

Credit Valley Conservation

WATERSHED PLANNING AND REGULATION POLICIES

Companion Document Stakeholder Engagement & Co-Creative Planning for the Credit River Watershed

"Coming Together is a Beginning; Keeping Together Is Progress; Working Together is Success." (Henry Ford)

**FINAL DRAFT
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(to be completed)

EXECUTIVE SUMMARY

Credit Valley Conservation (CVC) is committed to clearly articulating the watershed planning and regulation policy framework and to working collaboratively with partners and stakeholders throughout CVC's jurisdiction. Having in place approved, well understood, clear and defensible planning and regulation policies are a critical foundation for protecting those areas that fall under the mandate of the CVC.

This is a companion document that is to be read in conjunction with the Watershed Planning and Regulation Policies document for context. It provides a brief explanation of the approach taken by CVC in updating the policies, and provides the context and linkages between the process and the final policy document.

At the present time, the planning and regulation policy framework and specific policies for CVC are outlined in two separate planning documents, and various CVC Board resolutions. Additionally, there have been many recent policy and legislative changes making it imperative to consolidate and update these documents. As the lead agency responsible for hazardous land management and natural heritage protection within CVC's jurisdiction, it is imperative that planning and regulation policies reflect best practices, current science, and the most recent initiatives and management approaches.

CVC recognizes the value of an engaged and supportive constituent base and acknowledges that having partners and stakeholders who are involved in key management decisions is vital to successful implementation. In this respect, CVC established an Advisory Panel, consisting of a broad base of representatives from the watershed municipalities, other government agencies and departments, the development industry, non-governmental organizations and special interest groups. The Panel was responsible for providing advice and guidance to CVC staff in carrying out the policy review and update.

The approach taken to develop the Watershed Planning and Regulation Policies document built on CVC's long history of engaging a broad spectrum of partners and stakeholders. Given the diverse characteristics of CVC's jurisdiction and the complex planning and regulatory legislative framework, it was felt a more enlightened approach was needed - one that engaged watershed constituents early in the process.

1.0 INTRODUCTION

Credit Valley Conservation (CVC) began an initiative to update its Watershed Planning and Regulation Policies in 2006, largely in response to a number of driving factors, including:

- To be more consistent with current and/or revised Federal, Provincial, and Municipal legislation, guidelines and initiatives;
- To better recognize recent advances in the physical and natural sciences as they relate to systems planning, natural heritage and natural hazard management;
- To further address the implementation of Ontario Regulation 160/06 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses); and
- To provide clearer and more consistent direction to CVC staff, partners and stakeholders recognizing the interdisciplinary nature of watershed planning, natural hazard management and the multitude of factors to be considered.

Of critical importance was the need to formally articulate an up-to-date policy framework that provides clear and consistent direction for planning and development related matters, and to better express the roles of CVC in protecting, enhancing and restoring the watersheds within CVC's jurisdiction. In addition to this, there was a need to develop policies which better recognize the integrated nature of a natural heritage systems approach to watershed planning and natural hazard management considering their dynamic relationship.

Against that backdrop, an initiative was launched in 2006 to begin a collaborative planning effort to update the policy framework.

1.1 Purpose of the Companion Document

This document describes the collaborative process that was initiated by the CVC. It explains the value of collaboration and the process that was designed by the CVC to engage partners and stakeholders. It describes the input that was secured from the members of the Advisory Panel and it draws the link between the Watershed Planning and Regulation Policies document and the input provided by Panel Members.

The Value of Stakeholder Engagement

Organizations today face two fundamental challenges: doing things right and doing the right things. In order to remain adaptable, organizations like CVC need to be able to execute current activities to survive today's challenges and at the same time, adapt those activities to survive the challenges that we will face tomorrow. Doing things right and doing the right things require the effective and efficient allocation of resources – human resources, fiscal resources and time.

