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# **National Parks and Institutional Change: The Case of Rouge National Urban Park, Toronto**

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## **Declaration**

I, Chloe Lopez, declare that this thesis is a result of my research investigations and findings. Sources of information other than my own have been acknowledged and a reference list has been appended. This work has not been previously submitted to any other university for award of any type of academic degree.

Signature.....*Chloe Lopez*.....

Date.....*13 May 2018*.....

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Thank you, merci, takk, salamat!



**Fig. 1** A cedar waxwing (*Bombycilla cedrorum*) on the Vista Trail, Rouge National Urban Park. Photo courtesy of Larry Noonan.

## **Abstract**

Rouge National Urban Park has been described as ‘the first of its kind’ in Canada. Its proximity to the largest urban centre in the country, and the challenges represented by this, makes it an interesting case study in environmental governance. The aim of this thesis is to analyze the institutional change represented by the transition in the status and management of the Rouge from a local park to a national park.

Although the interest in having it protected as a national park was sparked decades ago, it was only realized in recent years. At the time of writing (early 2018), the Rouge is still undergoing the transition process. While the park is now operated by the federal parks agency, Parks Canada, there is still much work to be done before it is fully functional.

Creating a national park out of a local park was brought about primarily by pressure from ‘below’, with support from ‘above’. Local conservationists have twice created the political will to protect the ecological values of the Rouge Valley: in the late 1970s and early 1980s, they fought to protect it from landfills, highways, airports, and condominiums, leading to the opening of the first Rouge Park in 1995; and in the 2010s, after the federal government declared the Rouge National Urban Park, they challenged its legislation until the concept of ‘ecological integrity’ was enshrined as in other Canadian national parks.

This thesis aims to answer the questions:

1. What were the main characteristics of the decision-making process that resulted in the establishment of Rouge National Urban Park?
2. How did the regime change after the transition to Parks Canada?
3. What are the effects of the new regime on the actions of economic and civil society actors?
4. What are the expected impacts of the new regime on the resources in the park and how they will be used in the future?

To analyze the institutional change in resource management exemplified by the establishment of Rouge National Urban Park, this thesis will use the Environmental Governance Framework proposed by Vatn (2015). Under this framework, it will examine the different actors

involved in the transition to the new national park regime, as well as their preferences, interests, and interactions. National parks are seen as an institution, which has some basis on internationally-accepted definitions of protected areas under the International Union for the Conservation of Nature (IUCN) Category II.

To analyze the results of the new regime, Underdal (2002)'s framework on Regime Effectiveness will be used. The change in the park's legislation and operations are seen as the output of the decision-making process, while its effect on economic and civil society actors' behaviour is seen as its outcome. Finally, the long-term effect of the decision-making process and its output on the resource being governed is seen as the impact. Per date, it has only been possible to indicate what is expected, Rouge National Urban Park is relatively new.

This particular case study is examined from different actors' perspectives. To do so, qualitative research methods such as interviews and literature reviews have been used. An array of primary and secondary sources, such as government documents, public documents, and news articles, have also been chosen to provide a balanced and diverse overview of the issue.

It is worth noting that, as exemplified in this case, politics has as much to do with conservation as does governance. This is due to the fact that decision-making is a political process, and the resulting legislation frames the way resources are managed. While it remains to be seen what the long-term impact of these decisions will be on the natural and cultural resources in the park, this thesis contends that the park lands will be better administered under federal management. Not only will the Rouge be protected in perpetuity, but once the land transfers have been finalized, an important natural ecological corridor will be formalized and preserved. Having these lands unified and maintained by an agency with the mandate and the means to do so will be beneficial, especially due to the park's location within developed areas. At the same time, it will be vital to continue partnerships with important stakeholders such as farming communities, First Nations groups, and local conservationists.

Maintaining the balance between nature and culture in an urban setting means that the Rouge represents a new model of park management in Canada. Lessons learned from its experience could be applied in similar cases around the world.

