment reporting.

To meet the requirements of Objective #5 federal representatives (from FEARO and CEPA) were requested to provide the same information as their provincial counterparts.

RESULTS

The following descriptions briefly outline the results of efforts made while conducting interviews with study participants. All viewpoints were considered and conclusions drawn from observations that were made. Appendix I (The Repap Public Participation Questionnaire) provides an example of one of the 5 types of questionnaires which were designed and used by the author. A more detailed and lengthy results section and Appendices, including the remaining 4 questionnaires can be found in

Barringer (1990) unpublished practicum Results have been divided into four categories as outlined in Table I.

Mail-Out Questionnaire:

Forty-three questionnaires were returned out of a total of 100 which had been mailed to Manitoba addresses. Twenty-seven of these 43 respondents were unaware the public registries existed. Of the remaining 16 who knew of the registries, 13 of them had taken some action with respect to a proposal (i.e. wrote a letter or requested further information), and agreed the registries were effective.

Thirty-three of the 43 respondents had participated in one or more public hearing since the Environment Act was passed. The remaining 10 respondents did not state the number of hearings they had attended. Respondents attended hearings for individual interest, to give a presentation, to obtain information and to represent their organizations. General comments suggested hearings should be held before major decisions are made, otherwise they are a formality, 6 to 10 weeks notice is more appropriate than four to prepare a presentation, and the process is fair.

Public Registry Questionnaire:

Librarians in each of the nine public registry locations kept the anonymous questionnaires available over a 4 month period. Ten were answered (4 from The Pas, 6 from Winnipeg) and 2 of these respondents were subsequently interviewed. According to the responses, registries were used for research, to determine how licensing was affected by public input and to determine employment opportunities through proposals.

TABLE 1: Summary of Responses and Interviews

	NUMBER OF RESPONSES AND INTERVIEWS
<u>LEGISLATED AREAS:</u>	
1) A mail-out questionnaire to CEC hearing participants.	43/100
2) An anonymous questionnaire left at all public registry locations in the province.	10
3) Personal and/or telephone interviews with MEC Board members.	14
<u>NON-LEGISLATED AREAS:</u>	
4) Personal and/or telephone interviews with chairs or designated representatives of public interest groups.	20
<u>CASE STUDY:</u>	
5) Personal and/or telephone interviews with public interveners at the Repap Phase I environmental hearings.	38
<hr/>	
Total Sample Size	125

Notification that proposals had been received occurred through personal contact, government officials, and local newspapers. Nine of the 10 respondents said they would use the registries again. General comments noted the project material was overwhelming and difficult to understand.

MEC Board of Director Interviews:

Fourteen of 17 MEC Board members were interviewed and saw MEC as playing an educational role on environmental issues. Members saw MEC as a low cost source of expertise for the government and spokesperson to the general public. MEC contributes to public participation through its presentations at CEC and other hearings. Its status under the Act has helped the Council to function as a stronger entity and address more issues. Obtaining a research position for special projects was considered important to help the Council be less reactionary to proposals.

Council members were concerned as to how current information in the registries was. They also considered the need for an additional column in the registry listings which showed if an environmental assessment had been requested, if guidelines were in preparation, or if a hearing had been called.

Eight of the 13 Board members interviewed had been involved in a public hearing since the Environment Act was proclaimed. Rural members suggested hearing announcements could be made on local radio stations to improve communication. Several members suggested that early notice of hearings by letter from the CEC would provide additional time to prepare technical briefs. Six weeks instead of 2 or 4 would be helpful.

When asked about financial assistance for public groups MEC members

felt this would not influence their decision to attend hearings. Funding however would be helpful for research and the preparation of briefs. Fox (1979) refers to a Public Interest Advocacy Centre (PIAC) which assists interest groups in preparation for public hearings. MEC members suggested the government could pay experts to function in a similar way to the PIAC, rather than providing financial assistance to interest groups.

Other comments received considered the formal hearing process discouraging to many people, and a request for rules and set procedures to be determined if hearings must be formal. The hearing process was considered fair because it allowed all presenters to be heard.

Public Interest Groups:

Seven out of a total of 20 interviews were conducted with rural organizations. The remaining 13 individuals represented organizations within Winnipeg. Barringer (1990) unpublished practicum lists the organizations interviewed and their locations in the Appendices.

All organizations interviewed were volunteer, membership based groups. Their role was public awareness and environmental education, and this progressed through networking, attending conferences, working with school programs, demonstrations, and media releases. They were also involved with lobbying government and industry for proper laws and policies. Groups were generally interested in having more meetings with ministers to discuss various concerns or resolutions previously submitted to government. Respondents were somewhat discouraged that the Environment Act left final decisions on projects in the hands of the government. Under the new Act the CEC was given only advisory authority to government.

Eight of the 20 public interest group representatives were aware of the existence of the public registries. Only 4 of these 8 groups had used them. A request was made that proposals be made available for loan.

Sixteen of the 20 public interest groups had been involved with an environmental hearing, although these were not all CEC hearings. Concerns were raised that environmental assessment studies should be done by independent companies, not the proponent, and a third party should assess proposals for major industrial developments such as Repap. There were mixed feelings about the availability of intervener funding, from having it accessible for research purposes, to organizations being able to raise their own funds. The hearing process was considered favourable but limited.