Managing and protecting natural hazards and natural heritage within CVC's jurisdiction requires an understanding of an array of issues that are broad in scope and wide in terms of impacts. The nature of the jurisdiction is complex and diverse, similarly, the issues are too. In its role, CVC must regularly find a balance between those who are seeking to protect the watershed and its resources and those whose livelihood depends on its use. These are not easy decisions to make and the demands placed on CVC are largely rooted in changing societal demands and expectations. Managing the watershed – its features and functions – necessitates a co-creative approach that is based on collaboration and partnerships.

For the purposes of this document, stakeholder engagement is defined as the process of identifying and involving people, groups or organizations affected by a particular action to address issues, challenges and opportunities. Like many organizations, CVC recognizes the most effective way to meet the expectations of stakeholders are to focus on collaboration.

There is an abundance of literature available on stakeholder engagement and similarly, evidence of the value of collaborative and creative partnerships. There are many compelling reasons for engaging stakeholders, not the least of which are the social imperatives and securing stakeholder support. In this regard, there have been many examples of companies who have build mutually supportive relationships with stakeholders and who, in turn, have enjoyed enhanced performance. Harvard University conducted longitudinal studies that showed 'stakeholder balanced' companies produced four times the growth rate and eight times the employment growth when compared to 'stakeholder focused' companies.

In short, an engaged stakeholder base can:

- Promote collaboration, minimize risk and build relationships that are resilient to change and last over time;
- Build an atmosphere of trust, partnership and support – a vital ingredient when there are implementation considerations to take into account;

- Create new opportunities and offer new vantage points from which to examine an issue or issues; and
- Encourage organizational learning and information sharing among all partners.

Thus, the model of stakeholder engagement provides a foundation for which CVC may further its goal of watershed sustainability.

2.0 The Shift From Stakeholder Management to Stakeholder Engagement

Throughout the 1960's and 1970's, large scale provincial planning and public policy initiatives focused at the macro-level. Efforts to develop plans and policies followed a typically top-down, linear process. Over time, this linear approach led to a general sense of disillusionment by the public as a whole, primarily because the process limited their role and restricted their involvement.

In response, public sector agencies shifted their approach to one that can be characterized as 'defensive listening.' Public meetings were held to allow constituents the opportunity to share their concerns. Though this approach represented somewhat of an improvement over the linear model, it was largely ineffectively because it did not allow meaningful dialogue based on two-way communication. It also did not create an onus of responsibility to actually respond to or address concerns identified.

The defensive listening approach did result in an increase in the number of appeals launched under the Planning Act and the Environmental Assessment Act. In particular, primarily by stakeholders who remained concerned that their issues had not been heard or appropriately addressed. Over time, conflicts escalated. Greater numbers of uses and users competed for an increasingly limited land base. Interests in positioning bargaining and in later years, mediation, assisted negotiations and adjudication, emerged and the field of dispute resolution grew.

Quickly, it became recognized that a more interactive, collaborative and non-linear approach to public involvement was needed. With the advent of systems theory, there was a growing recognition that components of our environment are inter-related, much like the links of a chain. Theories about adaptive management and cumulative impact assessment began to test the approach to linear planning and it became further recognized that policy development is cyclical in nature. The development and the application of systems thinking to stakeholder engagement began to emerge.

3.1 The Engagement Process

Viewed holistically, there is a public involvement spectrum that provides a range of public involvement opportunities, ranging from informing, influencing and consulting to involving, collaborating and empowering. As illustrated in Figure 1, at one end of the spectrum is the opportunity to simply inform – to provide information to allow stakeholders to better understand a problem or an issue. Further along the spectrum is consultation, which focuses on securing feedback on options and alternatives. Next, is a public involvement approach designed to allow agencies to work with stakeholders in an effort to ensure their concerns are considered. Finally, there is collaboration and empowerment where partnerships are promoted and the approach is based on empowerment.

It is worth noting that for most organizations, full empowerment is often limited by legislation and the inability to transfer decision-making directly to stakeholders.

