

Governing Across Boundaries: Regional Land Management in the Crown of the Continent

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1. Introduction

Beginning in at least 1991, the Lincoln Institute of Land Policy – a nonpartisan foundation dedicated to improving land use through research, education, and outreach -- realized that the geography of many land-use problems transcends the legal and geographic reach of existing jurisdictions and institutions (public, private, and other).¹ This mismatch between the territory of the problem and the geography of existing institutions leads to two challenges. First, the people affected by such problems have interdependent interests, meaning that none of them have sufficient power or authority to adequately address the problems on their own. And second, given that no single entity has the power or authority to address these types of trans-boundary land-use issues, there is gap in governance, and thus a need to create either formal or informal ways to work across boundaries.

In response to this governance puzzle, the Institute has sponsored a variety of research, education, and outreach activities². The Institute's approach to this puzzle is experimental. It is interested in working with and learning from people involved in regional land-use initiatives to promote livable communities, vibrant economies, and healthy landscapes. The Institute seeks to build and share knowledge on what works, what doesn't, and why.

During the past few years, the Institute has worked on regional land use issues in the metropolitan areas of Minneapolis-St. Paul and Nashville, Tennessee; a number of rural/urban regions, including (1) the Upper Delaware River Basin, which has seen a tremendous influx of people from New York City since September 11, 2001; (2) the fast-growing region between New York and Boston, locally referred to as the Pawcatuck Borderlands; and (3) the "Highlands Region," a 1.5 million acre band of forested ridges and headwater streams that curves west and north of the greater New York City metro area; and finally, the very rural, remote San Luis Valley in south-central Colorado. The Institute has learned many lessons about why and how people think and act regionally in these types of settings. During 2006 and 2007, the Institute decided to turn its attention to how society governs large, mixed-ownership landscapes dominated by

¹ Joseph DiMento and LeRoy Graymer, *Confronting Regional Challenges: Approaches to LULUs, Growth, and Other Vexing Governance Problems* (Lincoln Institute of Land Policy, 1991).

² The Lincoln Institute's portfolio of accomplishments on collaboration and land use dispute resolution now includes two policy reports on regionalism – *Regionalism on Purpose* (2001) and *Ad Hoc Regionalism* (2002) -- as well as two policy reports on land use dispute resolution – *Using Assisted Negotiation to Settle Land Use Disputes: A Guidebook for Public Officials* (1999) and *Mediating Land Use Disputes: Pros and Cons* (2000). It also includes a series of articles in *Land Lines* and several place-based workshops and clinics.

public lands.

After considering several possibilities, the “Crown of the Continent” was selected as the object of this study because it represents one of the most complex jurisdictional arrangements in North America (see Appendix 1: Crown of the Continent). The region is also the site of several promising initiatives that, taken together, have the potential to create a unique and effective model for governing regions that are defined by public and private lands and resources; multiple jurisdictions, missions, and mandates; and tremendous natural and cultural resources.

As the following sections of this article explain, the Crown covers approximately 16,000 square miles of land (about twice the size of Massachusetts), making it one of the largest intact ecosystems in North America. It has the highest non-coastal density of grizzly bears in North America, with plant communities ranging from old-growth cedar-hemlock forest to short-grass prairie. The Crown has a rich and diverse cultural heritage, including First Nations, ranchers, farmers, miners, foresters, hunters, anglers, and other recreationists.

Jurisdictionally, the Crown includes two nations, two provinces, and one state, with nearly 20 government agencies exercising some type of authority and management of the landscape. The Crown is also unique in that it has received more special designations than any similar landscape, including the first International Peace Park, Biosphere Reserve, World Heritage Site, three national parks, five wilderness areas, the Flathead Wild and Scenic River, and six endangered species.

Some of the primary drivers of change in the region include energy development in the Flathead River Basin in British Columbia and Montana; population growth in the Flathead Valley of Montana; recreational management on national forests; and the ongoing tension between energy development and open space conservation along the majestic Rocky Mountain Front³. There are also some emerging opportunities within the region to foster a deeper sense of place, most notably the Crown of the Continent Geotourism MapGuide project co-sponsored by the National Geographic Society and the National Parks Conservation Association⁴.

³ See Joseph Sax and Robert Keiter, “The Realities of Regional Resource Management: Glacier National Park and Its Neighbors Revisited,” *Ecology Law Quarterly* 33 (2006):

⁴ For more information on the National Geographic’s Geotourism MapGuide work, go to www.nationalgeographic.com/travel/sustainable.

2. Methods

Building on the Institute's previous work and a critical review of literature on governance⁵, regional resource management⁶ and ecosystem management in the Crown⁷, *the basic proposition of this project is that regional governance is an iterative process of naming issues, framing options, and taking actions – regardless of authority. In the best case scenario, it also involves learning from results and adapting strategies accordingly*⁸. *According to this definition, governance is more than government. It is much more inclusive, including both formal and informal actors and institutions*⁹.

To test this proposition, and to provide some practical advice to land and resource managers as well as to other people who care about the Crown, we are in the process of completing the following steps.

First, we interviewed at least one representative from each of the 19 agencies that are ostensibly members of the Crown Manager's Partnership (CMP), an informal

⁵ There is growing literature on governance, reflecting in part a diversity of approaches to governance. Some scholars define public sector governance as "regimes of laws, rules, judicial decisions, and administrative practices that constrain, prescribe, and enable the provision of publicly supported goods and services" through associations with agents in the public and private sectors" – see Carolyn J. Hill and Laurence E. Lynn, Jr., "Governance and Public Management, An Introduction," *Journal of Policy Analysis and Management* 23(2004): 3-11; while others focus on the emerging fields of collaborative governance – see Lisa Blomgren Bingham, et al., "The New Governance: Practices and Processes for Stakeholder and Citizen Participation in the Work of Government," *Public Administration Review* 65(2005): 547-558 – and network governance – see Robyn Keast, et al., "Network Structures: Working Differently and Changing Expectations," *Public Administration Review* 64(2004): 363-371. On the growing literature on governing natural resources, see Martin Nie – COMPLETE THESE CITES
⁶ INSERT CITES FROM OUR BIBLIOGRAPHY, BEGINNING WITH KEITER'S BOOK AND YAFFEE'S BOOK; Arlene Kwasniak, *Reconciling Ecosystems and Political Borders: A Legal Map* (Environmental Law Centre, 1998).

⁷ Joseph Sax and Robert Keiter, "Glacier National Park and Its Neighbors: A Study of Federal Interagency Relations," *Ecology Law Quarterly* 14 (1987): 207-264; G. F. Darrow, et al., *The Crown of the Continent Project: A New Approach for Integrated Research, Education, and Interpretation of Ecological and Human Relationships within the Crown of the Continent Ecosystem in Montana, British Columbia, and Alberta* (Glacier National Park, 1990); Dena Pedynowski, "Prospects for Ecosystem Management in the Crown of the Continent Ecosystem, Canada-United States: Survey and Recommendations," *Conservation Biology* 17(2003): 1261-1269; OTHER RELEVANT ARTICLES/BOOKS ON GOVERNING THE CROWN???

⁸ INSERT CITES ON ADAPTIVE MANAGEMENT AND GOVERNANCE

⁹ This rather broad definition of governance allows us – in fact compel us – to examine the role of law, courts, special designations (such as biosphere reserves and international peace parks), local communities, informal place-based partnerships, and individual leaders (like Gloria Flora, Steve Thompson, and Rich Moy) in governing natural resources.

association of land and resource managers from Montana, Alberta, and British Columbia. These interviews focused on the goals, accomplishments, and future direction of the CMP, particularly their interest in improving both internal and external communications. We are also comparing the results of our interviews with similar surveys conducted in 2000/2001¹⁰ and 2003¹¹. The results of these interviews and follow-up conversations will be a *communications plan for CMP* – a strategic plan to facilitate communications within CMP and for CMP to engage other citizens and stakeholders.

Second, we are creating a short profile of selected place-based initiatives within the region. To complement the interviews with formal land and resource managers, this analysis will provide insights on the more informal network of actors and organizations working to sustain communities and landscape within the Crown. These initiatives are focused on particular places within the Crown; generally embrace a vision of sustaining communities and landscapes; and for the most part are catalyzed, convened, and coordinated by citizens and non-government organizations. The profiles were created by reviewing information available on web sites, as well as talking to key people within each initiative. The results of this effort will be (1) *a web site* that reflects the network of stewardship activities within the region – a sort of who is doing what; (2) *a map* showing the geographic relationships among various place-based initiatives; and possibly (3) *a social network map* that attempts to illustrate existing and potential functional relationships among the initiatives.

The third and final piece of this project is to convene a *workshop in the spring of 2007* to clarify who is doing what to promote livable communities, vibrant economies, and a healthy landscape within the region; identify common themes and areas of interest; explore the sense of place or regional identity, and how the region can be appropriately “branded;” and create a network of formal and informal actor to exchange ideas and information, explore opportunities to work together, raise public awareness and understanding, share resources, and minimize duplication. This workshop will be by invitation only, and will include land and resource managers, leaders of place-based initiatives, and representatives of various “communities of interests.” We plan to hear from speakers who have organized private sector business interests in other regions (e.g., the Sierra Nevada Business Council and the Yellowstone Business Partnership); learn more about branding from one or more experts; receive an update on the MapGuide Project; and provide ample opportunities for people to informally network.

