THE POLITICAL ECONOMY OF WILDERNESS DESIGNATION IN NOVA SCOTIA

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Abstract: This paper traces the various policy stimuli shaping the development of the Nova Scotia Wilderness Areas Protection Act (December, 1998). It does so by examining international, national, provincial, and local influences on wilderness designation, legislative structure, and implementation issues that influenced, or are likely to influence, wilderness area management. By combining content analysis of theoretical literature, governmental and legislative documents, transcripts of key-actor semi-structured interviews including provincial politicians, government officers, and a first nations' leader, as well as input from wilderness policy experts and mass media analysis; this study identified a number of key issues likely to daunt the most avid supporter of wilderness preservation in Nova Scotia. Close examination of the Wilderness Act's composition and giving specific attention to the Jim Cambells Barrens Wilderness, the Polletts Cove/Aspy Fault, and the Cloud Lake Wilderness Areas, this analysis suggests that wilderness managers have very difficult challenges ahead in maintaining ecological integrity while allowing for a broad range of recreational and other non-conforming uses.

Background

Little more than a decade ago, large-scale designation of wilderness areas in Nova Scotia seemed not much more than a pipedream for a few dedicated park managers and idealistic environmentalists. Today, thirty-one new wilderness areas encompassing 291,000 hectares (Figure 1) stand alongside the protected areas of Nova Scotia's two national parks: Kejimikujik and Cape Breton Highlands, and the sizeable hectarage of Louisbourg Historic National Park to form, at least on paper, an impressive assemblage of lands that increases Nova Scotia's protected areas by 300%.

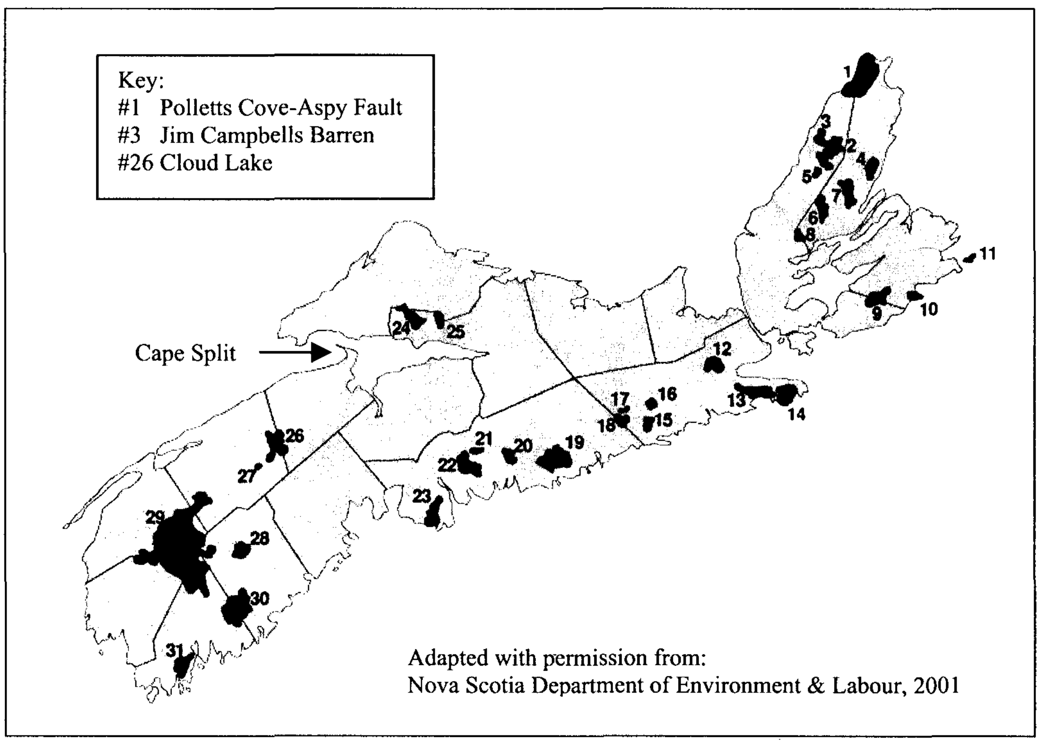

Figure 1. Map to Show Location of Nova Scotia's Designated Wilderness Areas

The purpose of the Nova Scotia Wilderness Areas Protection Act (NSWAPA) is to: "provide for the establishment, management, protection, and use of wilderness areas, in perpetuity, for present and future generations" (1998). In particular, as stated in Section 2, the Act is designed to:

(a) maintain and restore the integrity of natural processes and biodiversity;
(b) protect representative examples of natural landscapes and ecosystems;
(c) protect outstanding, unique, rare and vulnerable natural features and phenomena,

and deliver the following secondary objectives:

(d) provide reference points for determining the effects of human activity on the natural environment;
(e) protect and provide opportunities for scientific research, environmental education and wilderness recreation; and
(f) promote public consultation and community stewardship in the establishment and management of wilderness areas, while providing opportunities for public access for sport fishing and traditional patterns of hunting and trapping.