**Keywords:** *national parks, institutional change, environmental governance, Canada*

## List of abbreviations

CNPA	Canada National Parks Act
CPAWS	Canadian Parks and Wilderness Society
EGS	Environmental Governance Systems
ENGO	Environmental Non-Governmental Organization
FRW	Friends of the Rouge Watershed
GMOs	Genetically-Modified Organisms
IUCN	International Union for the Conservation of Nature
MOA	Memorandum of Agreement
MP	Member of Parliament
NPS	National Park Service
RNUP	Rouge National Urban Park
RNUPA	<i>Rouge National Urban Park Act</i>
RPA	Rouge Park Alliance
SRVS	Save the Rouge Valley System, Inc.
TRCA	Toronto and Region Conservation Authority

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# 1. Introduction

‘Remember you belong to nature, not it to you.’ The words of Grey Owl, one of the earliest conservationists in Canada, resonate with anyone who has ever beheld the Rocky Mountains, experienced the colours of a maple-dominated forest in the autumn, witnessed caribou migrate, or listened to the sound of the waves crashing on the Atlantic shore. Being able to appreciate nature is part of what makes us human. Yet it is also human nature to exploit it.

The International Union for the Conservation of Nature (IUCN) is an international body whose mission is to ‘influence, encourage and assist societies throughout the world to conserve the integrity and diversity of nature and to ensure that any use of natural resources is equitable and ecologically sustainable’ (IUCN, 2018a). Established in 1948, it is composed of members from governments and civil society organizations around the world. As both a network and an authority, it sets globally-accepted standards for protected areas, categorizing these according to their management objectives. The IUCN lists six protected area categories, which are, in order of the scale of human impact:

- Ia Strict Nature Reserve;
- Ib Wilderness Area;
- II National Park;
- III Natural Monument or Feature;
- IV Habitat/Species Management Area;
- V Protected Landscape/Seascape; and
- VI Protected area with sustainable use of natural resources (IUCN, 2018b).

Category II, national parks, are the subject of this thesis. It is in these kinds of protected areas that we find the harmony between remembering that we belong to nature and acknowledging that we make an impact on it; where we make it our mission to conserve what we observe.

IUCN categorization states that national parks are ‘large natural or near natural areas set aside to protect large-scale ecological processes, along with the complement of species and ecosystems characteristic of the area, which also provide a foundation for environmentally and culturally compatible spiritual, scientific, educational, recreational and visitor opportunities’

(IUCN, 2018b). In Canada, national parks are governed by the *Canada National Parks Act*, which dedicates these protected areas ‘to the people of Canada for their benefit, education and enjoyment’ (c. 32, s. 4(1)). National parks are administered by Parks Canada, an agency of the Government of Canada, under the *Parks Canada Agency Act*, and fall under the jurisdiction of the federal Ministry of Environment and Climate Change. Aside from national parks, Parks Canada is also responsible for protecting national historic sites and national marine conservation areas (c. 31, s. 4(1)).

As per the *National Parks System Plan* (2017), Canada has 39 natural regions in 10 provinces and 3 territories. Parks Canada’s goal is to establish at least one national park in each natural region as a representative of it. Currently, there are 46 national parks in 30 natural regions, meaning that Parks Canada’s goal is 77% complete (Parks Canada, 2018d).



**Fig. 2** The national parks system administered by Parks Canada. Source: Parks Canada (2018). Retrieved from <https://www.pc.gc.ca/en/pn-np/cnnp-cnnp/carte-map>.

National parks must be ‘nationally-significant examples of Canada’s natural and cultural heritage’ (Parks Canada, 2018c). Parks Canada’s mandate is to ensure ecological integrity while creating opportunities for education and visitor experiences, which is why they strive to ‘protect and present’ these representative protected areas. Protecting and presenting are aspects meant to complement, and not compromise, each other (Parks Canada, 2018c).