The Repap Hearings:

Thirty-eight public presenters were interviewed during the Repap hearings. Seventeen interviews were conducted in The Pas, August 20-23, 1989, and 21 interviews were conducted in Winnipeg, August 29 to September 4, 1989. Thirty of the 38 presenters interviewed were representative of organizations. These hearings were important to those interviewed because of the magnitude of harvesting of Manitoba's trees and the potential environmental implications of the proposed mill.

Ten of the 38 interviewed had used the public registries either in The Pas or Winnipeg. The remainder had obtained information directly from meetings with Repap, through newspapers, organization affiliates, research, and the government. Comments on the registries were favourable due to information which was not available elsewhere, and unfavourable due

to the overloading of technical information and complex information.

The general consensus among presenters at the hearings was that government should be requesting input from the public at an earlier stage in the licensing process, at the agreement stage, or into the phases and classification of the projects. A formal component to establishing the scope of environmental assessments was considered important. Financial assistance for hiring researchers to study technical information was considered important to put the public on the same technical level as the proponent. In addition the government could use finances to hire consultants who would be available to assist all interest groups.

Participants felt the hearings were good for local input, however the presence of lawyers made several people uncomfortable. One participant observed the hearings were split between those who presented their values in terms of a broad perspective on the environment (emotional), and those who presented scientific detail (facts).

The meaning of public input was also questioned due to the fact that Repap and their consultants prepared for the hearings over a number of months, while the public had only a few weeks. Issuing licenses in stages was considered to be a flaw in the Environment Act when one stage could significantly affect the next. Presenters were also skeptical of a process by which the Minister of Environment could overrule CEC recommendations.

The timing of the environmental process is significant. The public wants to be consulted as early as possible in the planning stages of the licensing process. Proponents gain public support when they involve citizens and listen to their concerns.

Provincial and Federal Environment Acts:

Table 2 describes the fourteen categories of public participation features which were compared between the provinces of Manitoba, Ontario, Saskatchewan, Alberta, CEPA and the FEARO process. These comparisons concern the processes involving environmental assessment and project approval or licensing.

Ontario:

The following comparisons were made with the Manitoba Environment Act and 4 province of Ontario documents: the Environmental Assessment Act (1980), the Intervener Funding Act (1988), A Citizen's Guide to Environmental Assessment (1987), and a Policy on Public Consultation for Environmental Protection (1988).

As shown in Table 2 Ontario does not have a requirement for a public registry or notice of proposals, no input into the proposal stage or guidelines for the EIA. The proponent is advised to notify the public of the nature of project proposals and request input into their environmental assessment document (prior to submission to government). Once submitted, the Ontario Ministry of Environment reviews the assessment and invites public submissions. If the Minister of Environment requests a hearing, the Environmental Assessment Board is asked to conduct it. Public consultations may also take place when the ministry develops regulations on enforcement and when it establishes environmental standards and guidelines for contaminants.

An Ontario Environment Council does not exist, although the Minister can appoint committees to perform advisory functions. Public consultation does not take place with respect to enforcement policies. Intervener

TABLE 2. Public Participation - Comparison Between Acts

***	Man.	Ont.	Sask.	Alta.	CEPA	FEARO
Registry of proposals	yes	no	no	no	no	pro-posed
Notice of applications	yes	no	no	pro-posed	no	no
Input into proposals	yes	no	poss-ible	pro-posed	no	yes
Guidelines for EIA	yes	no	no	no	n/a	yes
Input into EIA reports	yes	yes	yes	yes	n/a	yes
Hearings/Reviews	yes	yes	yes	yes	yes	yes
Regulations/Standards	yes	yes	no	pro-posed	yes	yes
Environmental Council	yes	no	no	yes	n/a	n/a
Enforcement Procedures	no	no	no	pro-posed	yes	no
Intervener Funding	no	yes	no	**yes	no	pro-posed
Grants Available	poss-ible	yes	yes	yes	yes	no
Appeals/Objections	yes	no	no	pro-posed	yes	no
Minister Accountable to Public	yes	yes	yes	no	yes	pro-posed
State of Environment Report	yes	no	no	pro-posed	op-tional	Annual Rep

**** energy projects only**

Manitoba Environment Act

Ontario Environmental Assessment Act; Intervener Funding Act

Saskatchewan Environmental Assessment Act

Alberta Department of Environment Act; Energy Resources Conservation Act

Canadian Environmental Protection Act

Department of Environment Act (FEARO Guidelines)

funding, paid in advance of hearings, can be granted to individuals or organizations under the Intervener Funding Project Act (a three year pilot funding project). A funding panel appointed by the Environmental Assessment Board decides which applications will be funded, and notifies the proponent of its decision to make the proponent the source of intervener funding. The Environment Minister can make grants or loans available for research or training for environmental assessments.

The public cannot appeal the decision made by the Environmental Assessment Board once a hearing has been held. Should the Environment Minister alter this decision, written notice will be given to all those receiving a copy of the final Board decision. State of the Environment Reports are not required under the above mentioned documents.

Saskatchewan:

The following comparisons were made between the Manitoba Environment Act, the Saskatchewan Environmental Assessment Act (1981), and the Saskatchewan Environmental Assessment and Review Process (1988).