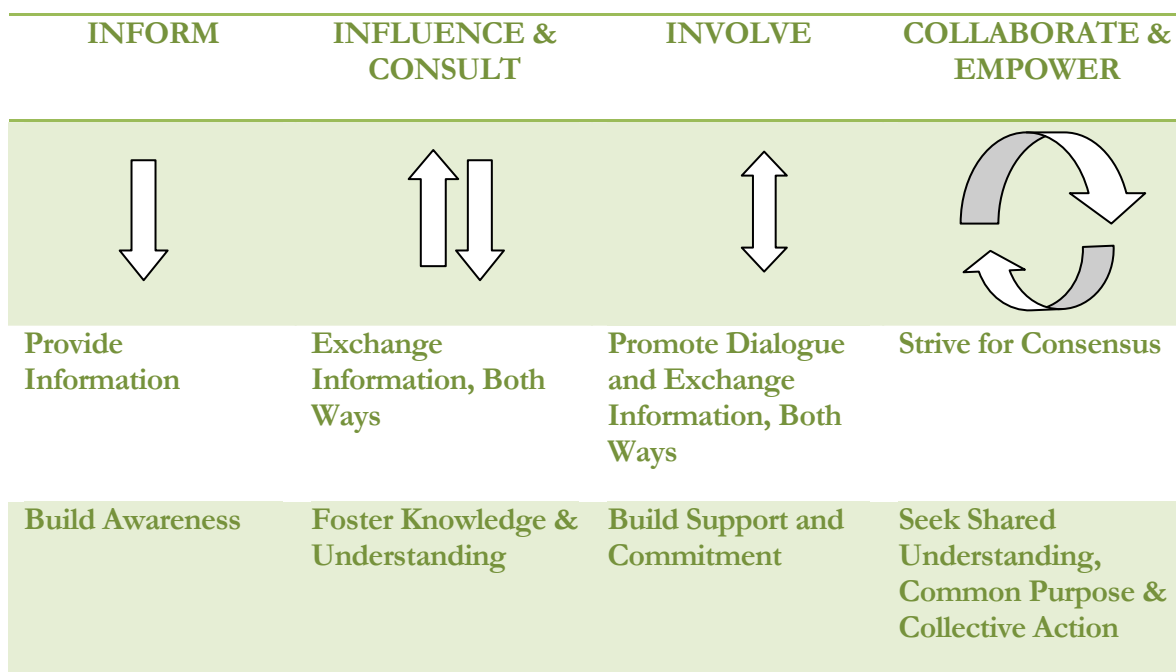


FIGURE 1. Public involvement spectrum.

Traditionally, stakeholders have been viewed as groups or individuals who may affect, or may be affected by, another group's or individual's purpose or actions. This concept derives from an organizational view that is by some accounts, 'org centric.' As illustrated in Figure 2, org-centric models are founded on a spoke and hub model with the prevailing view that the organization is at the hub of all relationships. Emphasis is on short-term results and on securing input, usually on an issue specific basis. Relationships are viewed as transactional in nature

and there is no long-term investment or shared decision-making. In org-centric models, stakeholder relationships are simply ‘managed.’