¹⁰ See the results of a survey conducted in 2000 and 2001 by Dena Pedynowski, “Prospects for Ecosystem Management in the Crown of the Continent Ecosystem, Canada-United States: Survey and Recommendations,” *Conservation Biology* 17(2003): 1261-1269.

¹¹ See survey conducted in 2003 by The Mistakis Institute.

The results of the workshop will be incorporated into this report.

3. A Profile of the Region

Forthcoming – this section will include a brief description of the biophysical assets of the region; settlement history; and current demographic and economic trends.

As the largest remaining intact ecosystem in North America, the Crown of the Continent is one of the few areas remaining where there is the opportunity to view lynx, grizzly bear, and other rare species in a natural setting and experience wild lands that persist in a pristine state similar to pre-settlement conditions¹². This unique region also contains the headwaters of the Missouri, Hudson, and Columbia rivers whose waters are valued assets to both Canada and the United States.

4. Existing Governance System

The current system of activities to sustain communities and landscapes in the Crown includes a set of policies and actions by formal land and resources managers, as well as a rich set of informal, place-based initiatives.

A. Formal Actors and Institutions

(1) Multiple Jurisdictions

As mentioned earlier, the Crown of the Continent is jurisdictionally fragmented. It includes two federal governments and three state/provincial governments. Within each of these larger groups, there are multiple agencies managing lands and resources within the Crown, each with their own mission and management goals¹³. Even within the same agency, there can be multiple land designations that determine land and resources use for a particular piece of land. Variations in management between adjacent

¹² The Miistakis Institute. "Crown Managers Partnership Draft Strategic Plan 2005-2009." Working Paper. 2006.

¹³ See Appendix 2: Management Jurisdictions within the Crown of the Continent. There are additional entities that are not public lands managers, but that own and manage land in the Crown of the Continent, including the Nature Conservancy, First Nations, and several private interests. They are not addressed here; but it is important to recognize that these divisions also add to the diverse jigsaw puzzle of land management practices in the Crown of the Continent.

properties can create challenges for managing the entire region. Tensions between different missions and even between different aspects of a single agency's mission and goals may also create management challenges. At the same time, it is possible to identify affinity groups of agencies that have the same or similar management interests. Collaboration between members in these groups could be particularly fruitful. However, in a region with such diverse ownership and management, it is important to go beyond these natural collaborations and seek solutions that encompass the full breadth of management interests in the region.

One shared-interest group would be agencies that manage public parks: Parks Canada, the US National Park Service, the BC Ministry of Environment, and Alberta Community Development. These agencies have similar stated management goals that include ecosystem preservation, preservation of scenic beauty and natural sites, and visitor education and enjoyment. These goals are not always compatible, which presents a clear management challenge. Building infrastructure (roads, buildings, toilets, showers, etc) and drawing large numbers of people to a system is inherently detrimental to a natural ecosystem, and often to the scenic/'unspoiled' beauty of an area; but without any infrastructure, few people would be able to access and enjoy the lands. It would be up to each agency to define what, for them, represents a sustainable balance between these competing interests.

Another group of agencies are focused on managing and harvesting forests: BC Ministry of Forests and Range, the USDA Forest Service, and the Montana Department of Natural Resources and Conservation – Forestry Division all have managing forest and rangeland as one of their primary goals. Alberta Sustainable Resource Development [SRD] and the US Bureau of Land Management [BLM] have managing and harvesting timber stands as one of their multiple objectives. Of these five agencies, all but the BLM explicitly state that economics is a major factor for them and an economically viable timber harvest is a primary goal.

All five of these agencies manage for multiple use. The definition of "multiple use" or the uses emphasized, vary somewhat between the agencies, but common threads are managing for (subterranean) mining, preservation of land and ecosystems, and public access to and enjoyment of the lands. Again, there is some inherent conflict in these management goals. In addition to the conflict between managing for preservation and visitor use, subterranean mining tears up the land surface and removes harvestable and developing trees, affecting both preservation and timber harvest; and both timber and mining impact ecosystems and detract from the 'pristine' and 'untouched' qualities of wild lands that attract most visitors. The US BLM, the AB SRD and (from Parks) the AB Community Development have particularly broad scopes of interest, potentially

leading to greater intra-agency conflict regarding mission and goals of land management for land holdings in the Crown region.

The US Fish and Wildlife Service emphasizes collaborative management and species and habitat preservation. The relative congruence within the agency is likely to make intra-agency management decisions easier. The challenges inherent in collaborative management are indicated by their recent decision to end a collaborative management agreement with the Confederated Salish Kootenai Tribes for the National Bison Range, located on the Flathead Indian Reservation (Backus).

One way of reconciling multiple management goals and mandates within an organization is to use different land management classifications, with management plans that emphasize one or the other goal of the organization. For example, the USDA Forest Service property manages both Wilderness Areas and National Forests in the Crown of the Continent. Wilderness Area management emphasizes the preservation of habitat and the undeveloped, primitive character of the area. Similarly, the Alberta SRD manages a Forest Reserve and a Special Management Area within the Crown of the Continent. Alberta Community Development lists eight different land management classifications that provide varying degrees of protection and a range of opportunities for outdoor recreation. Five of these designations, Ecological Reserve, Wildland Park, Provincial Park, Natural Area, and Public Recreation Area, are represented in the Crown of the Continent. While this categorizing of lands may help resolve any intra-agency tensions from diverse goals and management plans, ultimately it just further subdivides already-fragmented land and resource use in the Crown of the Continent.

(2) Regional Management Initiatives

The uniqueness of the Crown of the Continent region has garnered international interest and resulted in a number of international designations (see Chart 1). Although each area has maintained autonomy with regards to management, these designations help guide management decisions.

Chart 1: International Designations in the Crown of the Continent

Date	Designation	Focus
1932	Waterton-Glacier International Peace Park	Cooperation and collaboration while

		maintaining autonomy in administration ¹⁴
	International Biosphere Reserves	
1976	Glacier National Park	Ecosystem protection ¹⁵
1976	Coram Experimental Forest	Research and education ¹⁶
1979	Waterton National Park	Community outreach and collaborative management ¹⁷
1995	World Heritage Site	Conservation of cultural and natural heritage ¹⁸

(a) International Peace Park

In 1931, members of the Rotary Club International from the United States and Canada met in Waterton National Park to discuss the possibility of forming the world's first International Peace Park by joining Waterton Lakes National Park in Canada with Glacier National Park in the United States.¹⁹ Once deciding to support the idea of an international peace park, the clubs petitioned the United States Congress and the Canadian Parliament to pass legislation to designate the Waterton-Glacier International Peace Park. In 1932, Congress and Parliament both passed the needed legislation and the President of the United States signed a proclamation making the union official.²⁰

Although the two parks work collaboratively on projects like publications, research, and interpretation, the two parks that make up the Waterton-Glacier International

¹⁴ Rotary International, Glacier National Park and Waterton Lakes National Park. n.d. It began as a bold idea: where no boundary could be seen, no boundary should be. . . Retrieved on November 19, 2006, from www.nps.gov/glac/pdf/rotary_web.pdf

¹⁵ Bibles, D.D. (1995). Biosphere reserves in action: Case studies of the American experience. Retrieved November 13, 2006, from [http://www.rmrs.nau.edu/USAMAB/MAB_web_documents/Biosphere%20Reserves%20in%20Action\\$201995.pdf](http://www.rmrs.nau.edu/USAMAB/MAB_web_documents/Biosphere%20Reserves%20in%20Action$201995.pdf)

¹⁶ Bibles

¹⁷ Bibles

¹⁸ World Heritage List. Retrieved on December 4, 2006, from <http://whc.unesco.org/en/list/>

¹⁹ Rotary International, Glacier National Park and Wateron Lakes National Park. n.d. It began as a bold idea: where no boundary could be seen, no boundary should be. . . Retrieved on November 19, 2006, from www.nps.gov/glac/pdf/rotary_web.pdf 1

²⁰ Rotary International et al. 6

Peace Park are managed independently.²¹

(b) International Biosphere Reserve

The concept of international biosphere reserves was first introduced in 1974 by UNESCO's Man and the Biosphere Programme (MAB). Currently there are over 480 designated biosphere reserves in 100 countries around the globe. The purpose of the international biosphere reserves is to: "reduce biodiversity loss, improve livelihoods, enhance social, and economic and cultural conditions for environmental sustainability."²²

In order for an area to be designated as an international biosphere reserve, it must be nominated by the national government of the country in which it is located. Once nominated, the area is considered by UNESCO's MAB program for designation. If designated, the area remains under the jurisdiction of the national government of the country in which it is located.²³

There are three international biosphere reserves designated in the Crown of the Continent: Glacier National Park (designated in 1976), Coram Experimental Forest in northwest Montana (designated in 1976), and Waterton Lakes National Park (designated in 1979). These places were designated because of their unique and diverse natural characteristics, and the variety of plant, animal and aquatic habitats across a large elevation gradient with differences in precipitation and temperature. The area also has a large population of ungulates and several endangered species.²⁴

The three international biosphere reserves in the Crown of the Continent Region have been active in research, citizen education, and collaboration with local constituencies.