As indicated in Table 2, Saskatchewan does not have a public registry system or require notification of project applications. If a project requires approval under the Environmental Assessment Act, Ministerial approval is necessary before a development can proceed. An inter-departmental government committee determines the nature and scope of environmental assessments, and the proponent may be asked to undertake public information meetings. If meetings are requested by the government, the public will have input into the project proposal, however the Environment Department prepares the guidelines for the EIA.

Proponents are encouraged to undertake a public participation

program and document the activities in the EIA report. The proponent conducts the impact assessment, the Environment Department coordinates the inter-departmental review. When the review is completed public notice is given and the reports are distributed to various libraries. Written comments can be sent to the Environment Minister within 30 days.

The Environment Minister can appoint a Board of Inquiry (or a series of public meetings prior to an inquiry) to solicit public comment on the environmental issues surrounding a development. Intervener funding is not available to interest groups, although the Minister may award grants for research. Saskatchewan does not have public input into developing environmental regulations or enforcement, and there is no Environmental Council. The legislation does not indicate the public can appeal a Ministerial decision regarding project approval, although written notice of the decision must be given to all participants in the review process. A State of the Environment report is not designated under the legislation.

Alberta:

The following comparisons were made between the Manitoba Environment Act and the Alberta Department of the Environment Act (1980), the Alberta Energy Resources Conservation Act (1980), and the report "An Action Plan for Environmental Law Enforcement in Alberta" (1989).

With reference to Table 2, the licensing system for project proposals in Alberta is closed to the public, license conditions are determined by negotiations between government and the proponent. There are no public registries, no required notice of an application for license, and no opportunity for public input into the issuing or conditions of a license. Environmental assessments do not come under legislation in Alberta, but

must be conducted by the proponent for a licensing permit. There is no public input into the scope of the guidelines for the assessment. Proponents must inform the public they will be conducting an EIA and provide opportunities to participate.

Energy projects constitute the largest projects in Alberta, and formal public hearings are conducted for them (personal communication, Hicks, 1989). Non-energy projects do not have a formal public participation process, although the Environment Minister can establish an environmental review board. Intervener funding is available for projects under the energy classification with costs charged against the proponent. Intervener funding is not available to non-energy projects (personal communication, Hicks, 1989). Grants can be awarded by the Minister.

The review panel on environmental law enforcement has proposed there be public participation into the development of standards and their review. The panel also recommends that applications for new licenses be made public, and that applications for license be available for public review. The panel also recommends the public have input into enforcement procedures, that an appeal body be established to appeal Ministerial decisions, and an annual State of the Environment report be produced.

CEPA:

As shown in Table 2 there is no requirement for a public registry under CEPA. The federal Minister of Environment can consult with the public and appoint advisory boards if desired. Public recommendations and objections can be made before such boards. Public review of reports on materials under the Priority Substances List is possible, as is provision to file an objection to a proposed regulation or decision regarding the

Priority Toxic Substances list.

The public has the right to participate in the enforcement of the Act. Anyone who feels they will suffer loss or damage as a result of a violation under CEPA has the right to take legal action. The Minister must report to any person who has made a request regarding a toxic substance. State the Environment reports may be published.

FEARO:

FEARO administers the federal environmental assessment and review process. Panel members must be unbiased with respect to proposals, free of political influence, and have special knowledge and experience relevant to the technical, environmental and social effects of the proposal (Walsh 1988). Public response is solicited at the proposal stage, during the guidelines for environmental assessment, and the review of the EIA. Participation is invited at hearings for environmental assessment and regulation development. Panels are advisory to the Minister of Environment, and can appoint independent experts to report on issues. There is no appeal process for FEARO recommendations to the Minister, although panel review documents are made available and an annual report is published. Intervener funding (available through project initiating departments), has been proposed to become part of the FEARO process. A public register of proposals including the rationale for decisions made by the Environment Minister has also been proposed (FEARO 1988).

CONCLUSION

This chapter summarizes the views of the public as determined from this study. It should be noted that study participants were probably atypical of the public at large because of their greater interest in environmental matters. In addition, the Repap pulp mill proposal involved a major and controversial environmental decision to which responses may have been less objective due to the sensitivity of the issue.

There is no specific definition as to what constitutes effective public participation. Because public participation is an evolving process, key features were identified for purposes of analyzing public participation initiatives. These features included public registries, public hearings, the Manitoba Environmental Council, non-government interest groups, the Repap Phase I Pulp Mill hearings, and other provincial and federal public participation initiatives.

Public Registries:

This discussion was written to meet with criteria from Objective #1. In general, public registries were well received, with 48% (or 61 out of a total sample of 125) who knew of or had used the registries. There is a strong perception that public participation should be in the early stages of the environmental planning process, however there is a general unawareness that registries can accommodate public input through written responses into the guideline stages of assessments.

The Environment Department may wish to emphasize to a greater extent the strong points of the registry system (i.e. by encouraging use of the registries at the guideline stages of assessment). The FEARO process is

the only process (considered in this study) which promotes public input at this stage of decision making. There is a formalized approach to determining guidelines to EIA's through a public hearing process. Manitoba Environment may wish to consider formalizing a similar process.