Aside from these federally-administered areas, each of Canada’s 10 provinces and 3 territories also has its own system of provincial or territorial parks. The province of Québec, which is considered a ‘nation’ within the country, has *parcs nationaux*, which are equivalent to provincial parks elsewhere in Canada and adhere to IUCN Category II. As per the *Québec Parks Act* (1977), they are administered by the *Société des établissements de plein air du Québec* (Sépaq), an agency of the Government of Québec, and fall under the jurisdiction of the provincial Ministry of Sustainable Development, Environment, and Parks. Other provincial and territorial parks similarly fall under the jurisdiction of their own ministries, but do not necessarily follow IUCN categorizations.

While Category II is on the stricter side of the spectrum, it nevertheless does not exclude human use. According to the globally-accepted standard, a national park’s primary objective is ‘to protect natural biodiversity along with its underlying ecological structure and supporting environmental processes, and to promote education and recreation’ (IUCN, 2018b). Similarly, the *Canada National Parks Act* states that ‘Maintenance or restoration of ecological integrity, through the protection of natural resources and natural processes, shall be the first priority of the Minister when considering all aspects of the management of parks’ (c. 32, s. 8(2)).

Being responsible for maintaining the international standard and following its mission to educate and provide excellent visitor experience, Parks Canada acknowledges that maintaining ecological integrity in national parks ‘requires collaboration among people whose actions influence the ecosystems and their sustainability’ (Parks Canada, 2017g). Accordingly, it manages national parks according to the principle of sustainable development, which means that ‘human economic development must be compatible with the long-term maintenance of natural ecosystems and life-support processes’ (Parks Canada, 2017f, p. 2). The first Canadian national park was created in 1885 when legislators ‘realized that natural phenomena in the midst of scenic magnificence should be preserved and administered as a public rather than a private enterprise’

(Lothian, 1987, p. 10). As then, lands are set aside as national parks to be protected for the enjoyment of future generations.

## **1.1 Problem statement**

This thesis analyzes the decision-making process that led to the establishment of the Rouge National Urban Park, which is the first of its kind in Canada. As a former local park, it underwent institutional change to become a national park. While it does not follow the internationally-accepted definition of a Category II protected area and is not included in the *Canada National Parks Act*, it is nevertheless accorded the same status and protections as other national parks.

Rouge National Urban Park had its origins as a local park. After campaigns by civil society actors were supported by political actors in the late 1970s and early 1980s, the smaller Rouge Park was inaugurated in the 1990s. From that period, it was governed by an advisory board-style model under the Rouge Park Alliance until it became a national park in 2011, when governance shifted to the more centralized, already-established Parks Canada agency. Due to its unique situation, the park received its own legislation. Conflicts arose over what exactly protecting it as an ‘urban national park’ would mean for its management, since the Rouge lands do not fit the typical IUCN definition of a Category V national park.

At the time of writing (early 2018), the Rouge is still undergoing the transition process. While the park is now operated by the federal Parks Canada agency, it only possesses about 80% of the land legislated to it, and there is still work to be done before it becomes a fully-functional national park. The case of the Rouge case is worth examining because it presents a clear and ongoing case of institutional change. As a new type of national park, it merits examination as a potential governance model for similar near-urban protected areas around the world.

## **1.2 Objectives and research questions**

This thesis aims to investigate institutional change in the establishment of Rouge National Urban Park. As such, it will focus on the transition in its status and management from a locally-governed to a federally-governed protected area. This thesis will examine the conflicts and resolutions in the decision-making process that defined the new national park regime and its



legislation. It will also explore the changes brought about by this new regime, as well as its effect on economic and civil society actors and, finally, on the long-term protection of the lands.