(c) World Heritage Site

In 1995, Waterton-Glacier International Peace Park was designated by UNESCO as a World Heritage Site in recognition of its outstanding evolutionary history and ongoing

²¹ Rotary International et al. 6

²² UNESCO, People Biodiversity and Ecology. Retrieved on November 19, 2006, from <http://www.unesco.org/mab/mabProg.html>

²³ International Biosphere Reserves

²⁴ Bibles, D.D. (1995). Biosphere reserves in action: Case studies of the American experience. Retrieved November 13, 2006, from http://www.rmrs.nau.edu/USAMAB/MAB_web_documents/Biosphere%20Reserves%20in%20Action%201995.pdf

ecological and biological processes.²⁵

In order to be designated as a World Heritage Site, areas must be located in a country that has signed World Heritage Convention, and must be nominated by their respective governments. Once nominated, the area is evaluated by the International Council of Monuments and Sites and the World Conservation Union. The international World Heritage Committee then makes a decision on designation based upon criteria laid out in the Operational Guidelines for the Implementation of the World Heritage Convention.²⁶

(d) Crown Managers Partnership

In addition to the regional, trans-boundary initiatives established by international designations, the Crown is also home to at least three other regional management initiatives.

The mission of the Crown Manager's Partnership (CMP) is "to work together to achieve the vision [of an ecologically healthy Crown of the Continent ecosystem] by: building an understanding and awareness of the ecological health of the Crown of the Continent ecosystem, executing individual agency mandates in alignment with the vision, and building enduring relationships and collaborating across mandates and borders."²⁷

The CMP is ostensible composed of nearly 20 agencies (see Appendix 3: Members, Crown Manager's Partnership). Members of the CMP are responsible for sharing information and expertise, fostering support for the CMP within land and resource management agencies, and contributing financial and staff resources in support of a healthy Crown of the Continent ecosystem.²⁸

The strategic focus of the CMP is comprised of four components: improving understanding, raising awareness, promoting collaboration, and developing organizational strength.²⁹

²⁵ World Heritage Nomination – IUCN Summary. Retrieved on December 4, 2006, from <http://whc.unesco.org/en/list/>

²⁶ UNESCO World Heritage Nomination Process. Retrieved on December 4, 2006, from <http://whc.unesco.org/en/nominationprocess/>

²⁷ Miistakis Institute 5

²⁸ Miistakis Institute 6

²⁹ Miistakis 10

(e) Northern Continental Divide Ecosystem Subcommittee

The Northern Continental Divide Managers Subcommittee was established in 1983 to collaboratively implement the Grizzly Bear Recovery Plan. The subcommittee is composed of representatives from the US Forest Service, Glacier National Park, Waterton National Park, the Bureau of Land Management, Montana Fish Wildlife and Parks, regional tribal representatives and the US Fish and Wildlife Service.

The group focuses primarily on outreach, education, motorized access management, food storage and sanitation, and working with private landowners to minimize human-grizzly bear conflicts.³⁰

(f) Flathead Basin Commission

The Flathead Basin Commission (FBC) was established in 1983 by an act of the Montana Legislature to “protect the existing high quality of the Flathead Lake aquatic environment; the waters that flow int. out of, or are tributary to the lake, and the natural resources and environment of the Flathead Basin” (see MCA 75-7-302).³¹ The organization, which began with 15 members, is now comprised of 23 members including representatives of local, tribal, state and federal government and agencies as well as citizen members (appointed by the governor).³²

In an effort to fulfill their mission, the FBC is involved in education, assessment and monitoring, research, information sharing, and the shaping of environmental policy. They engage in efforts to educate the public about water quality issues by speaking at schools, civic organizations, professional organizations and the media.³³

(3) Federal Policy for Cooperation and Coordination

Most of the governmental entities in the Crown of the Continent area have established some framework for cooperation and coordination involving other governments and the public. The vision and desire for collaboration is nearly universal; however, implementation can be especially challenging when crossing national and tribal/First Nations boundaries and may be hampered by lack of clear definitions, requirements,

³⁰ Chris Servheen, Grizzly Bear Recovery Coordinator, University of Montana. Personal Correspondence

³¹ Flathead Basin Commission: Strategic Plan Retrieved on November 19, 2006, from <http://www.flatheadbasincommission.org/history.htm> 2

³² Flathead Basin Commission 2

³³ Flathead Basin Commission 2

and budget allocations.

The two national parks – Waterton Lakes National Park in Canada and Glacier National Park in the U.S. – provide an exemplar of effective transboundary collaboration. Both Parks Canada and the U.S. National Park Service have collaborative frameworks^{34, 35} that provide their national parks the latitude to transcend their borders and work with adjacent and affected agencies, communities, and individuals within their own country. In addition, because they operate as “sister”³⁶ parks, their collaboration reaches across national boundaries, recognizing that international collaboration can leverage the expertise within the two parks to address common problems. Outside the parks boundaries, collaborative frameworks are in place but are of shorter duration and may not be as effective.

Within the U.S., the federal government has authority over the vast majority of public lands. However, authority is split among multiple agencies that may have vastly different missions and budgets. President George W. Bush’s August 2004 Executive Order on Cooperative Conservation³⁷ seeks to erase these boundaries, requiring the Departments of the Interior, Agriculture, Commerce, and Defense and the Environmental Protection Agency to “implement laws relating to the environment and natural resources in a manner that promotes cooperative conservation, with an emphasis on appropriate inclusion of local participation in Federal decisionmaking....” The term “cooperative conservation” is defined as actions “that involve collaborative activity among Federal, State, local, and tribal governments, private for-profit and nonprofit institutions, other nongovernmental entities and individuals.”³⁸ This Order affects all the public-lands managers in the Crown of the Continent Managers Partnership. The Executive Order adds additional teeth to four major laws requiring collaborative governance that were already in place³⁹: the Federal Advisory Committee Act (FACA), the Freedom of Information Act (FOIA), the Administrative Procedures Act (APA), and the National Environmental Protection Act (NEPA). In addition, to these overarching laws and regulations, each agency has its own set of requirements for

³⁴ Parks Canada. 2006. *Parks Canada Guiding Principles and Operational Policies*, Guiding Principles, Section 9, “Collaboration and Cooperation.” Gatineau, Quebec: Parks Canada National Office.

http://www.pc.gc.ca/docs/pc/poli/princip/index_e.asp

³⁵ U.S. Department of the Interior, National Park Service. 2001. *Management Policies*. Washington, DC: U.S. Government Printing Office. <http://www.nps.gov/policy/mp/policies.html>.

³⁶ U.S. Department of Energy, Office of International Affairs. 2006. *About Us*. <http://www.nps.gov/oia/topics/topics.htm>.

³⁷ President George W. Bush. 2004. Facilitation of Cooperative Conservation, Executive Order 13352. *Federal Register* 69, 167, Section 1.

³⁸ *Ibid*, Section 2.

³⁹ Public Policy Research Institute. 2006. *The Legal Framework for Cooperative Conservation*. Helena, MT.

collaboration. For instance, the U.S. Forest Service, which oversees a wide swath of lands within the region, specifically lists four laws in Chapter 30 of its *Land Management Planning Handbook*⁴⁰: the National Forest Management Act (NFMA), 36 CFR 219, FACA (as described above), and its companion, the Federal Advisory Committee Management Regulations (41 CFR part 102-3).

Not all public lands in the state are under the authority of the federal government; some are overseen by the Montana state government while others are within the aegis of tribal governments. In Montana, administrative rules require collaboration among agencies at the state level, between state and federal government, and between the state and tribal governments⁴¹. Each tribal government operates independently and each has their own set of agreements regarding collaboration with federal and state governments, as is also true with the First Nations in Canada.

The situation in Canada is somewhat different since it has a “weak” federal government. The vast majority of Canadian public lands are under the authority of the provinces (except for the national parks, as noted above). Two provinces own lands within the Crown of the Continent ecosystem: British Columbia and Alberta. Cooperative frameworks have been established intragovernmentally within both provinces. British Columbia’s Crown Land Administrative Division is charged with developing a “land-use and allocation policy framework for the Province. While responsibility for the management and allocation of provincial resources is shared among several provincial ministries, the Division will strengthen the level of integration between the policies that guide each of these agencies.”⁴² In Alberta in September 2005, three departments (Alberta Energy, Alberta Environment, and Alberta Sustainable Resource Development) committed to work together and agree on the outcomes, values and principles that will guide their management of natural resources and the environment.

Several intergovernmental agreements have been signed between the two provinces pursuant to the 2003 Alberta-British Columbia Protocol of Co-operation,⁴³ which sets out the provinces’ commitment to, among other things, share expertise in program development and service delivery, and influence federal policies and decisions in areas

⁴⁰ U.S. Forest Service. 2006. Chapter 30, “Public Participation and Collaboration,” in *Land Management Planning Handbook*” (FSH 1909.12; WO Amendment 1909, 12-2006-4). <http://www.fs.fed.us/publications/>.