A common request from those interviewed was to have the registries advertised on a continuous basis. The Environment Department may find it can increase awareness and use of the registries by expanding its advertising from newspapers to include local radio and television stations. Clarification of which proposals are currently under consideration, and at what stage the registries promote participation could improve the public's perception of the registries. Parenteau (1988) concurs with the above by indicating that it is desirable to have public involvement no later than the drafting of guidelines for an environmental impact study. Potential conflicts between the public, government, and proponent can be reduced in this way.

For the Repap proposal, there were many comments about the overwhelming amount of material in the registry, and the difficulty of understanding the technical significance of the documents. Some means of interpretation for the material in the registries may need to be considered by the Environment Department. Copies of the government review of EIA's on major projects might assist the public in determining if they would like to have further follow up or input into a project. In addition copies of proposals could be made available for loan.

Over time, the registries will become better known and may help the public to become more proactive in participating in environmental concerns. Lengthening the hours of the main registry and establishing

another main registry at the Winnipeg Centennial library were suggested.

Public Hearings:

The following discussion was written to meet Objectives #1 and #3. The public hearing process remains a prominent and accepted mechanism for public input into development proposals. A number of concerns were raised by participants with respect to improving the process. The first concern was skepticism about whether or not their participation was having an influence on government decision making. They believed the government viewed their participation as an exchange of information to make pre-determined decisions more acceptable. Participants thought the hearing process was designed as a technical review of EIA's focusing on minimizing environmental damage, with monitoring and follow-up activities to be determined. Participants would like to see hearings deal with the broader questions related to proposals such as need for projects, possible alternatives, ecosystem effects and cumulative impacts of development. These perceptions were exemplified because under the Act, the Environment Minister (although accountable to the public), does not have to accept recommendations from the CEC, which serves in an advisory capacity only.

There is an important differentiation between decision making which applies to the processes under the Environment Act, and the Environment Act itself. The existing legislation does not incorporate public input at the pre-registry (or pre-proposal) stage. Decision making and public participation occurs under the Environment Act when there is a proposal to assess, and this was not well understood by study participants.

Parenteau (1988) states that when the goal of public consultation

is to deal more with terms of authorization for a project than the decision to proceed, the assessments become technical appraisals of risk, rather than appraisals of value. The Repap hearings provided an example of the second issue raised which was the technical approach to the hearing process. Tension was evident between those who wanted to address the technical nature of the EIA and those who wanted to address values and a broader focus to the assessment.

DeSario and Langton (1984) have noted we are far from understanding as a society how to make technological development and human values co-exist, and that what is lacking at present is a means to determine human limits to technological progress. Study respondents frequently stated they would like to be able to approach public hearings with technical expertise, because this was the only way to address proponents at their level. Kane (1980) pointed out that interest groups are seeking to develop higher levels of sophistication and expertise, and that this is a result of their increased knowledge of government operations and how they are affected by them

The third issue raised by participants was that government could appoint or hire a committee of experts (university professors, researchers, other specialists), to assist public interest groups with interpretation and analysis of detailed technical information. These experts could provide independent knowledge and forecasting of the cumulative impacts of developments, and be available to report to the CEC on areas which need further clarification.

The fourth issue raised was a request for government to set up review panels to independently assess EIA's. The CEC performs some of the

functions of a review panel by conducting hearings and providing advice to the Environment Minister, but could increase this function by adding specific members to its board for each major hearing (as provided for in the Environment Act). If panel members were chosen specifically for their scientific expertise or local knowledge of the development area, public perception of an impartial Commission which can make a fair assessment of the material presented would be increased. -

A fifth issue raised by participants concerned the formal (using legal representation) versus informal approach to hearings. In general study participants preferred the informal approach, although there were those who strongly supported legal representation at the Repap hearings. Informal hearings have generally been associated with panels which are advisory in nature, whereas formal inquiries are reserved for panels with decision making capabilities. The government may wish to consider differentiating their approach to public hearings based on project classification, specifically defining which classification will require legal representation.

Walsh (1988) reviewed public hearing procedures for the FEARO process. He suggested that hearings be operated as a combination of formal and informal approaches, each focusing somewhat differently on the same issue. The formal sessions would be technical in nature and held in the larger cities, while the informal sessions would be held within smaller potentially affected communities and would encourage local views. The Repap hearings in The Pas and Winnipeg were of a technical nature.

The sixth issue raised concerned the availability of intervener funding, particularly funds for interest groups to hire their own research

consultants. Participants at the Repap hearings expressed general resentment that proponents had time, funding and expert assistance to prepare their presentations, while the public was given only 30 days to prepare, using volunteer time and inadequate funding. To a lesser extent participants expressed an interest for funding to cover travel, accommodation, administrative, and possibly legal costs (depending on the size and formality of the hearings).

Should the Environment Department choose to provide funding to interveners, there are several options for choosing where funds would come from, how they should be distributed, and which groups would receive funds. One possibility would be to follow the Ontario example of an Intervener Funding Project Act (based on a three year pilot project basis). In Ontario the proponent is requested to pay for the funding, and the conditions of financial assistance are determined by a non-government funding panel. Manitoba could set up a funding committee such as this through the CEC or the MEC. The committee would screen applications to decide who would receive funds, in what amounts and for what purpose. Ouintment (1989) explained that to improve public debate and ensure a balance among presenters at hearings, financial assistance should be provided to interest groups to encourage their participation.