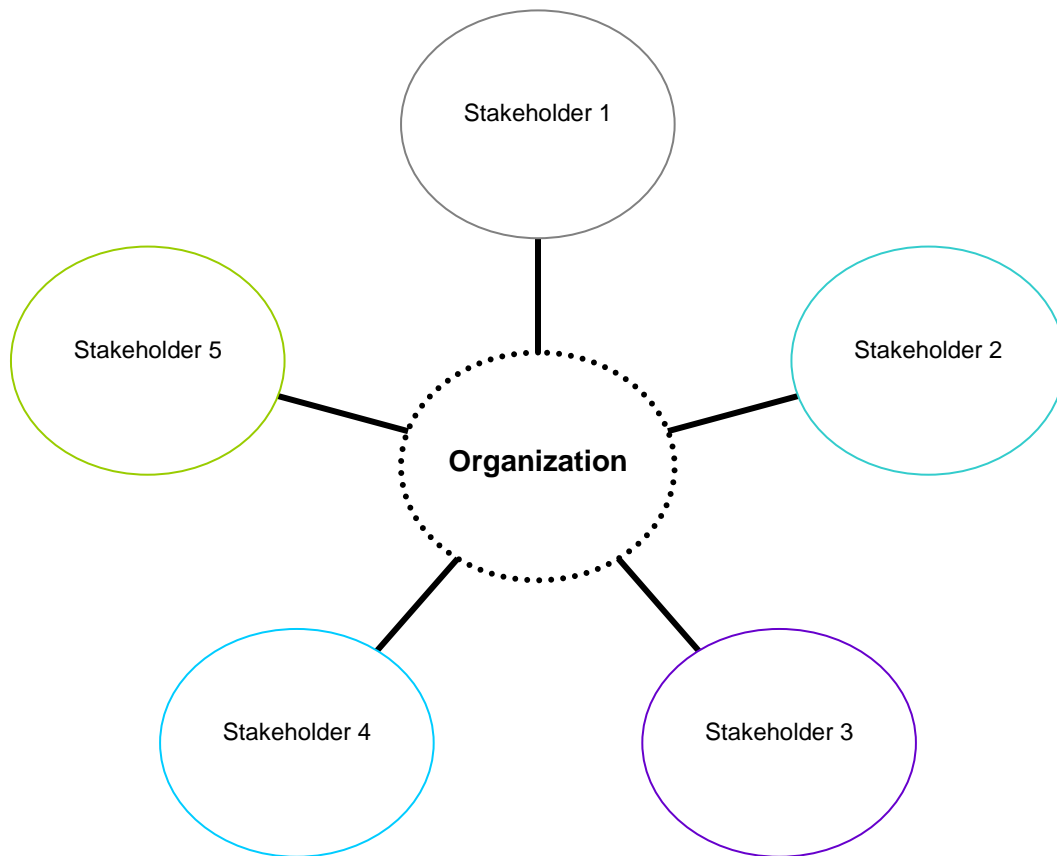


FIGURE 2. Spoke and hub model.

Traditional approaches to managing stakeholder relationships, such as the hub and spoke model depicted above, are based on two key assumptions:

1. That organizations are essentially closed systems with finite boundaries; and
2. Organizations are not impacted by their surroundings and have the ability to operate independently.

With the introduction and application of system thinking, there is a notable shift from stakeholder management to stakeholder engagement. A systems approach is different – it promotes the whole, not the sum of the parts. It promotes interdependence and collaboration, not independence. It encourages diversity and focuses on mutual benefit and long term gain. An engagement approach recognizes that organizations are open systems that grow and evolve in

response to their interaction with the environment around them and that they are dependent on the health of their external environment to survive. System centric models appear like an inter-connected group of relationships as illustrated in Figure 3.

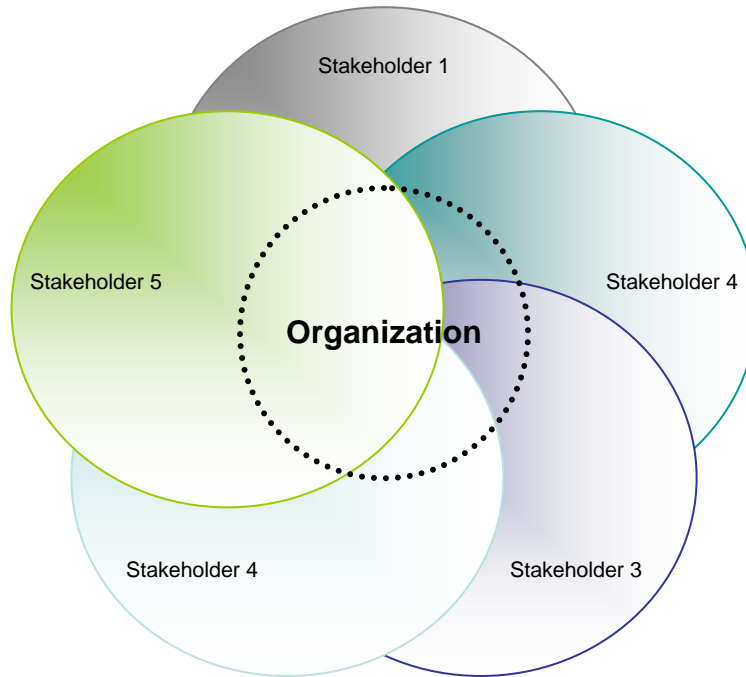


FIGURE 3. System centric model.