⁴¹ Montana Code Annotated. 2005.

⁴² BC Ministry of the Environment. 2001.

⁴³ B.C. Office of the Premier. 2006. *Background: Summary of Alberta-British Columbia Agreements*. 2006OTP0082-000505. http://www2.news.gov.bc.ca/news_releases_2005-2009/2006OTP0082-000505-Attachment1.htm

of mutual interest. Memorandums of Understanding (MOUs) have been signed on topics including environmental cooperation and management,⁴⁴ energy,^{45, 46} and tourism.⁴⁷ In addition, the two provinces signed the Alberta-British Columbia Trade, Investment, and Labour Mobility Agreement (TILMA)⁴⁸ on April 28, 2006. While the focus of the agreement is on businesses and workers in the two provinces, the agreement provided for the two provinces to cooperate to protect, plan and manage parks that share the border. The agreement takes effect April 1, 2007 and includes a transition period to April 2009.

One transboundary agreement has been signed between British Columbia and its neighbor to the south, the state of Washington. The British Columbia Ministry of Environment, Lands and Parks (now Ministry of Environment) and the Washington Department of Ecology entered into an MOU implementing an Environmental Cooperation Council to provide a forum for communicating and cooperating on transboundary issues of common concern between B.C. and Washington. It provides an institutional framework for agency cooperation that can leverage support from American and Canadian federal agencies.

Thus, while agreements have not been forged specifically providing for transboundary collaboration within the Crown of the Continent ecosystem, a variety of frameworks are in place in and between most of the governmental entities, which require and encourage collaborative among governments and agencies.

B. Informal Place-based Initiatives

In addition to formal actors and institutions, the Crown is home to an informal network of actors and organizations working to sustain communities and landscape within the region. These initiatives are focused on particular places within the Crown; generally embrace a vision of sustaining communities and landscapes; and for the most part are catalyzed, convened, and coordinated by citizens and non-government organizations.

⁴⁴ Alberta Environment and British Columbia Ministry of Water, Land and Air Protection. 2004. *Alberta - British Columbia Memorandum of Understanding, Environmental Cooperation and Harmonization*.

⁴⁵ Province of Alberta and Province of British Columbia. 2004. *Memorandum of Understanding, Alberta - British Columbia Protocol for Energy Cooperation and Regulatory Harmonization*.

⁴⁶ Province of Alberta and Province of British Columbia. 2006. *Alberta - British Columbia Memorandum of Understanding (MOU), Collaboration in Energy Research, Technology Development and Innovation*.

⁴⁷ Province of Alberta and Province of British Columbia. 2003. *Memorandum of Understanding on Tourism Initiatives*.

⁴⁸ 4th Annual Joint Alberta-British Columbia Cabinet Meeting. 2006. *Alberta-British Columbia Trade, Investment, and Labour Mobility Agreement (TILMA)*.

http://www.gov.bc.ca/ecdev/down/bc_ab_agreement_fact_sheet_updated_oct_06.pdf

Appendix 4 presents a preliminary inventory of twenty place-based partnerships in the Crown (others may be added as they are identified). We have produced short, two-page profiles for most of these place-based initiatives (all of them except the bolded ones) and within the next six months plan to produce a map showing the geographic distribution of these different initiatives. The individual profiles will be included on a soon-to-be-developed *Crown of the Continent Stewardship* web site.

Each of these partnerships is focused on a particular piece of the Crown. While certain people and organizations may participate in one or more of these partnerships, for the most part each one operates independent of the others. This gap in communication and coordination might be closing if a recent meeting among three different place-based partnerships is any indication.

In early December 2006, representatives from the Blackfoot Challenge, Swan Ecosystem Center, and the Clearwater Resource Council meet to exchange ideas, build a common understanding of each other's interests, and explore the possibility of working together on shared interests. According to some people that participated in the meeting, the individual partnerships apparently experienced some trepidation about sustaining their own identity yet becoming part of a larger regional effort. This inherent tension in regional governance is not uncommon, in fact it is one of core challenges – in this case, how to acknowledge and amplify the success of individual place-based partnerships and facilitate a larger regional dialogue and set of stewardship actions. As with all collaborative work, it is critically important that people (or in this case, place-based partnerships) feel a sense of ownership in both the process and the outcomes of an emerging regional platform.

5. Problems and Opportunities

The Crown of the Continent faces four categories of problems and opportunities. First, there are several land and resource management issues that cut across jurisdictional, sectoral, and disciplinary boundaries, thereby creating a need for some of regional response. Second, efforts to sustain communities and the landscape are fragmented, and there is no clear accounting of who is doing what, suggesting that there may be an opportunity to create an informal network of stewards. Third, the existing legal and institutional framework does not adequately promote or support regional thinking and action – at a minimum, the CMP needs to improve its internal and external communication (ideally, the formal land and resource managers should pursue a regional charter that embraces existing designations but creates a more formal platform

to jointly manage shared resources). Fourth and finally, the Crown in many ways suffers from a lack of regional identity. Although some scholars and professional planners embrace the idea of the Crown as a distinct region, most residents and visitors to the place fail to see the bigger picture.

A. Land and Resource Management Issues

Several changes taking place within the Crown have raised concerns about the ecological viability of these lands in the face of energy exploration, resource extraction, new road development, population increases and accompanying residential and commercial development, increased recreational use, and tourism. This list of land and resource management issues becomes even more complicated when you consider the impacts of bigger picture issues like global climate change. Land and resource managers and others fear that these combined activities are leading to wildlife habitat fragmentation, impacted watersheds and water quality, decreased recreational experiences, and an overall poorer quality of life for those who live in the region.

(a) Energy Exploration and Development

Energy exploration and development frequently appears in newspaper headlines around the region. The official province website for British Columbia clearly states the value of their energy resources, which has enabled the province to be independent in all energy sources except oil, and makes it the net exporter of energy in Canada. The most recent data shows the net worth of mineral and petroleum products in British Columbia was \$7.2 billion in 2002.⁴⁹

The Province of Alberta boasts similar statistics, which depict the importance of energy development to their economy. Oil and gas revenues account for one-quarter of Alberta's gross domestic product – 70% of exports and 35% of Alberta government revenues.⁵⁰ The energy industry provides 275,000 direct and indirect jobs to the province. Alberta's coal seams alone are estimated to contain 500 trillion cubic feet of natural gas. Alberta produces nearly 80% of Canada's natural gas, contains 70% of Canada's coal reserves, and is the leading petrochemicals manufacturer, producing over \$7.7 billion in products and \$4.5 billion in exports annually.⁵¹

⁴⁹ Government of British Columbia. "Facts and Information." November 2006.

<<http://www.britishcolumbia.com/Information/details.asp?ID=47>>

⁵⁰ Government of Alberta. "Industry and Economy." November 2006.

<<http://www.gov.ab.ca/home/index.cfm?Page=1477>>

⁵¹ *Ibid.*

The United States also plays a significant role in driving development pressures on Canada's energy resources. Alberta has been one of the largest suppliers of oil and natural gas to the US. Canada is now placed competitively on the international scene as the third largest natural gas producer and 2nd-largest exporter.⁵²

Within the United States, public lands managers have also responded to pressures by the Bush Administration to decrease reliance on foreign energy sources by developing more of America's oil natural gas, coal and coalbed methane reserves. This has manifested itself in numerous ways, including expedited permitting processes and relaxed environmental standards.⁵³

With these international economic pressures and accompanying financial incentives, it is no wonder that the stakes are so high in the region resulting in standoffs between agencies, governments and communities over resource development issues. These disputes have emerged from development proposals of four primary extractive resources: oil, natural gas, coal, and coal bed methane. Each dispute has its own unique set of circumstances; however, for the purposes of this report we will focus on just one case study, the Cline Mine proposal in British Columbia.

The Cline Mining Company has submitted a proposal to extract 40 million tons of coal from an open-pit coal mine in southeast British Columbia.⁵⁴ The mine has been opposed by environmental groups in Canada and the United States because of concerns about downstream pollution and negative impacts on the watershed in Canada and Montana. As a result, work is being done in the U.S. on the federal and state level to monitor the water quality in the Flathead River Valley and establish baseline water quality information. The project area contains the headwaters area of the Flathead River, and there is specific concern about potential impact from water pollutants on the North Fork of the Flathead River, which forms the western boundary of Glacier National Park.⁵⁵

New road development generally accompanies resource extraction in the region, since roads are often proposed in previously roadless areas in order to access potential development areas. Road projects and their associated traffic have the potential to erode fragile slopes and impact soils, pollute streams, and alter wildlife movements,

⁵² *Ibid.*

⁵³ Thomson, J.L., T. S. N. Wolff-Culver, and Peter C. Aengst. "Wildlife at a Crossroads: Energy Development in Western Wyoming." Wilderness Society Publication. 2005.

⁵⁴ Wildsight. "Energy and Mining." November 2006.

<http://www.wildsight.ca/programs/energy_mining/program_energy_mining.html>

⁵⁵ Wildsight. "Flathead Valley Coal Mining." October 2006.