While this paper broadly examines the influences on the political economy in Nova Scotia that led to the enactment of the NSWAPA, it also assesses the Act's potential to protect the wilderness integrity by paying special attention to three designated wilderness areas: the Jim Cambells Barrens Wilderness, the Pollets Cove-Aspy Fault Wilderness, and the Cloud Lake Wilderness.

Methodology

This study combines document analysis with over thirty in-depth semi-structured interviews of key policy actors, visitations by some key actors to the Acadia University campus, and four phases of fieldwork: two in the Northern Cape Breton Region, one focused in Halifax (the provincial capital), and the other in the Cloud Lake Wilderness area. The Cape Breton phases were conducted in the summers of 1997 and 1999. The Cape Breton fieldwork included interviews with senior personnel from the Cape Breton Highlands National Park, municipal politicians and personnel, both volunteers and administrative personnel in local and regional economic development corporations, various special interest groups supporting and opposing wilderness designation, and provincial wilderness planning specialists. The Halifax phase trained senior undergraduate recreation management students to interview ten key actors concerned with legislative enactment of Bill 24 in December 1998. Politicians representing both the government and opposition parties were interviewed, so to were provincial officers, non-government organisational (NGO) personnel, and a member of the Mi'kmaq First Nations. Both face-to-face and telephone interviews were used at the convenience of the respondents. The fourth phase included a detailed analysis of Cloud Lake's natural resources inventory focusing on potential recreation impact and was completed during the September 1999 to June 2000 period. This phase also included phone consultations with provincial protected area planners and field observation by canoe.

Political-Economic Influences

While it is difficult to pinpoint the exact impact of any one or particular combinations of political economic pressures on wilderness designation in Nova Scotia, it is clear that a number of international, national, provincial and local influences converged to shape policymaking. At the international level a series of conventions bolstered the confidence of backroom park planners and civic boosters, and increasingly sensitised politicians and the electorate to the importance of protected areas as a key sustainable development initiative. In Bali, Indonesia in October 1982, for example, the International Union for the Conservation of Nature and Natural Resources' convention, called the World Congress on National Parks and Protected Areas, resulted in guidelines for establishing a comprehensive network of protected areas. The National Wilderness Research Conference in Colorado in 1986 outlined objectives for maintaining wilderness protection and emphasized the need for, and urgency of protecting wilderness areas all over the world. In 1987, an initiative entitled "Our Common Future" by the World Commission on Environment and Development committed to "save species and their ecosystems"; while the Rio Earth Summit in 1992, which included the Convention on Biological Diversity under the United Nations Environment Program, also promoted the importance of protected areas (DNR, 1995a). Besides the United Nations, importantly, many other international bodies held various conventions and conferences to lobby for the conservation of wilderness areas. Together they created awareness and spurred political, bureaucratic, and civic activity within Canada.

The National Task Force on the Environment and Economy in Canada for instance, was created shortly after the World Commission on the Environment and Development (the Brundtland Commission) reported in 1987. This taskforce called upon each provincial and the federal government to create Round Tables on the Environment and the Economy. Frequently, it was in these forums that influential politicians, business people, bureaucrats and civic leaders were exposed to the value of protected areas as a key component of a sustainable society. Critical to broadly sensitising the Canadian public to the importance of habitat protection in saving endangered species was the Endangered Spaces Campaign jointly sponsored by the World Wildlife Fund (WWF) Canada and the Canadian Parks and Wilderness Society (CPAWS). This ten year long campaign was launched in September 1989. This campaign not only enlightened Canadians about species-at-risk but also drew attention to the insidious impact of urban expansion, pollution, agriculture, and industry on the environment in general, to habitat, and to saving endangered species. Interestingly this campaign exploited the rule of thumb made popular in the Bruntland

Commission report that 12% of the Canada's area was a reasonable target for protection. Despite the lack of definitive evidence that any particular level was essential for sustainable development, the Canadian Government's "Green Plan" launched in 1990 also set the long-term preservation goal of 12%. This initiative was followed in 1991 by 'A Protected Areas Vision for Canada' established by the Canadian Environmental Advisory Council. This idea sharpened Canadians' resolve for sustainable development and focused on the need to protect "representative and unique natural areas, wilderness areas and wildlife habitats". In 1992, the Canadian Council of Forest Ministers announced their commitment to preserving the representative forest communities. Later, in 1996, the Canadian government further embraced safeguarding biodiversity by examining ecosystem conservation in the 'Caring for Home Place: Protected Areas and Landscape Ecology' conference. The philosophical core of Nova Scotia's protected area strategy largely reflected the various ideas discussed in these forums (Lynds & Leduc, 1995).