The last issue raised by participants on the hearing process concerned the CEC recommendations to the Environment Department on the Repap hearings. Presenters felt the license for the Repap pulp mill should be conditional upon issuing of the licence for the forestry management plan. Participants were frustrated that the hearing process considers the licensing of each stage of a proposal separately, and (in

Repap's case) in the wrong order.

The CEC report to the Environment Department which followed the hearings, reported a sub-strategy for forestry operations in Manitoba as part of the efforts of the Sustainable Development Coordinating Unit. This kind of action was called for at the Repap hearings and should have been well received. After the hearings were finished Repap decided it would not proceed with construction of the mill until environmental approval was obtained for all of its Phase I proposed operations (including a forestry management plan).

The CEC did not recommend the incorporation of a paper recycling facility as a condition for the mill licence (as had been requested by public presenters). They did however propose that a local citizens advisory group be formed in The Pas to link Repap operations with the local community. In addition, the CEC recommended the Environment Department provide for baseline ecosystem monitoring and issue a report after one year. This recommendation is consistent with public requests who felt this information should have been available as background material. Bregha (1977) noted that public participation increases as more of the population ages, but that effectiveness will not increase until we see more cooperation than competition with respect to development. Wallace (1985) reminds us the public participation process should always be fair, thorough, flexible and accessible.

The Manitoba Environmental Council:

This discussion has been written with respect to meeting the criteria outlined in Objective #1. The majority of Board members saw MEC

as an advisory council which was interested in educating the public through forums and publications. MEC provides expertise to the government at a low cost and speaks to the public on environmental issues. MEC contributes to public participation through its presence at CEC and other hearings where members present briefs.

The Environment Act has provided MEC with more independence, providing the Environment Minister does not put excess pressure on the members to investigate and advise on issues other than Council initiated. MEC members expressed a strong desire, as did other respondents, for a researcher to prepare material for special projects. A well prepared paper is less reactionary to environmental issues and decreases the amount of volunteer time normally required to prepare briefs.

Public Interest Groups:

The following discussion was written with respect to meeting the criteria for Objective #2. Representatives from public interest groups saw their main role as promoting public awareness of environmental issues, followed by education, production of reports, networking, and lobbying at hearings and through the media. They were interested in reviewing legislation, saw themselves as having a watchdog function on environmental issues, and were willing to enter into controversial issues.

There was a consensus among organizations that although government listened to their concerns and read their letters, responses were often very slow and depended on the interest of the Minister. The Environment Department may wish to consider increasing personal communication with public interest groups by extending invitations to luncheons or other

small group discussions to get feedback on issues.

A prominent concern of these groups was that unless the public is included earlier in the decision making process of major project proposals, the Environment Act is only making a public relations effort. These concerns could be reduced by increasing communication with organizations and further publicizing of the public registries, to provide group members with information on current project proposals and encourage their input into the scoping of environmental impact assessments.

The public wants foremost to be contacted for their input, whether its for a development proposal or for proposed legislation. The most favourable comments in this study came from those people who were personally contacted by the government, the proponent, or the CEC for their input on a project.

Provincial and Federal Legislation:

This discussion was written to meet the criteria for Objectives #4 and #5. Comparison with provincial and federal legislation (as described in Table 2) have shown strengths and weaknesses among public participation efforts. The table has shown that the public is participating in the assessment of environmental impact reports, review processes, hearings and environmental regulations, but not at the early planning stages of development. The Manitoba and FEARO processes both encourage public input at earlier stages than the other legislation.

From comparisons in Table 2, more features for public participation are evident in Manitoba than under other legislation. The FEARO process and the Alberta government have proposed a number of changes to improve

their public participation initiatives. FEARO has proposed a public register for proposals which will include a rationale for the decisions made by the Environment Minister. Alberta has proposed the public have a more expanded input into project proposals, applications and regulations. Ontario and Saskatchewan have no proposed changes, although Ontario is the only province with legislation for the provision of intervenor funding. CEPA is a relatively new Act which gives the public a much stronger voice when defining the environmental limits to which the public is prepared to accept.

A Broader Context for Public Participation:

There is a broader context to public participation outside of the environmental licensing process under the Environment Act. This process involves the coordination of public participation on projects regarding management and policy issues. For example, public workshops were held in Manitoba in 1988 on the development of a provincial land and water strategy. The workshops were a joint effort between numerous departments and were coordinated by the Sustainable Development Unit of Manitoba.

Quimet (1989) states the public is now requesting hearings which deal with significant issues such as development policies and the future. They are not content to deal only with measures of follow-up and mitigation and want input into questions of condition and authorization of projects. The Manitoba hearings on the Repap proposal brought out requests for the province to develop conservation strategies for our natural resources, which would be taken into consideration before any future developments are permitted.

This assessment of public participation under the environmental licensing process has only looked at one aspect of the total focus of public participation. Future planning may wish to consider a public participation program for environmental policy and management issues.