<http://www.wildsight.ca/hot_issues/flathead_coal/hot_flathead_coal.html>

and have precipitated conflicts between extraction companies, management agencies and conservation interest groups on both sides of the border. Citizens in the Flathead Valley have expressed concern over the 50-km haul road that had been proposed from the Cline mine site to the load-out near Elko on the grounds that it could significantly impact the water quality of Lodgepole Creek and the Elk River.⁵⁶

The project could also affect wildlife in this remote transboundary wilderness. Biologist John Weaver, who works with the University of Montana's Yellow Bay Biological Station, believes that this area could be the most important basin for carnivores in the Rocky Mountains based on its frequent use by grizzly bears, black bears, wolves and mountain lions and the high density of those species.⁵⁷ Although the mine has the potential for negative impact on the ecosystem, it will inevitably provide valuable resources and economic returns that also must be considered.

The Cline Mine dispute offers another opportunity for governments across the Canadian/U.S. boundary to work cooperatively to determine what is both fair and sustainable development in the upper Flathead River Basin. The State of Montana entered into dialogue with the British Columbia provincial government to develop a review process and baseline assessment for the Cline Mining project.⁵⁸ As a result of these negotiations, British Columbia opted to withdraw the leases in May 2006.⁵⁹ It is unclear what the future holds in terms of future plans for the Cline Mine and other projects in the region. What is clear is that although transboundary discussions surrounding mining conflicts have not been easy, the willingness of U.S. and Canadian governments to engage and work to come to acceptable resolutions will ultimately benefit the Crown.

(b) Wildlife and Habitat

Numerous conservation efforts focus on maintaining suitable habitat for a number of species in the Crown of the Continent. Lands within National Parks and Forests are valuable for timber harvesting and oil and gas prospecting, but wildlife species depend on undeveloped areas within federal lands for suitable habitat. The lands within the

⁵⁶ Flathead Coalition. "Cline Mining's Controversial Coal Project Would Span Flathead, Wigwam and Elk River." Press release issued 18 April 2006.

<<http://www.flatheadcoalition.org/documents/News>> November 2006.

⁵⁷ Mann, Jim. "Canada's Secret Valley: Little-known Part of Canadian Flathead Targeted for Coal Work." *Daily Inter Lake*. 2 July 2006. Accessed from the Flathead Coalition website October 2006.

<<http://www.flatheadcoalition.org/documents/DIL%20Canadas%20Secret%20Valley.htm>>

⁵⁸ *Ibid.*

⁵⁹ Flathead Coalition. *Cline Mine*.

Crown of the Continent region, both public and private, are home to two of the most highly publicized of those species – grizzly bear and the gray wolf.⁶⁰ The National Parks Conservation Association has concluded that the high-density road system that generally accompanies logging and other resource extraction activities, also leads to increased recreational use and can have significant impacts on wildlife.⁶¹ Proposals to extract oil and gas along the Rocky Mountain Front in both the U.S. and Canada could force grizzlies and other wildlife species to avoid roads and drilling sites—areas that would otherwise provide important habitat.⁶² The grizzly has long been a deciding factor in decisions to develop public land because of their large land requirements. The home range for grizzly bears can range from 50-300 square miles for females and 200-500 square miles for males.⁶³ Grizzly bears are particularly sensitive to human activities, which can lead to habitat fragmentation and conflicts between humans and bears. The result is often bear mortality.

When public lands are developed, there are often new road incursions into National Forests. These road corridors have the potential to fragment wildlife habitat and often cause wildlife to avoid developed areas. Along with public land road development, habitat is also impacted by highway development. The Miistakis Institute is currently involved in a monitoring program near the U.S./Canadian border along Highway 3. The Crowsnest Pass area is an important wildlife travel corridor for many species including grizzlies, elk, and mountain goats. As traffic volume increases there is generally a corresponding increase in wildlife mortality along highway corridors.⁶⁴

The United States' Endangered Species Act (ESA) has been the most powerful tool to police actions that threaten the health of grizzly populations, yet a species can be delisted from the ESA if it is perceived that threats to species' ability to survive no longer exist. The current political climate reflects a variety of perspectives in the legislature that, though not entirely likely, threaten to overturn the protective capacity of the ESA.⁶⁵ In Canada, there is a three-part strategy to protecting species, which

⁶⁰Sax, Joseph L., and Robert B. Keiter. "Glacier National Park and Its Neighbors: A Study Of Federal Interagency Relations." *Ecology Law Quarterly* 14 (1987) :207-263.

⁶¹Swanson, Larry D., Norman Nicerson, Jason Lathrop, Michele L. Archie, and Howard D. Terry. "Gateway to Glacier: The Emerging Economy of the Flathead County." National Parks and Conservation Association. 2003.

⁶² *Ibid.*

⁶³ U.S. Fish and Wildlife Service. "Grizzly bear, (*Ursus arctos horribilis*)". Wildlife fact sheets. November 2006. <http://www.fws.gov/species/species_accounts/bio_griz.html>

⁶⁴The Miistakis Institute. "Road Watch In Crows Nest Pass." October 2006. <<http://www.rockies.ca/whatsnew.htm>>

⁶⁵Eilperin, Julie. "Rewrite of Endangered Species Law Approved." *Washington Post*. 23 September 2005. Page A02.

includes the Species at Risk Act,⁶⁶ the Accord for the Protection of Species at Risk, and the Habitat Stewardship Program for Species at Risk.⁶⁷ Regardless of any legislative changes, improved collaboration could only help protect grizzly bears.

Looking at the Crown of the Continent from a regional perspective provides an opportunity to manage the ecosystem as a whole. The institutionalization of cooperation among Crown land management agencies can only support efforts to protect wildlife by continuing to provide for and maintain healthy habitats in which sensitive species may exist. Creating a collaborative management environment representing all agencies is necessary to address legislative disparities in management mandates.

(c) Growth and Development

The controversy over growth and development in the region is fueled by a variety of competing interests. Extractive development, recreational opportunities, and increased tourism can all attract new migrants into an area and spur residential and commercial growth.⁶⁸ This growth reaches across boundaries and can be extremely difficult to coordinate due to jurisdictional fragmentation, both within and between countries. Despite this, failure to do so could threaten the ecological integrity and economic viability of the entire region.

When discussing growth in Canada, Alberta has experienced significant growth in both the manufacturing (108% between 1995 and 2005) and service sectors. In 2005, the population of Alberta was estimated at 3,236,906 with an average annual increase of 46,500 persons since 2004 giving Alberta the distinction of having the highest number of interprovincial migrants in Canada.⁶⁹ British Columbia is experiencing similar elevated rates of growth. Their current population is 4.1 million and steadily increasing with the influx of new residents from elsewhere in Canada, second only to Alberta in terms of interprovincial migration.⁷⁰

On the other side of the border, growth issues are present in burgeoning communities, particularly within the Flathead Valley of Montana. Like Canada, these communities are reaping significant economic benefits from growth. However, if left unchecked

⁶⁶Canadian Species at Risk Act (SARA). October 2006.

<http://www.sararegistry.gc.ca/default_e.cfm>

⁶⁷ *Ibid.*

⁶⁸ The Miistakis Institute. *CMP Strategic Plan*.

⁶⁹ Government of Alberta. *Industry and Economy*.

⁷⁰ Government of British Columbia. *Facts and Information*.

poorly planned development could diminish the natural resource amenities that draw people to the region. In their “Gateway to Glacier” report, NPCA authors make a compelling case that links the economic strength of the Flathead Valley to the health of the surrounding public lands.⁷¹ The integrity of protected parklands, wildlife values and clean air and water is dependent upon how private lands and adjacent public lands are developed within and surrounding the Flathead Valley. There is reason for concern about lack of substantive planning for future growth given that the population has increased 26% between 1990 and 2000. This growth has fueled the establishment of 1,000 new businesses, resulting in a 50% increase in new jobs (15,700) and the lowest unemployment rates in the past three decades.⁷²

So what is the downside of all this prosperity? Rural farmland and forested lands are rapidly being replaced by lucrative subdivisions and commercial development. There are also related costs to growing communities in terms of the infrastructure needed to sustain this rapid rate of growth. Other concerns include increased water pollution as evidenced by rising pollutants in Flathead Lake, and degraded air quality as a result of higher levels of automobile emissions and industrial impacts.⁷³ This type of sprawl threatens to undermine the qualities that tourists value and destroy the valley’s most important economic asset.

Conservation groups, as well as local and regional managers and community leaders are beginning to focus on these growth-related impacts within the Crown of the Continent. They have identified a pressing need to assess the cumulative impacts of land use decisions and implement long-range planning efforts that will ultimately help to preserve community values, retain property values, protect natural resources, and maintain the “livable” qualities that people in the region value.⁷⁴

Tourism is closely related to growth and development issues. In contrast to their busy lives in urban or suburban areas, many potential immigrants are drawn to the high quality of life and natural and recreational attributes. The International Joint Commission recommended that one of the priorities for the region was to create local sustainable economies based on recreation and tourism, while still protecting the pristine attributes of the drainage.⁷⁵ Park visitors who were polled by Glacier National Park observed declines in the natural environment and wildlife viewing opportunities.

⁷¹Swanson, *Gateway to Glacier*.

⁷² *Ibid.*

⁷³ Moy, Rich. “Flathead Basin Commission Annual Meeting of the Flathead Lakers.” October 2006.