As it turned out, a key influence in changing the thinking of both the citizens and the politicians of Nova Scotia was the Endangered Spaces Campaign. Colin Stewart, working for and representing the Nova Scotia chapters of both the WWF and CPAWS steadfastly lobbied the provincial government and commercial land and natural resource managers over most of the nineteen nineties to persuade and occasionally cajole key decision-makers and policy influencers regarding the efficacy of protected areas legislation. The expiry of this ten-year campaign became a self-imposed deadline for wilderness advocates to realise legislative enactment. While identification of wilderness areas was to a large extent scientific and systematic (DNR, 1995b), political and economic influences substantially shaped designation. Landscape regions were first identified using largely national criteria then increasingly more detailed categorisation was employed to identify areas worthy of inclusion in a comprehensive protected areas system (Lynds & Leduc, 1995). The initial goal was to protect a representative area in each basic biogeographic landscape category. Early on in the designation process it was decided to include only lands under provincial tenure (DNR, 1997). While clearly an astute political move that avoided potential conflict with private and commercial land managers, this decision also eliminated seventy percent of the province from consideration. Initially park managers identified over a hundred potential wilderness sites on provincial Crown lands that met the criteria for protection, however, large numbers were subsequently purged, many were reduced, and a few enlarged in internal bargaining within the Nova Scotia Department of Natural Resources and other government departments, and externally with commercial forestry and mining concerns that controlled provincial forest management licenses and mining claims. In the early years of the nineties decade, when most of this filtering process took place, parks managers were yet to gain the political momentum that would later allow them greater persuasive power among their mining, forestry and development contemporaries. This bargaining process saw the original list of candidate areas wilt to thirty-one. As the nineties decade matured so the political economic equilibrium shifted; the multinational forestry companies found themselves under considerable market pressure to adopt environmentally friendly forest management practices. Operating from a region perceived internationally as environmentally progressive was increasingly seen as a positive image-maker and important marketing tool by these multinationals. During this period endemic opposition to preservation within the resource exploitation industries softened, and subsequently, with great fanfare, the province felt politically secure enough to announce in 1995 their intention to enact protected areas legislation (DNR, 1995a). This was accomplished with the overt support of the Nova Scotia Resource Council, the mining industry's lobby group. Marketing pressures from abroad then, made protected areas legislation palatable to the resource industries, and this in turn made the political process more acceptable for provincial politicians.

It is interesting to note how these dynamics played out at the local level as local concerns sometimes supported legislative enactment, some seemed indifferent, and others appeared to act relentlessly to derail the legislative process. The designation of the Jim Campbells Barrens was particularly noteworthy and quite volatile. The Jim Campbells Barrens sits adjacent and south of the Cape Breton Highlands National Park (CBHNP). As part of the legislative planning process all of the designate areas were afforded interim protection from new resource extraction initiatives. Nevertheless, the government made explicit their intent to honour existing mineral claims, although the long-term viability of these claims seemed vulnerable to resource companies in the ensuing legislative gestation process. The proposed wilderness designation in the Jim Campbells Barren philosophically split the local community apart. Those supporting the mining claim within the proposed protected area boundary pushed to have the area de-listed. In December 1996, after concerted lobbying from the industry, the Liberal Cabinet did indeed remove this area from the candidate list to allow for unencumbered mineral development. A provincial newspaper columnist captured the moment best when he wrote that: "the cabinet... [in an instance] voted to override four years of planning and public consultation and delete the Jim Campbell Barren as a candidate protected site" (Dobson, 1996). This action not only risked this specific area's ecological integrity, but was viewed by protected area advocates as making the other listed areas vulnerable to interference. Those supporting tourism and salmon fishing for example, as well as environmentalists locally, regionally, provincially, and internationally mobilized to lobby for re-listing. In the middle of considerable political upheaval the government backtracked and re-listed this area in time for legislative enactment.