Credit Valley Conservation recognizes that long-term success depends on the positive relationships cultivated with stakeholders.

3.2 The Process of Engaging Stakeholders: A Collaborative Model

Historically, CVC has undertaken public consultation which included preparing plans and policies and presenting these to partners and stakeholders for comment. As previously identified, this traditional approach does not optimize the benefit of knowledge and experiences of others, in particular as it relates to collaboration and collective actions. In this respect, the traditional approach influences stakeholders to respond to a document that may appear to be a 'done deal', promoting reactive positioning.

For these reasons, CVC elected to adopt an improved stakeholder engagement approach to developing the framework for the policy document. This model is founded on the principles of partnership and collaboration, as such, the interests of all parties are brought into alignment. Credit Valley Conservation has a long,

strong history of fostering partnerships and collaboration with partners and stakeholders, valuing their input and insight. It is recognized that while CVC has an important role to play in managing and protecting the watershed, a healthy watershed is dependent on having the interest of all aligned. As a result, CVC has embraced a co-creative model of stakeholder engagement that brought partners and stakeholders to the table at the start of the process.

Following this model, CVC took the opportunity to embark on a different path for policy development and to engage in a different way of doing business. For the first time, CVC moved away from stakeholder management and toward stakeholder engagement. Instead of focusing on a traditional organization-centric model of consultation (whereby the CVC would prepare a Draft document for consultation with its stakeholders; share the draft and request comments back from partners and stakeholders), CVC embarked on a co-creative model of stakeholder engagement.

Co-creative models of engagement produce networks of stakeholders – they bring constituents into the process at the outset and they promote collaboration, innovation and learning. They allow stakeholders to participate effectively, to share their views and insights and to learn from others. They promote partnership and encourage dialogue and discussion that in the long run, establishes a foundation for moving forward together.

3.3 Stakeholder Mapping & Creation of the Advisory Panel

In updating the Watershed Planning and Regulation Policies, CVC undertook a completely different approach to engage partners and stakeholders at the outset. First, the decision was made that a collaborative planning model was needed. Next, a list of critical stakeholders was identified. These stakeholders were identified using *Stakeholder Mapping* – a technique that allows critical partners and stakeholders to be visually depicted in map form on the basis of their affiliation in one of three sphere: government, industry and civil society. Next, the linkages between selected stakeholders was identified. Invitations were sent to those on the list and these formed the basis for a Stakeholder Advisory Panel that continued to meet during the initial stages of the process.

The Advisory Panel consisted of a diverse group of stakeholders, including one member of the CVC Board of Directors. This included representatives from the municipalities within CVC's jurisdiction, government agencies, non-governmental organizations, the development industry, special interest groups, CVC's board of directors and other interested stakeholders. The panel members were asked to provide advice and guidance to CVC staff and to work in collaboration with the CVC to define the governing fundamentals, key principles and to agree on the policy themes and components. The approach required an investment of time at the outset – both for CVC staff and for those who gave their time to attend the

Advisory Panel meetings. The exchange however, was well worth the time invested and the policy document that has emerged reflects the interests of all who participated in the process.

The mandate of the Advisory Panel in updating CVC's watershed planning and regulation policies was to work in collaboration with CVC staff to develop an updated policy platform that articulates current planning philosophy, science and approach. The updated policy framework was to be consistent with established provincial policy, legislation, regulations and guidelines and would:

- Provide clear direction to CVC staff responsible for plan input, plan review and administering Ontario Regulation 160/06; and
- Provide clear direction to applicants and/or their representatives who are seeking approval for applications submitted under the Planning Act, related legislation and Ontario Regulation 160/06.

The Advisory Panel was to identify opportunities to enhance the existing policies to better reflect current practice. The 2 main goals of the Advisory Panel were as follows:

1. To establish a positive relationship and to open the lines of communication between CVC staff and a broad spectrum of stakeholders throughout CVC's jurisdiction; and
2. to engage stakeholders in the policy update process with a view to securing support for the proposed goals, objectives and principles, as well as the general policy framework and final policy document.