<http://www.flatheadcoalition.org/>

⁷⁴ *Ibid.*

⁷⁵ *Ibid.*

This has earned Glacier the dubious recognition as one of America's most endangered parks for three years running because of inadequate funding, failing infrastructure, and development pressures on wildlife habitat outside the park.⁷⁶

The burgeoning tourist-based growth across the international boundary demonstrates the importance of the industry to both Canadian and U.S. economies and the raises a red flag to alert residents on both sides of the border to the corresponding need to preserve those unique resources that could be adversely impacted by growth.

(d) Water Quality

The Crown of the Continent region includes the headwaters for three major watersheds: the Columbia, the Missouri, and the Hudson Bay. These watersheds end in the Atlantic, Pacific, and Arctic oceans, which makes management decisions in the Crown significant. Previously mentioned challenges of growth, development and energy exploration have the potential to dramatically influence water quality.

The Flathead Basin Commission deems water quality to be a chief concern in the region. Water quality in the Flathead Lake Area is affected by nutrient pollution and run-off from populated areas and accumulation of wind-carrying smoke and dust particles on the lake surface.⁷⁷ In the 1980's, the Commission unanimously voted to support a phosphorus detergent ban in the Flathead Basin.⁷⁸ While water quality received attention during those discussions, many water issues were not addressed at that time: "questions of how much, when, and in what matter water moves from Flathead impoundments to the lower Columbia system; which species of fish (native vs. non-native) will receive management priority; and how all three segments of the Flathead River ecosystem; the upper rivers, lake, and lower river, can receive equitable treatment in resource management planning".⁷⁹

When managing for water quality there must be an agreed-upon format that agencies adhere to across boundaries when collecting, managing, or interpreting data. The disparity between water quality standards creates a need for collaboration to adequately address pollution concerns. Land managers need consistent transboundary standards and data collection methods to meet the growing need to address water

⁷⁶Swanson, *Gateway to Glacier*:

⁷⁷ Stanford, Jack. "Water Quality in Montana." Flathead Lake Biological Station, University of Montana. 2005. <http://www.flatheadbasincommission.org/waterquality_flathead.html>

⁷⁸ Cross, David. "An Opportunity for Integrated Management of the Flathead River-Lake Ecosystem, Montana." *Fisheries*. Vol. 12, no. 2. 1987.

⁷⁹ *Ibid.*

quality issues. Currently, the Miistakis Institute, under direction from the Crown Manager's Partnership, is at work developing system which will have a universal format for converting Crown data within each agency into an easily accessible resource.⁸⁰ Presumably this tool could help to insure water quality remains at levels acceptable to both countries and help to further develop the collaborative strategies necessary to maintain transboundary coordination among land management agencies.

(e) Reflection

Most of the land and natural resources issues highlighted above are primarily focused on distinct sub-regions within the larger region of the Crown. These threats are multi-jurisdictional and encompass a large geographic area. Rarely do these problems affect only one agency, and these threats often, if not always, transcend traditional managerial disciplines and involve diverse personal perspectives. While they clearly require some type of trans-boundary response, it is not at all clear that the individual issues in and of themselves provide a compelling reason for people to think and act like a region at the scale of the Crown.

That said, there are several other reasons why viewing the Crown as a larger regional ecosystem is the most appropriate perspective: (1) there are significant cumulative effects of human activities across the region; (2) viewing the Crown as a larger region will increase public interest and awareness in how lands are managed and decisions are reached; (3) there are increasing recreational demands and general visitors to the area that need to be dealt with regionally; (4) a regional view will facilitate sharing data, standardizing assessment and monitoring methodologies; (5) and lastly, regional perspectives will afford maintenance and sustainability of shared wildlife populations.⁸¹ While each and all of these drivers are important, it is not clear whether they provide a sufficiently compelling reason to organize around the Crown itself.

B. Legal and Institutional Arrangements

This section is forthcoming. It will be based in large part on the earlier discussion on Existing Governance System, Formal Actors and Institutions. In short, the message is that current institutional arrangements do not adequately promote or support regional thinking and action. To improve this situation, we are working with land and resource managers to prepare a

⁸⁰ The Miistakis Institute. "Crown Managers Partnership – Draft Work Plan 2005-2007." Working paper. 2006.

⁸¹ Moy, Rich. "Crown of the Continent" Powerpoint presentation presented to the Advanced Natural Resource Dispute Resolution Practicum at the University of Montana, Missoula. 11 September 2006.

Communications Plan for the CMP, and will also likely propose some type of legal authority (e.g., a regional charter) for regional resource management.

C. Place-based Stewardships Activities

Likewise, this section is forthcoming and will build on the material presented under Existing Governance System, Place-based Partnerships. As implied above, ad hoc, place-based efforts to sustain communities and the landscape seem to be fragmented. For starters, there is no formal accounting of who is doing what (at least until now), and the level of communication and cooperation is unclear (or non-existent).

D. Regional Identity

The fourth and final category of problems and opportunities within the Crown revolve around the idea of regional identity. While the idea of the Crown as a distinct region resonates with many scholars and professional planners, the idea seems to be lost on the majority of residents and visitors to the region. In and of itself, this may not be such a big issue. However, if land and resource managers, as well as place-based partnerships, want to improve the effectiveness of their actions to sustain the communities and landscapes of the region, they must start by crafting a vision for the region that will mobilize and engage residents, visitors, and ultimately political decision-makers. Right now, the Crown does not seem to have an identifiable “regional brand” that can help achieve this purpose.

Several questions seem to emerge within this context: (1) What is the most compelling reason to think and act as though the Crown is a distinct, viable region? (2) Are there one or more issues that compel people to work at the larger regional scale, or only at a sub-regional scale? (3) Does the vision of preserving one of North America’s largest intact ecosystems provide a sufficient catalyst for thinking and acting regionally at the larger scale? (4) Do the unique human and natural assets provide a sufficient catalyst to mobilize and engage people? (5) Is there a shared sense of place?

Some people may question the value or need to think about branding the region. The 2005 Annual Report of the Yellowstone to Yukon Conservation Initiative provides one response to this question -- “Why do business concepts such as branding and marketing need to be applied to conservation work? Because part of conservation work is business – the business of fostering awareness among citizens, communities, and organizations of how nature, economic health, and social well-being interconnect.”

6. Lessons From Other Regions

A complete narrative for this section is forthcoming. As it now stands, what we want to do is to highlight lessons learned in three different contexts that seem particularly relevant to the Crown of the Continent: (1) facilitating interagency cooperation on federal lands; (2) working across international boundaries, particularly the 49th parallel; and (2) mobilizing and engaging the business community; and. The following cases represent a start at highlighting lessons learned.

(a) Facilitating Interagency Cooperation on Federal Lands

The following cases clearly need lots of work⁸².

Greater Yellowstone Coordinating Committee (1985 to present)

- Representation was not clearly defined. Likely to have been more successful had there been defined groups/individuals of those involved and their roles.
- The scope was not clearly defined. Who should have named the problems and then who should have framed the solutions?
- The role of science was supposed to guide the direction. Science cannot make human choices and thus, choices were not obvious just based on science.
- GYE never had a mandate from Congress. The vision, never being fully defined internally, was also never defined externally.
- Political conflicts were avoided, not recognized.
- Vision document tried to drive public sentiment, but should have tried to lead it.

Northwest Forest Plan (1993 to present)

- The NWFP had a catalyst in the spotted owl situation. The success of this plan initially was based almost entirely on a near disaster.
- Politics were/are highly involved. High level politicians have been very involved in this plan – which is good for some support and obtaining mandates. However, as politics can fluctuate so can the plan.

Interior Columbia Basin Ecosystem Management Project (1993 to present)

- Failure to include all stakeholders equally in the design of the management plan resulted in opposition to the plan by rural residents who depend heavily on public lands for economic support.
- Without continued political support, projects such as the ICBEMP cannot be effectively implemented to the degree in which goals can be met. Because of the

⁸² See also the Southwest Strategy and the Northern Rockies Ecosystem Protection Act.

changing nature of the region, continued political and local support are key components for the successful implementation of this project and unfortunately, both were lacking in the case of the ICBEMP.

Sierra Nevada Framework (2001 to present)

Management agencies such as the forest service often struggle to effectively implement strategies outlined in large scale ecosystem restoration efforts, while still upholding its regulatory obligations under NEPA and the ESA.

