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**From:** T Vulcano [skywindtv@yahoo.ca]  
**Sent:** Wednesday, July 1, 2009 12:43 PM  
**To:** Commission Secretary BCUC:EX  
**Subject:** Re: Section 5 Transmission Inquiry - Procedural Conference  
**Attachments:** Meaningful Participation July 2009.doc

Daniela Guest  
Administrative Clerk  
on behalf of:  
Ms. Erica M. Hamilton  
Commission Secretary  
British Columbia Utilities Commission  
Sixth Floor, 900 Howe Street  
Box 250  
Vancouver, BC V6Z 2N3

Dear Ms. Guest:

Thank you for notification of the Procedural Conference matter regarding Duty to Consult. Attached is my submission on "Meaningful Consultation" to assist in the deliberations.

In regards to the matter of fulfilling obligations by June 2010 I am of the opinion to do proper/meaningful consultation would take several years. Thus the commission may be faced with doing it right or doing it quickly (in the one year time frame). Doing it right will pay dividends in the future for both long term transmission line considerations and other projects in British Columbia. My suggestion, if my ascertainment, that more time is needed, is correct, that the Commission communicate with the Provincial Government of the need to do and benefit from proper consultation and have the timeline extended.

Thank you for the opportunity to comment.

Yours truly,

Terry Vulcano

--- On **Tue, 6/30/09, Commission Secretary BCUC:EX** <[Commission.Secretary@bcuc.com](mailto:Commission.Secretary@bcuc.com)> wrote:

From: Commission Secretary BCUC:EX <[Commission.Secretary@bcuc.com](mailto:Commission.Secretary@bcuc.com)>  
Subject: Section 5 Transmission Inquiry - Procedural Conference  
To: kris.aksomitis@aeso.ca, wjandrews@shaw.ca, wjandrews@shaw.ca, wjandrews@shaw.ca, daustin@securitieslaw.bc.ca, "Banovic, Bernie FOR:IN" <[fortech@telus.net](mailto:fortech@telus.net)>, a\_barnett@ducks.ca, ludob@horizontec.com, chris\_best@transcanada.com, ebeswick@hardcreek.com, WGB@cwilson.com, bjoe@syntaris.com, dan.brown@encana.com, buchanan@smartt.com, cynthia.burton@shaw.ca, ChrisCampbell@telus.net, project@oreg.ca, rcarle@newwestcity.ca, paul.chernikhowsky@fortisbc.com, pcochrane@willisenergy.com, mcrawford@civicnet.bc.ca, Rod.Crockford@encana.com, Carlo.DalMonte@catalystpaper.com, ggover@saulteau.com,

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Received: Tuesday, June 30, 2009, 5:29 PM

<<Section 5 - Transmission Inquiry- A-16.pdf>>

Please see attached correspondence (Exhibit A-16) with respect to the above-noted matter.

Original will not follow.

A hard copy of the attached is available upon request.

Please call the BCUC Information Services Group at 604-660-4700 to request a copy.

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Daniela Guest  
Administrative Clerk  
**Sent on behalf of:**  
Ms. Erica M. Hamilton  
Commission Secretary

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## MEANINGFUL PARTICIPATION

### Purpose:

- To give an overview of types of participation
- How consultation may be more meaningful and
- Perhaps lead to an acceptable definition of meaningful consultation

### Types of Participation

Sherry Arnstein (1969) set out eight levels of participation based on research and studies of experiences in the USA.

#### 1) **Manipulation**

- This approach is a public relations exercise where officials try to persuade and advise citizens. People are placed on advisory committees to engineer their support.
- Such committees are used, by proponents, to show that people are involved.

#### 2) **Therapy**

- Citizens are engaged in extensive activity, but the focus is on reversing any opposition.
- It is a masquerade of involving citizens in planning where experts subject citizens to clinical group therapy.
- Participants are diverted from dealing with important matters.

#### 3) **Informing**

- Emphasis is placed on a one-way flow of information.
- One-way communication includes the news media, posters and pamphlets.
- Meetings that provide superficial information or giving irrelevant answers are also one-way communications.
- Participants have little influence on projects.

#### 4) **Consultation**

- Methods used for consulting include: surveys, community meetings and public hearings. Participation is measured by how many come to meetings, take brochures or answer a questionnaire.
- Participation is merely window-dressing. There are no assurance concerns and ideas will be taken into account.
- Participants are pleased until they realize their concerns are not being addressed.

#### 5) **Placation**

- Time is spent fashioning boards, committees or task forces without defining rights and responsibilities.
- Participants give input but do not have control because they can be outvoted. They have a peripheral role.
- Time allowed and the independent technical resources available are not adequate.

- It impossible to have significant impact. Citizens realize they have "participated" without benefitting.

**6) Partnership**

- Angry citizen demands, rather than proponent initiative, lead to negotiated power sharing.
- Power is distributed through negotiation between persons affected and proponents. Planning and decision-making are shared with mechanisms for resolving impasses. There is potential to initiate plans. Differences of opinion are addressed.
- Partnership work when citizen leaders are accountable with finances to pay honouraria. Citizens have influence over outcomes when there are resources to hire consultants, lawyers and community organizers.

**7) Delegated Power**

- Negotiations can result in citizens achieving decision-making authority over plans or programs. Proponents start the bargaining process rather than respond to pressure.
- Another model has provision for citizen veto if differences cannot be resolved.

**8) Citizen Control**

- Community controlled projects have residents govern a project and are in charge of policy and managerial aspects.
- Such programs have been financed through research funds. This depends on the willingness of authorities to allocate resources to local participants.

**Meaningful Participation**

Genuine levels of participation assures efforts are relevant and projects are responsive to people's input.

**Workshop Facilitation**

- In 1998 a group of First Nation participants, sawmill representatives and archaeology consultants met to define "meaningful consultation".
- They agreed that consultation was meaningful when input given made a difference to a proposal or project.
- This working group did not state to what degree the modification should be.

**First Nation Perspective**

- At the April 27, 2009 BCUC Procedural Conference Aboriginal participants sought more than being told what was going to happen and having their comments and concerns noted.

**They were looking for:**

- shared decision making
- shared management and
- shared revenue.

## **Concerns**

- Although proponents invite the public to identify issues, concerns and benefits and provide feedback there is not an obligation to respond or modify projects based on input so received.
- When soliciting input, if there is no effort to modify a proposal from the feedback then it is not meaningful. Terms of Reference may bias assessments by deciding in advance what is significant.
- Assessing and documenting current and/or traditional use of land and terrestrial and marine resources by Aboriginal persons is not the same as paying heed to what they find.

## **Other**

- Proponents may advise of results of consultation. Summaries of information and ongoing meetings does not signify meaningful participation for those involved.
- There is a need to define appropriate, effective and meaningful.

## **Summary**

- Consultation is not meaningful when it only provides information and takes comments without responding significantly to the feedback.
- Different approaches might be taken to make participation meaningful. First Nation participants have indicated what they think is meaningful.
- Arstein's levels of participation provides a framework for defining meaningful.
- Addressing the issue of meaningful consultation will help assure that efforts are not wasted and valuable input may be utilized for the benefit of participants affected by developments.
- Participants would like their input to be useful and meaningful.
- For First Nations, consultation that is not meaningful is not valid.