Summary:

The public does not want to be adversely affected by decisions which are made by government and/or industry, and they are putting pressure on the public participation processes so that they will have a meaningful say in those decisions which are made. The Manitoba Environment Act has introduced some very positive features to assist the public with its involvement in the environmental assessment and decision making process. The introduction of the public registries has introduced public participation at an earlier stage in environmental assessment. The registries have also assisted the public in getting information on project proposals and to prepare for hearings. Their concept has been well received.

The overall objective of the public participation process should be to encourage partnerships, reduce confrontation, and provide for a supportive public in the environmental assessment and decision making process. Public participation will continually evolve to produce a system which is acceptable to and meets the needs of the public in terms of environmental quality. Effective public participation therefore can only be defined in terms of existing mechanisms. The Manitoba Environment legislation has had some success in its current public participation efforts, and through increased communication and some flexibility, will

be able to adjust these mechanisms as required to meet the publics' needs. Matters which were outside the scope of this Act must be addressed under another context, and could provide the basis for future research.

RECOMMENDATIONS

The Environment Department may wish to consider the following suggestions which are in accordance with Objective six of this study:

Public Registries:

1. Publicize and emphasize the fact that the public registries provide earlier participation in the environmental assessment and decision making process (i.e. guidelines to environmental impact assessments). The registry can be used as a means for the Environment Department to promote its public participation features under the Environment Act.
2. Consider increasing advertising on project proposals which are submitted to the registry through local radio announcements or public television.
3. Add an additional column in the registry listings which states when an environmental assessment or public hearing has been requested by the government.
4. Provide additional copies of registry information for members of the public to take out on loan (i.e. environmental impact assessment reports on major projects). If possible have documents available at University libraries.
5. Make the Centennial library a second main registry, because of its longer hours of operation than the main registry in the Environment Department Resource Centre.

Public Hearings:

6. Keep the CEC hearings informal, but have a combination of technical and community or non-technical hearings. The technical meetings will be for more extensive scientific and technical questioning, the non-technical for expressing values and concerns in a broader context. The distinct separation could reduce the public perception that hearings are designed solely for technical discussions and risks of individual projects. An additional possibility would be to have different types of hearings dependent on the classification of projects.
7. Select new members for the CEC panel with each major hearing who are specifically chosen for their technical expertise, local knowledge on individual projects, or relevant experience. The public would perceive each major hearing as having a new (and independent) review panel and should react in a positive way. The Environment Act has provision for the appointment of knowledgeable people to CEC panels to assist with hearings. This provision should be utilized with each major hearing.

8. Consider introducing an informal hearing process to invite public comment on determining the scope for environmental impact assessments. This could reduce tension at public reviews of EIA's when the public has already had a chance to have input into how the EIA was conducted.
9. Contract the services of experts from the academic or scientific community to assist the public with investigation and interpretation of environmental assessment documents for major development proposals. This committee of specialists should also be available to report to a CEC hearing to present an independent assessment of any particular aspect of the EIA. The appointment of specialists from government departments should be avoided as they may not be perceived as being objective.
10. Provide financial assistance to public interest groups once they have made application for and received approval from an independent funding committee. This committee could consist of members from the CEC review panel or perhaps the MEC who would screen applications for funding on the basis of: purpose for attending the hearing, commitment to the issue, lack of organization or individual funding, and clarification of how funds would be used. The funding committee would be responsible for distributing funds and to avoid funding which would lead to duplication of efforts. The proponent would be asked to pay the intervener funds, the government responsible for allocating it to the funding committee.
11. Introduce some flexibility into the review period for EIA's. For example, instead of the 30 day review period being standard for all development proposals, consider the possibility of an additional 30 days for review depending on public request.

NGO's:

12. Increase communication and personal contact with non-government and environmental interest groups at the preliminary stages, when initial proposals and the scope of projects are under consideration. This could be done through small groups meetings or informal gatherings with the Minister or through written requests for their input.

MEC:

13. Provide support to the MEC in their request for hiring a staff researcher. This position could assist them with their publications and public educational material and create additional publicity for the MEC to the public.

REFERENCES AND CITED BIBLIOGRAPHY

- Adie, Robert F. & Paul G. Thomas. (1987). **Canadian Public Administration: Problematical Perspectives. Second Edition.** Prentice-Hall Canada Inc., Scarborough, Ontario.
- Alberta Environment. (1989). **An Action Plan for Environmental Law Enforcement in Alberta.** The Review Panel on Environmental Law Enforcement, Edmonton.
- Al berta Environment. (1985). **Alberta Environmental Impact Assessment Guidelines.** Alberta Environmental Assessment Division, Edmonton.
- Arnstein, S. (1969). **A ladder of citizen participation.** 35 AIP Journal 216.
- Barringer, K. (1990). **An Assessment of Public Participation Under the Manitoba Environment Act.** Unpublished practicum, University of Manitoba, Natural Resources Institute, Winnipeg.
- Bregha, Francis. (1977). **Further directions for public participation in Canada.** In B. Sadler, ed. **Involvement and Environment, Proceedings of the Canadian Conference on Public Participation, October, 1977.** The Environment Conservation Authority of Alberta and the Banff School of the Environment. Published by the Environment Council of Alberta, Banff, Alberta.
- Bryden, Kenneth. (1982). **Public input into policy making and administration: the present situation and some requirements for the future.** *Canadian Public Administration*, Vol.25, No.1 (Spring), 81-107.
- Connor, Desmond M (1988). **Constructive Citizen Participation.** Development Press, Victoria, B.C.
- Craig, Donna Grace. (1983). **Citizen Participation in Environmental Policy Decisions.** Law library, York University, 1-45.
- DeSario, Jack and Stuart Langton, eds. (1984). **Symposium on citizen participation and public policy, democracy and public policy: an overview.** *Policy Studies Review*, Vol.3, No.2, February, p.223-245.
- Doern, G. Bruce and Richard W Phidd. (1983). **Canadian Public Policy: Ideas Structure, Process.** Methuen, Toronto.
- Downey, Terrence J. (1987). **Understanding policy-making: a necessary first step for environmentalists.** *Alternatives*, Vol.14, No.2, May/June, 30-34.
- Dwivedi, O.P., ed. (1980). **Resources and The Environment: Policy Perspectives for Canada.** McClelland and Stewart.
- Elder, P. S. , ed. (1975). **Environmental Management and Public**