Lessons in General

1. Catalysts generally spark greater involvement and potential for change
2. Representation – when those involved are named and their roles are defined, there is a greater potential for success
3. Role of high level political actors – when high level politicians are involved there is a potential for greater influence (such as mandates) and yet a potential for changes upon each election
4. Role of science – science can be seen as the great decision maker, yet if relied on too heavily, science cannot make decisions
5. Scope of the project – when the scope of the project is clearly defined there seems to be greater potential for success

(b) Working Across International Boundaries

Given that the Crown of the Continent cuts across the 49th parallel, it is instructive to look at other examples where the United States and Canada have come together to share governance of a common resource. The Great Lake Regional Collaboration agreement, which focuses on reducing pollution from land uses to this international water body, is a good example of this type of partnership.⁸³

The Great Lakes region encompasses an unusually large land area and a complex array of jurisdictions. From the environmental restoration perspective alone, activities are linked to two countries, numerous tribes and First Nations, more than 140 federal programs, and a multitude of city and state programs. Although large and factional,

⁸³ This approach to regional, trans-boundary natural resources is used much for frequently for water than land issues. Other similar examples include the California Bay-Delta Authority, Columbia River Salmon Recovery Plan, Lower Colorado River Multi-species Conservation Plan, Platte River Cooperative Agreement, and the South Florida Ecosystem Restoration Task Force. Clearly there is much to learn from the water community in terms of how to manage natural resources, including land, across jurisdictional boundaries.

the welfare of the entire region is inextricably linked to the health of the Great Lakes ecosystem. Today, more than 35 million Americans [and how many Canadians?] rely on the Great Lakes for drinking water, food, transportation, livelihood, and recreation.

Efforts to work together to address regional problems in the Great Lakes basin have grown tremendously since they first began in 1970. At the same time, environmental problems in the region have grown increasingly complex. At the start of the 21st century, despite over 30 years of work, there was still no overarching strategy to deliver coordinated restoration and protection efforts.

In 2003, at the request of a Great Lakes Congressional delegation, the Great Lakes Governors identified nine priorities for Great Lakes restoration and protection as a first step in providing the necessary leadership and coordination to develop a comprehensive regional strategy. Soon thereafter, the Governors' effort received a major boost when, on May 18, 2004, President Bush issued an Executive Order recognizing the Great Lakes as a "national treasure" and creating a Federal Great Lakes Interagency Task Force to improve federal coordination on the Great Lakes. The Order also directed the U.S. EPA Administrator to convene a "regional collaboration of national significance for the Great Lakes" to develop, by consensus, a national restoration and protection action plan for the Great Lakes.

Following extensive discussions, the Interagency Task Force, Council of Great Lakes Governors, Great Lakes Cities Initiative, Great Lakes Indian Fish & Wildlife Commission, and Great Lakes Congressional Task Force signed the Great Lakes Declaration and agreed to a framework document that signified the convening of the Great Lakes Regional Collaboration (GLRC) in December 2004. The framework was developed to guide the collaboration process.

Since then, GLRC has developed a draft action plan of concrete steps to restore and protect the Great Lakes. More than 1,500 people representing federal, state, local, and tribal governments; non-governmental entities; and private citizens participated in writing and reviewing the regional strategy, which was released on December 12, 2005.

In addition to releasing the strategy, representatives of the major jurisdictions – states, federal government, tribal nations, and mayors – signed the GLRC Resolution, formally affirming their commitment to move the collaboration process forward "by working together toward implementation of near term actions as well as other future actions to ensure a healthy Great Lakes ecosystem for generations to come."

(c) Mobilizing and Engaging the Business Community

One of the very best (and earliest) examples of engaging the business community around a particular region (in this case, a region dominated by federal lands) is the Sierra Business Council.⁸⁴ The Sierra Nevada region is a 400-mile long expanse of counties and towns that flank the Sierra Nevada mountain range. It spans two states (California and Nevada) and 21 counties. The region began to experience significant economic and social changes in the 1970s, when traditional industries in timber and mining declined and were replaced by a growing tourism trade. The changing economy brought a new population to the area both to enjoy the natural beauty of the region and to work in the tourism industry. The region's desirable natural environment also attracted a growing number of permanent new transplants from the coastal cities. Due primarily to the combination of these factors, the area more than doubled in population in 25 years. As a result of this rapid growth, community and government services throughout the region were strained.

These dramatic changes also brought tension and conflict to the region, as newer residents tended to be stronger supporters of environmental initiatives than long-time residents. In an attempt to address these growth-related challenges, environmentalist Lucy Blake devised a strategy to enlist businesspeople in an effort that promoted the link between the quality of the natural environment and businesses' economic success. This effort was coined the Sierra Business Council and officially launched in 1994.

In creating an intermediary institution, Blake helped the region move beyond much of its divisiveness and focus instead on improving the region by finding ways to improve its social, natural, and financial capital. Blake enlisted businesspeople because of their role as civic leaders in the region and because she believed in their ability to change public attitudes. As Blake built trust and understanding with the business community, local officials, and other stakeholders, the SBC began its first major project, a research report named the *Sierra Wealth Index*. The extensive report provided provocative information on the region's natural, social, and financial capital, and it served to bolster the organization's reputation in the region and beyond.

Today, the mission of the SBC continues to be to "secure the social, environmental and financial health of the Sierra Nevada region for this and future generations." More than

⁸⁴ Sierra Business Council website (www.sbcouncil.org); National Association of Local Government Environmental Professionals and the Smart Growth Leadership Institute. 2004. Smart Growth is Smart Business. Boosting the Bottom Line and Community Prosperity. p. 38-39; Innes, Judith E. 2004. Turning Businesspeople into Environmentalists: The Sierra Business Council. Working Paper 2004-06. Berkeley: Institute of Urban and Regional Development, University of California.

half of SBC's 500-plus members are local businesses, 75 percent of which started in the Sierra Nevada. SBC's work, which includes research, policy analysis, public education, leadership development, and collaborative initiatives with local partners, is currently focused in three veins:

1. **Investing for Prosperity.** This initiative includes the bi-annual publication of the *1999-2000 Sierra Nevada Wealth Index*, SBC's assessment of the region's social, natural, and financial capital, and *Investing for Prosperity*, which was published in July 2003. *Investing for Prosperity* presents a series of principles, supported by case studies, to guide decision-makers to a more integrated approach to community development.
2. **Planning for Prosperity: Building Successful Communities in the Sierra Nevada.** This reference guide, published in 1997, emphasizes the economic importance of effective land use planning. The SBC currently has three "Planning for Prosperity" initiatives underway, focused on applying the principles and guidelines set forth in the guide.
3. The SBC sponsors the **Sierra Leadership Seminar**, an interactive workshop designed to promote business and civic leadership skills across the Sierra Nevada. It has graduated 180 Sierrans over the past decade.

7. Future Prospects

The future prospects for governing the Crown of the Continent are promising. During the next six months, there are at least three (and maybe four⁸⁵) specific initiatives to inform and invigorate efforts to sustain the communities and landscapes of this remarkable region.

(a) Improve the Crown Manager's Partnership

⁸⁵ The fourth prescription revolves around the possibility of creating a shared data base. Apparently, The Mistakis Institute, in partnership with the CMP, is in the process of at least assembling the data bases of CMP members. The next step, of course, is to look at opportunities for standardizing the collection of data in such a way that it is useful for individual jurisdictions as well as the region as a whole. *We need to check on the status and scope of this project before saying much more.* A regional data base will no doubt improve communication and coordination on issues of common concern, but it also raises the question about the role of science in regional governance – see the experience with the GYCC.

First, the LILP and PPRI are preparing and will release a communications plan for the Crown Manager's Partnership. Among other things, this plan will provide specific prescriptions on how to improve both internal and external communications. We will review the content of the communications plan here (in this report) once it is finalized. We may also propose the creation of Crown of the Continent Charter, a negotiated agreement among sovereign governments (and perhaps have non-government organizations sign-on as Friends of the Charter) that will provide more political legitimacy than currently exists, if not legal recognition and authority.

(b) Create a Regional Stewardship Network

Second, as mentioned earlier, LILP and PPRI, in association with a diverse advisory committee, will convene and two-day workshop in May 2007 to (1) clarify who is doing what to promote livable communities, vibrant economies, and a healthy landscape within the region; (2) identify common themes and areas of interest; (3) explore the sense of place or regional identity, and how the region can be appropriately "branded;" and (4) create a regional stewardship network (supported by the new web site) of formal and informal actors to exchange ideas and information, explore opportunities to work together (and to create one or more "affinity groups"), raise public awareness and understanding, share resources, and minimize duplication. This workshop will be by invitation only, and will include land and resource managers, leaders of place-based initiatives, and representatives of various "communities of interests" (see Appendix 5: Communities of Interest in the Crown).

We plan to learn lessons from similar regional efforts, including but not limited to the Greater Yellowstone Ecosystem (focused on creating a platform for interagency cooperation), Sierra Business Council (a great example of how to mobilize and engage the business community in regional initiatives), and the Great Lakes Regional Collaboration project, a wide-ranging, cooperative effort to design and implement a strategy for the restoration, protection and sustainable use of the Great Lakes, an international resource shared by the United States and Canada (much like the Crown of the Continent). We also plan to learn more about branding from one or more experts, receive an update on the Geotourism MapGuide Project, and provide ample opportunities for people to informally network. The results of the workshop will be incorporated into this report.

(c) Brand the Region

Third, the National Geographic Society, in partnership with several organizations in the region, will be kicking-off the Crown of the Continent Geotourism MapGuide project in

January 2007. The purpose of this project is to create an interactive map (and associated web site) to highlight the natural and cultural features of the region. This initiative is designed to promote and sustain these assets, and will also help brand the region – or at least facilitate a regional identity. Once again, more detail will be included in this report as this project begins to take shape.

8. Conclusion

Forthcoming.