The Advisory Panel was structured to promote and encourage participation following the stakeholder engagement process described earlier. In this respect, the panel served several key purposes:

1. To provide an opportunity for CVC staff to explain the legislative basis and rationale for the existing policies and policy framework;
2. To ensure that stakeholders have the opportunity to identify and discuss gaps and deficiencies in the existing policies and policy framework;
3. To provide a forum whereby municipal and agency partners, special interest groups, the development industry and other stakeholders better understand the policy and policy framework changes needed to better align CVC's planning and regulatory programs with updated or new legislation and initiatives;

4. To inform municipal staff, development interests, landowners and other stakeholders regarding the new policy approach; and
5. To promote a collaborative approach between CVC and watershed stakeholders, offering a valid forum for stakeholder engagement and input.

By aligning the interests of stakeholders at the outset, it was felt that the emerging policy framework would be better understood and more broadly supported. In addition, it was recognized that while all participants brought strength to the table, the value of a collaborative approach allowed CVC and stakeholders to further broaden their perspective and share information. In addition, it was felt that by engaging stakeholders at the outset, a community of practice would be established that could continue as the policies move forward to implementation.

Critical Learnings from the Advisory Panel - How Input from the Advisory Panel Was Used To Develop the Watershed Planning and Regulation Policies

The Advisory Panel focused on providing input to CVC on a number of fundamental principles and watershed objectives defined early in the process. The input secured from the Advisory Panel provided a critical foundation for CVC to advance the watershed planning and regulation policy framework.

Members of the Advisory Panel produced a robust set of success measures. In particular, they noted the need for:

- Clearly articulated policies that are aligned with the Province;
- Policies that are supportive and complimentary;
- A collaborative approach from the outset;
- A flexible policy base that reflects economic, social and environmental interests;
- A more effective and better planning process emerges;
- There is an understanding of the linkages to Provincial policy;
- The policies promote a balance between the environment and development;
- That Provincial policy commitments and obligations are met;
- That a comprehensive policy framework emerges that meets CVC's mandate;
- That we focus on the 4 R's: Role, Responsibilities, Responsiveness and Results;
- The policies align with the goals and objectives;
- The rules are clear;
- That the consolidated policy framework is adopted and implemented;
- That the policies are applied holistically (no piecemeal application);
- There is clarity regarding regulatory responsibilities;

- The policies provide an adequate balance between uses and users;
- The policies are robust – adaptive and inclusive; and
- That the policies are implementable.

In considering the policy framework, Advisory Panel members made a number of important suggestions including the following:

- Policies need to reflect the core mandate of the CVC;
- Policies need to be based on sound science;
- Policies need to be applied consistently and need to offer certainty;
- Terminology needs to be defined;
- Policies need to be simple, straight forward, well defined and easily understood;
- Policies need to address opportunities for net gain, cumulative impacts, precautionary approach, and the principles of adaptive management apply;
- The policies need to feed into a simplified process for application review, where the rules are well understood, the process is predictable and the rules are understood by all; and
- The policies need to provide a firm foundation for a review process that is streamlined and where timelines offer a degree of certainty to proponents.

The updated Watershed Planning and Regulation Policies were developed around a framework of guiding principles developed by the members of the Advisory Panel. These include the following:

1. The Watershed Belongs To Everyone

Recognize that the responsibility for the health of the watershed is shared by everyone. Successful watershed management within the Credit River watershed can only be achieved through active and sustained partnerships with all levels of government, agencies, groups and individuals.

2. Put The Needs of the Watershed First

Protect, enhance and restore natural systems as a priority within the urban environment and throughout the watershed. Promote a healthy, safe, sustainable and protected watershed.

3. Promote Balance & Healthy Sustainable Communities

Recognize that healthy communities require a sustainable balance between natural, economic, social and human uses in the watershed.

4. Focus On the Long Term

Apply a long-term approach to ensure a sustainable and environmentally healthy river for current and future generations.