Not far away and adjacent to the northern boundary of CBHNP, the Pollets Cove-Aspy Fault proposed wilderness area also became a focal point of local concern. Civic action included substantial vandalism in Cape Breton Highlands National Park, formation of local and regional support and opposition groups, and damage to provincial civil servants' vehicles as well as various other threats. Some locals argued that they were already essentially "parklocked" (Bissix et al., 1998) by the Cape Breton Highlands National Park and further wilderness designation in their region would simply exacerbated the problem of further restricting access to natural resource utilization. Anxiety by some that the proposed wilderness act was the provincial government's hidden agenda to designate more national parks or increase the size of already established national parks—further restricting resource utilization (Bissix et al., 1998)—raised local frustration and perhaps gave rise to the vandalism. Significantly from a policy development perspective, such concerns drove the legislature to include a provision that no designated wilderness area could later be reclassified as a national park.

In stark contrast to the political turmoil of northern Cape Breton, the Cloud Lake Wilderness Area, which straddles the counties of Kings and Annapolis in western Nova Scotia, generated little public concern. The public review process (DNR, 1995c) received no specific comments regarding Cloud Lake although several respondents called for the inclusion of nearby Cape Split in Kings County--a privately owned and wild land protrusion into the Bay of Fundy. Despite the lack of overt concern among the locals, the Cloud Lake area nevertheless draws attention to other apprehension about the Wilderness Act. This particular wilderness area especially emphasizes the need for adequate funding for restorative ecological management. Some parts of this area have been significantly degraded, having been used for many years as the venue for an air force cadet camp. It includes rather extensive and aesthetically unpleasing parking lots, camp areas, and a communications tower, and has backcountry approach roads that seriously threat typical notions of wilderness. Continued intensive use as a cadet training area and relatively easy access by motor vehicle will no doubt put this area's wilderness values at further risk. It is important therefore, that each wilderness area management plan be carefully crafted to maintain and enhance wilderness values. To ensure this happens, there is a need for the provincial government to appropriate sufficient funds to ensure that all thirty-one wilderness areas move beyond mere paper designation to incorporate a legitimate management process that boosts wilderness preservation and restoration. This, as discussed later, will be problematic under the provisions of this act.

Despite the vagaries of each local political economy surrounding each designate wilderness area, it was unlikely that the language of the wilderness act would have finished up so convoluted without an unusual political circumstance. The Nova Scotia general election of March 24, 1998 produced a legislature with 19 Liberals, 19 New Democrats and 14 Progressive Conservatives. Until that election, this provincial legislature--which was the first overseas jurisdiction in the former British Empire to gain responsible government in 1848--had no experience with a minority government although, according to Hyson (1998), the strong two party tradition had been punctuated a few times with a very slim majority. This meant that very different legislative processes were worked out on the run, and the bill to enact the Wilderness Act was in effect a political science laboratory. The Liberals were awarded the government status by virtue that they had formed the previous government; as a result the New Democrats became the official opposition. By the time this bill had run its course through the legislature the New Democrats had reduced its complement to 18 by expelling a member from caucus who then sat as an independent. While the Progressive Conservatives were the third party of the legislature, they had a substantial voting block and had to be reckoned with if any amendment was to survive, or if the Act itself was to stay alive. Although Hyson (1998) concluded that this minority situation might lead to a rebirth of interest in the art of responsible government, the reality for wilderness advocates was that no piece of legislation could pass through the legislature without any two of the parties' support. Each of the members of the legislature was aware that this session of the legislature was unlikely to last very long, so no politician or party was willing to upset any faction of the electorate. Consequently, just about any special interest could find a sympathetic ear with at least one of the parties. As a result there was incessant lobbying from numerous quarters to persuade the legislature to include this or that special interest provision.

While the previous Liberal government had carefully overseen the formulation of this legislation and had reluctantly withdrawn it from the order table of the previous legislature for technical revision, they were fully supportive and enthusiastic about its passage this time. Now, however, they had to contend with the special interests of influential resource companies, the time pressure imposed by CPAWS and the WWF, and the growing might of local interest groups--especially those creating political upheaval in the Pollets Cove-Aspy Fault region. Each interest vied for influence over the government directly, and more indirectly by attempting to influence the other two opposition parties. It was theoretically possible for anyone interest to capture the hearts of the two opposition parties, and perhaps add quite unwelcome amendments or worse, defeat the bill outright leaving the province open to the scorn of increasingly more influential environmental groups nationally and internationally. Consequently the Act, as passed in the legislature, was the result of substantial political bargaining and compromise. In the end, with the passage of the Wilderness Act, the government could boast its legislative accomplishment in sustainable development. In reality, however, this enactment left a legislative legacy that was likely to stretch the ingenuity of the most gifted resource managers to deliver wilderness values in its thirty-one designated areas.