Participation. The Canadian Environmental Law Research Foundation, and the Donner Canadian Foundation.

Emond, D. Paul. (1984). Comment on public/special interest participation. In N. Bankes & 3.0. Saunders, eds. Public Disposition of Natural Resources, Banff, Alberta, April 12-14, 1983. Canadian Institute of Resources Law, Calgary.

Englehart, Kenneth G. (1981). Public Participation in the Regulatory Process: The Issue of Funding. Economic Council of Canada, Working Paper Series, No. 17.

Environment Canada. (1989). The Public Role in CEPA Opportunities and Responsibilities. (Unpublished report), Ottawa.

Environment Canada. (1987). The Federal Environmental Assessment and Review Process. FEARO, Minister of Supply and Services Canada, 1987.

Environment Ontario. (1987). A Citizen's Guide to Environmental Assessment. Queen's Printer, Ontario.

Environment Ontario. (date unknown). Policy on Public Consultation for Environmental Protection, Ontario.

FEARO (1988). The National Consultation Workshop on Federal Environmental Assessment Reform Report of Proceedings. Federal Environmental Assessment Review Office, Minister of Supply and Services Canada.

Fox, David. (1979). Public Participation in the Administrative Process. Administrative Law Series. Prepared for the Law Reform Commission of Canada, Minister of Supply and Services Canada, Montreal, 1979.

Government of Manitoba. (1988). Guide to The Manitoba Environment Act. Department of Environment, Workplace, Safety and Health, Winnipeg, Manitoba.

Henning, Daniel H. (1975). Environmental Policy and Administration. American Elsevier Publishing Company Inc., New York.

Hicks, Ron. (1989). (Personal communication). Acting Executive Director, Corporate and Strategic Management, Alberta Environment, Edmonton, Alberta.

Johnston, C. C. (1980). The Canadian Radio-Television and Telecommunications Committee. A Study of Administrative Procedures in the CRTC. Administrative Law Series. Prepared for the Law Reform Commission of Canada. Minister of Supply and Services, Montreal.

Kane, T. Gregory. (1980). Consumers and the Regulators, Intervention in the Federal Regulatory Process. The Institute for Research on Public Policy, Montreal.

Lang, R., and Armour, A. (1980). Environmental Planning Resource Book. Lands Directorate, Environment Canada, Ottawa.

Marks, Nancy S. (1987). Citizen enforcement of environmental laws. Environment 29:5,42-45.

Mason, Greg, Brian McPherson, Derek Hum, Lance Roberts, Andy Anderson. (1983). Survey Research Methods. Institute for Social and Economic Research. University of Manitoba, December.

McGovern Cynthia J. (1987). McMillan's new environmental protection act disappoints environmentalists. Alternatives, Vol.15, No.1, 57-62.

Miltoon, Paul. (1988). The fight for an environmental bill of rights: legislating public involvement in environmental decision making. Alternatives, Vol.15, No.2, 33-39.

Neilson, W.A.W & J.C. MacPherson, eds. (1978). The Legislative Process in Canada: The Need For Reform Institute for Research on Public Policy, Butterworth & Co. (Canada) Ltd., Toronto.

Ouimet, Luc. (1989). Public Participation in Environmental Decisions or Designing the Agora to Meet Present Day Challenges. Paper presented to the 13th Assembly of Environment Councils of Canada, Montreal, September.

Paehlke, Robert. (1987). Participation in environmental administration: closing the open door? Alternatives, Vol.34, No.2, May/June, 43-48.

Parenteau, Rene. (1988). Public Participation in Environmental Decision Making. Federal Environmental Assessment Review Office, Minister of Supply and Services Canada.

Rankin, Murray, & Peter Finkle. (1983). The enforcement of environmental law: taking the environment seriously. U. B. C. Law Review, Vol.17:1, 35-57.

Robertson, Linda. (1987). Barrier to public participation struck down. Alternatives, Vol.15, No.1, 72-73.

Sadler, Barry. (1979). Towards new strategies of public involvement in environmental management. In B. Sadler, ed. Public Participation in Environmental Decision Making: Strategies For Change. Proceedings of a National Workshop, April, 1979. The Environmental Council of Alberta and The Banff Centre for Continuing Education, Published by the Environment Council of Alberta, Banff, Alberta.