Appendix 1: Crown of the Continent

See map of the region

Organization name	Founded	Level of governance	Mission/goals	Parallel agencies
Land holdings in Crown				
Parks Canada http://www.pc.gc.ca/index_e.asp Waterton Lakes National Park	1887	Canadian federal agency	<ul style="list-style-type: none"> •protecting public land •protecting representative samples of land from each of Canada's 39 ecoregions •visitor enjoyment •visitor education •sustaining ecological integrity 	US National Park Service
US National Park Service [NPS] http://www.nps.gov/ Glacier National Park	1916	US federal agency Department of the Interior	<ul style="list-style-type: none"> •Preserving vegetation and wildlife •Promoting scenic and recreational values •Preserving historical and archeological values •Public education in service of these other areas 	Parks Canada
BC Ministry of Environment (esp. Environmental Stewardship Division, Parks and Protected Areas Branch) http://www.env.gov.bc.ca BC Provincial Parks	1957*	BC provincial ministry	BC Parks: Protecting natural areas for: <ul style="list-style-type: none"> •conservation •outdoor recreation •public education •scientific study 	BC Parks ≈ Alberta Community Development
Alberta Community Development (esp. Parks and Protected Areas Program) http://www.cd.gov.ab.ca/index.asp Alberta Provincial Parks	1951	AB provincial ministry	<ul style="list-style-type: none"> •Preserving and celebrating natural areas •Preserving all 6 representative ecoregions in AB •Providing opportunities and infrastructure for public recreation in natural areas •Preserving and celebrating BC's cultural heritage •Protecting human rights •Fostering libraries, volunteerism, sport, recreation, arts 	BC Parks (part of Ministry of Environment)
BC Ministry of Forests and Range http://www.gov.bc.ca/for	1965	BC provincial ministry	<ul style="list-style-type: none"> •Protecting and conserving forests and rangelands •Managing forest and rangeland resources •Providing economic benefit for all British Columbians •Having an effective, efficient, innovative organization 	USDA Forest Service Montana Forestry Division (DNRC)

Provincial Forest Reserves (primarily Cranbrook Forest Reserve)				Alberta SRD US BLM
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Organization name	Founded	Level of governance	Mission/goals	Parallel agencies
Land holdings in Crown				
<p>USDA Forest Service</p> <p>http://www.fs.fed.us/</p> <p>National Forests: Kootenai; Flathead; Lewis and Clark; Lolo; Helena</p> <p>Wilderness Areas: Bob Marshall; Great Bear; Scapegoat</p>	1905	US federal agency Department of Agriculture	<ul style="list-style-type: none"> •Sustaining the health and diversity of US forests and grasslands •Sustaining the productivity of US forests and grasslands •Economic viability of timber harvest •Forestry research •Providing technical and financial assistance to state and private forestry agencies <p>For wilderness areas:</p> <ul style="list-style-type: none"> •Preserving the primitive character and significant ecological, geological, scientific, educational scenic and historical significance of these areas, as applicable to each site. 	<p>Alberta SRD</p> <p>BC Forests and Range</p> <p>US BLM</p>
<p>Alberta Sustainable Resource Development [SRD] esp. the Lands Division</p> <p>http://www.srd.gov.ab.ca/</p> <p>Rocky Mountain Forest Reserve Castle Special Management Area</p>		AB provincial ministry	<p>Ministry is responsible for a wide range of land management duties. Departmental divisions include Fish and Wildlife, Forestry, Lands, and Finance and Administration.</p> <p>The Lands Division is responsible for managing industrial, commercial and agricultural public lands in accordance with the Albertan <i>Public Lands Act</i>. Mission includes</p> <ul style="list-style-type: none"> •Responsible use of Alberta’s natural resources •Using leading practices in management, science and stewardship <p>For the Castle special management area: Managed for “sustainable multiple use” Goal - balance recreation and other economic uses</p>	<p>USDA Forest Service</p> <p>BC Forests and Range</p> <p>US BLM</p> <p>MT Forestry Division</p>

			with preserving natural beauty and a healthy ecosystem	
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Organization name	Founded	Level of governance	Mission/goals	Parallel agencies
<p>Land holdings in Crown</p> <p>US Fish and Wildlife Service [FWS] http://www.fws.gov/</p> <p>National Bison Range Complex: National Bison Range+, Ninepipe+, Pablo+, Lost Trail and Swan National Wildlife Refuges; Northwest Montana Wetlands Management District</p> <p>+ lands within the borders of the Flathead Tribal Reservation. So are several Wetlands Management sites.</p>	1940**	US federal agency Department of the Interior	<ul style="list-style-type: none"> • Collaborative land/ecosystem management • Conserving and protecting fish, wildlife, plants, and related habitats • Doing this so as to benefit the US people • Engaging in culturally sensitive management: for lands within reservation borders, tribal members harvest plants for food and medicine • Responsible for managing many wildlife refuges • Responsible for enforcing the Endangered Species Act • National Wildlife Refuges – primary goal is managing lands as a refuge and breeding ground for native birds • National Bison Range – established 1908 to support a population of American Bison 	Alberta SRD – Fish and Wildlife Division
<p>MT DNRC - Forestry Division http://www.dnrc.state.mt.us/forestry/</p> <p>State forests: Stillwater SF, Coal Creek SF, Swan River SF, Clearwater SF</p>	1971 (DNRC)	Montana state agency Department of Natural Resources and Conservation	<ul style="list-style-type: none"> • Promoting stewardship of Montana’s water, soil, forest and rangeland resources • Ensuring sustainability of Montana communities • Regulating forest practices • Engaging in cooperative fire protection • Promoting a viable forest-based economy • Regulating oil and gas exploration and production • Administering several grant and loan programs 	Alberta SRD BC Forests and Range
<p>US Bureau of Land Management [BLM] http://www.blm.gov</p> <p>scattered small parcels in Crown</p>	1946*** 1976 – FLPMA	US federal agency Department of the Interior	<ul style="list-style-type: none"> • Managing lands in accordance with the Federal Lands Policy and Management Act (1976) Mandated under FLPMA: • “Multiple Use” management, including: energy and minerals, timber, forage, wild horse and burro populations, fish and wildlife habitat, 	USDA Forest Service Alberta SRD BC Forests and Range

area			wilderness areas, archeological, paleontological and historic sites. •Managing lands and resource values to meet the 'present and future needs of the American people'	
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* BC Park branch was created in 1957 as part of Department of Recreation and Conservation. Now it is managed by Ministry of Environment.

** The Bureaus of Fisheries and Biological Survey, moved to Dept of the Interior in 1939, are combined to create the Fish and Wildlife Service.

*** The Grazing Service merged with the General Land Office to create the Bureau of Land Management. According to the BLM website, the BLM had no unified legislative mandate until the Federal Lands Policy and Management Act of 1976.

Appendix 3: Members, Crown Manager's Partnership

First Nations, Canada

- Ktunaxa Kinbasket Treaty Council
- Blood (Kainai) Tribe

Tribal Governments, USA

- Blackfeet Tribe
- Confederated Salish & Kootenai Tribes

Government of Canada

- Waterton Lakes National Park

Government of United States

- Flathead National Forest
- Lewis & Clark National Forest
- Glacier National Park
- U.S. Bureau of Indian Affairs
- U.S. Fish & Wildlife Service
- U.S. Geological Survey

Province of Alberta

- Alberta Sustainable Resource Development
- Alberta Environment
- Alberta Community Development

Province of British Columbia

- Ministry of Environment
- Integrated Land Management Bureau
- Ministry of Forests
- Ministry of Energy, Minerals, and Petroleum Resources

State of Montana

- Department of Fish, Wildlife and Parks
- Department of Natural Resources and Conservation
- Flathead Basin Commission

Appendix 4: Preliminary Inventory of Place-based Partnerships

- Blackfoot Challenge
- **Clearwater Resource Council**
- Coalition to Protect the Rocky Mountain Front
- Crown of the Continent Environmental Education Consortium
- East Kootenay Conservation Program
- Flathead Lake Biological Station
- Flathead Lakers
- **Flathead on the Move**
- **Glacier Country Tourism Association**
- **Great Northern Environmental Stewardship Area**
- Heart of the Rockies Initiative
- Livingstone Landowners
- Montana Scenic Loop
- **Northwest Connections**
- Pekisko Group
- **Rocky Mountain Grizzly Centre**
- Rotary Peace Park
- Swan Valley Ecosystem Center
- Wildsight
- Yellowstone to the Yukon

Appendix 5: Communities of Interest in the Crown

- Colleges and Universities
 - University of Calgary
 - University of Montana
 - Flathead Community College
 - Tribal Colleges
- Local elected and appointed officials
- Timber and Mining
 - Montanan's for Multiple Use
- Motorized recreation
 - Alberta OHV
 - Flathead Snowmobile Association
- Landscape protection
 - NRDC
 - Great Bear Foundation
 - Montana Wilderness Association
 - National Parks Conservation Association
 - The Nature Conservancy
- Civic groups
 - Rotary
 - Church
 - Etc.
- Business community
 - Real estate associations
 - Trail of the Great Bear
 - Outfitters and Guides
- Smart Growth
 - Sonoran Institute