Implementation Challenges and Issues

Perhaps the most challenging aspect of this legislation was its grossly inadequate financial resources. As inferred earlier, there were no special funds appropriated at the time of legislative enactment, although the protected areas staff and its meagre programming resources were subsequently transferred from the Department of Natural Resources (a relatively resource rich department) to the Department of

Environment (a relatively resource poor department). The protected areas division of eight staff (including secretarial staff) will necessarily have to scratch and claw for adequate resources to move beyond 'paper park' (see Shackell & Willison, 1995, p.7) designation to more meaningful wilderness management implementation, especially in a continuing era of government restraint.

There is little for concern in the broad objectives of this legislation; nevertheless the devil is in the details. As a result of the lobbying efforts emanating from the various political-economic concerns of the more vociferous adjacent communities, a number of testing provisions were included in the Wilderness Act. In sub-section (a) for example of Article 39 (1), it states that the Governor in Council may make regulations "respecting the erection, development, operation, maintenance, use or licensing of structures or facilities or the type of construction, location or cost of structures or facilities within a wilderness area". Whereas in sub-section (e), it states that the government may engage in regulating, restricting or prohibiting modes of travel in or through a wilderness area; and in sub-section (f), it states that it may make regulation "respecting any activity undertaken in accordance with a mineral right or other interest held before the coming into force of this Act". While at first glance these provisions seem quite innocuous, they seem to infer restrictive provisions to protect the wilderness resource; they in fact reflect the reality that in some wilderness areas certain developments are likely inevitable. For example, some wilderness areas lock-in private enclaves where motorised access will necessarily have to be maintained. In other areas legal mining claims exist and will conceivably be developed in time, and will have to be serviced with transportation systems, heavy mining machinery and other support facilities. In other areas long-term private cabin leases exist. It is difficult to imagine how these non-conforming uses can be maintained without endangering wilderness values. Given the compromises imbedded in the details of the Wilderness Act such as those above, and those concerning sport fishing, recreational access, and the yet to be defined provision for "traditional patterns of hunting and trapping" (as specified in Section 2), it is difficult to see how the Wilderness Act can act, for example, as a "reference points for determining the effects of human activity on the natural environment" (Section 2 d). This is especially so when heavy recreational use is likely to be condoned and even promoted in the name of tourism. Perhaps more significant than the shortcomings of the explicit provisions of the Act is the blind eye given to present uses such as the Canadian Military's use of the Cloud Lake Wilderness Area. It seems inconceivable that continuance of uses of this sort is compatible with wilderness values.

A particularly interesting provision in the Act is Article 15, which states that:

> (1) The Minister shall complete management plans to guide the protection, management or use of a specific wilderness area, a part of a specific wilderness area or any action or activity undertaken to manage a specific wilderness area.

In addition, this article states that "the Minister shall engage in such public consultation on the management plan as the Minister considers appropriate", and a further sub-section states:

> (4) Before the designation, a socio-economic analysis of the impact of designation of a wilderness area shall be prepared for every wilderness area designated on Crown land after this Act comes into force, the analysis shall be completed and made available to the public before the designation.

It would appear that before a wilderness area is fully ratified under this act, it must pass a test of social and economic viability. How those tests are structured, and whether there is consistency from one wilderness area to another, will be of considerable import to the viability of the Act. As much of the political support for Wilderness Act ratification was contingent upon continued access by off-road vehicle operators, hunters, fishers, and snowmobilers, social acceptance is likely to be acknowledged in some areas only if their particular demands are met. It is clearly inconceivable, however, that the designation of a wilderness area can meet any established measure of economic viability. The economic activity generated from a wilderness area is unlikely to match the possible revenue stream from natural resource exploitation such as forestry or indeed sub-dividing a wilderness into cottage lots. It is clear then that quite different social and economic assessment tools will be necessary to meet this provision if any wilderness areas are to pass this test and be officially designated.

Conclusions

Criticism has often been laid at developing countries, for example India (RLEK, 1997) and Belize (Mather & Chapman, 1995), for the designation of national parks and other protected areas that have provided little concrete conservation at ground level. It seems, however, that wilderness managers in Nova Scotia will have their work cut out to avoid similar criticism. Given the small operating budget and miniscule management and enforcement staff for designated wilderness, and the anticipated compromises to be embedded in wilderness management plans, such areas are likely to remain only 'paper wilderness'.

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