Sadler, Barry ed. (1984). Environmental Protection and Resource Development: Convergence for Today, September 6-9, 1984. Canadian Petroleum Assoc., Northern Affairs Program and Dept. of Indian and Northern Affairs, Resource Management Programs.

Salter, Liora & Debra Slaco. (1981). Public Inquiries in Canada. Science Council of Canada, Background Study 47, September, 1981.

Saskatchewan Environment. (1988). The Saskatchewan Environmental Assessment and Review Process. Environmental Assessment Branch, Saskatchewan Environment and Public Safety, April.

Satin, A. & W Shastry. (1983). Survey Sampling: A Non-Mathematical Guide. Minister of Supply and Services Canada. Statistics Canada, April.

Schrecker, Ted. (1985). Resisting regulation: environmental policy and corporate power. Alternatives, Vol.13, No.1, 9-19.

Schrecker, Ted. (1984). Political Economy of Environmental Hazards. Protection of Life Series, Law Reform Commission of Canada, Minister of Supply and Services Canada, Ottawa.

Stone, Bob. (1989). (Personal Communication). Head, Environmental Impact Assessment Review, Alberta Environment, Edmonton.

Thompson, Andrew, R. (1980). Environmental Regulation in Canada: An Assessment of the Regulatory Process. Westwater Research Centre, University of British Columbia, Vancouver.

Thompson, Dixon (1984). Avenues of participation in natural resource development and disposition. In N. Bankes and J. O. Saunders, eds. Public Disposition of Natural Resources, Banff, Alberta, April, 1983. Canadian Institute of Resources Law, Calgary.

Van Hees, V., Smith, J., Harvey, J., and Peacock, A. (1987). Public Participation in Energy Decision-Making: A Rationale and a Proposal. Prepared for the Energy Caucus with assistance of the Canadian Environmental Network.

Wallace, Ron, R. (1985). Public Input To Government Decision Making. Federal Environmental Assessment Review Office, Occasional Paper No.13.

Walsh, Honourable Allison A.M (1988). Public Review: Neither Judicial, Nor Political, but an Essential Forum For The Future of the Environment. A Report concerning the Reform of Public Hearing Procedures for Federal Environmental Assessment Reviews.

Westman, Walter E. (1985). Ecology, Impact Assessment, and Environmental Planning. John Wiley & Sons.

Wood, W.M.(1978). Public involvement techniques utilized in highway transportation planning. In S. Bendix and H.R. Graham, eds. Environmental Assessment: Approaching Maturity. Ann Arbor Sci., Ann Arbor, Mich. pp.205-213.

Legislation:

Alberta Department of the Environment Act, 1980
Alberta Energy Resources Conservation Act, 1980
Canadian Environmental Protection Act, 1980
Department of the Environment Act, 1988
Environmental Assessment and Review Process
Guidelines Order, 1984
Environment Assessment Panel Procedure and Rules, 1985
Manitoba Environment Act, 1988
Ontario Environmental Assessment Act, 1980
Ontario Intervener Funding Act, 1988
Saskatchewan Environmental Assessment Act, 1980

Additional Readings:

CEPA Public Information Booklet, May 1988

APPENDIX I

Repap Phase I Public Hearings

August/September, 1989

Public Participation Questionnaire

- 1) **For what purpose did you attend the Repap hearings? (e.g. for information, represent an organization, give a presentation, personal interest, requested to attend).**

- 2)a. **Did you use one of the regional public registries to obtain background information on the Repap pulp mill proposal? Which one?**
 - b. **If yes, did the registry provide you with sufficient information to review the proposal, assessment process and/or environmental assessment report?**
 - c. **If no, how did you obtain information?**
 - d. **Does the registry ask for your input at the appropriate phase of the licensing process? (please explain).**

- 3) **Did the Repap public consultation and information sessions influence your decision to attend these public hearings?**

If yes, please elaborate.

- 4) **Did you take the opportunity to express your concerns or interest in this project to a government or industry representative (prior to the decision to hold public hearings)?**

If yes, please describe what action you took?

- 5) **Was there any response to your input by a government or industry representative?**

Please describe what the response was?

- 6) **Were there financial costs to yourself or your organization to prepare for this hearing?**

If yes, what were they? (e.g. report preparation, reproduction, telephone, travel, computer costs, paper costs).

- 7) Did you a) request financial assistance from the government to prepare for this hearing?
 - b) receive financial assistance from the government for this hearing?
- 8) Do you wish to comment on the issue of financial assistance for interveners attending public hearings in Manitoba?
- 9) Do you have any comments regarding:
 - a) the method of advertising for the Repap public hearings? (e.g. newspaper advertisements)
 - b) the time which was available for you to prepare for and attend the hearings?
- 10) If the environmental license is granted (not/granted) and the terms and conditions of that license are not satisfactory to you, will you consider:
 - a. Appealing the final decision?
 - b. Pursuing some form of legal action?
- 11) Overall, how do you evaluate this public hearing process as a means for the public to have meaningful participation into the Repap proposal?
- 12) Do you have any final comments on with regards to public participation in the Repap Phase I licensing process which I may have missed asking you about?