Promote ecologically sustainable lifestyles and behaviours through sustainable urban design approaches.

5. Make Decisions Based on Sound Science – Be Reasonable and Practical

Pursue reasonable, practical approaches to water and natural resource management based on sound science, creativity and innovation for effective solutions.

In taking these suggestions forward, CVC ensured these ‘critical learnings’ were reflected in the updated Watershed Planning and Regulation Policies document framework. It became apparent that the Advisory Panel’s proposed governing principles were consistent with the existing vision, goals, objectives and principles articulated through CVC’s strategic plan. Therefore, the policy document adopted the goals, associated objectives and principles from the strategic plan, reflecting the input from the Advisory Panel. There were five main goals adopted which were grouped on the basis of topic area including:

1. Water Quantity;
2. Water Quality;
3. Terrestrial and Aquatic Species, Communities and Ecosystems;
4. Natural Hazards; and
5. Social & Economics.

Combined with the associated objectives and principles, these goals adopted from CVC’s strategic plan included provisions consistent with the Advisory Panel’s proposed framework, including addressing cumulative impacts, adaptive management, opportunities for net gain and the precautionary approach. Members of the Advisory Panel also provided input concerning the key policy components to form the foundation for the updated policies. A number of suggestions were made including categorizing policies into general areas of interest including:

- Integrated Watershed planning;
- Surface Water Quality & Quantity;
- Natural Hazards and Public Safety;
- Natural Heritage;
- Infrastructure Planning; and
- Resource Use and Management.

It was agreed upon that the proposed policy framework could be categorized into 4 general policy components for the purposes of the discussions:

1. Integrated Watershed Planning;
2. Sustainable Development;
3. Resource Management; and
4. Public Health and Safety.

Using this framework as a guide, the environmental planning areas of interest incorporated into Chapter 5 of the Watershed Planning and Regulation Policies document were developed. That included the following:

1. Watershed Planning;
2. Sustainable Water Management and Infrastructure Planning;
3. Natural Heritage; and
4. Natural Hazards.

In addition to the policy components suggested by the Advisory Panel, policy strategies were developed based on a set of targets and general policy statements for each component. The purpose of developing these strategies was to provide guidance from the Advisory Panel to further inform the development of the policy document. In particular, the policy strategies were used as the basis in developing the policy objectives and guiding policies outlined in Chapter 5 of the policy document, and the general policies contained in Chapters 6 and 7.

In addition, the policy strategies formed the basis for the general approach and structure of the policy document including: outlining CVC's mandate, role and responsibilities (Chapter 2); providing a clear framework for CVC's plan review,

plan input, plan review and regulatory programs (Chapter 3); clearly establishing a framework for CVC's approach to watershed planning (Chapter 4); building a policy framework based on healthy, sustainable, protected and safe watersheds (Chapter 5); and consistent implementation policies based on the established policy framework and standards (Chapters 6 and 7).

5.0 Summary

The process of developing the updated policy framework represented a marked departure from traditional planning approaches that have been used in the past by CVC. By engaging watershed stakeholders at the outset, CVC worked to ensure the governing principles, policy objectives, guiding policies, general policies and specific policies in the Watershed Planning and Regulation Policies document were supported by CVC and stakeholders.

The policy framework contained in the accompanying Watershed Planning and Regulation Policies document reflects the mandated responsibilities of the CVC and supports the interests of CVC's partners and stakeholders. Having a common point of reference will allow the focus to be shifted to collectively and more effectively protecting and managing natural hazards and natural heritage, including their hydrologic and ecological functions vital for watershed sustainability.

This model of collaborative planning will continue to be used by CVC, and it is hoped that other organizations will adopt a similar model during the development of these types of initiatives. However, it is important to highlight the process does not end here – rather, this marks a beginning in the development of a new business relationship between CVC, partners and stakeholders. The development of the updated Watershed Planning and Regulation Policies and the process initiated to prepare the updated framework is a reflection of the importance CVC places on collaboration and partnership. By working together, we can all be champions who are united in their efforts, individually and collectively, to better the Credit River watershed.