To address these objectives, the following research questions have been formulated:

1. What were the main characteristics of the decision-making process that resulted in the establishment of Rouge National Urban Park?
2. How did the regime change after the transition to Parks Canada?
3. What are the effects of the new regime on the actions of economic and civil society actors?
4. What are the expected impacts of the new regime on the resources in the park and how they will be used in the future?

Chapter 2 of this thesis will begin by reviewing the history and previous management of the park lands. Chapter 3 will then explain the concept of environmental governance and resource regimes, including notions of property and use rights as well as power and participation in political decision-making. Chapter 4 will illustrate the methods used to structure this research project, while Chapter 5 will examine the circumstances surrounding the decision to transfer Rouge Park's management to a federal agency, including conflicts and resolutions. Chapters 6, 7, and 8 will explore the changes brought about by the new national park regime, while Chapter 9 will consider their consequences.

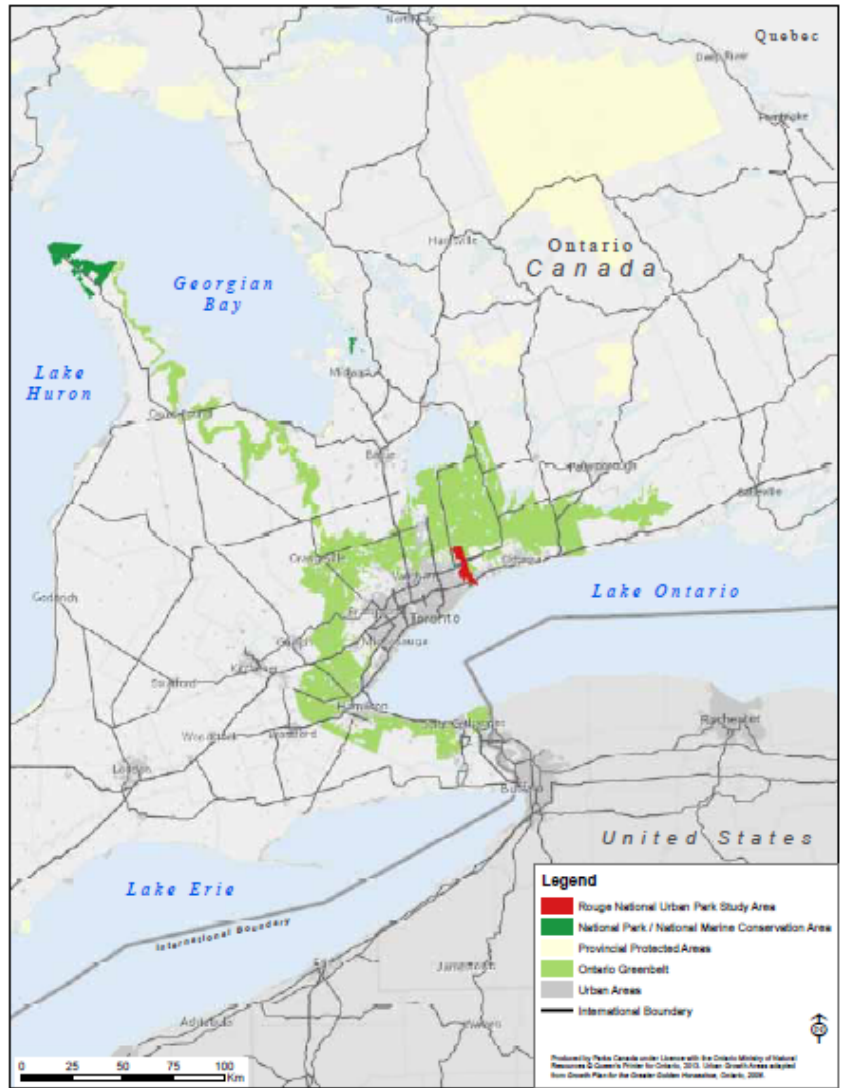
Throughout this thesis, we will use Vatn (2015)'s Environmental Governance Systems framework to analyze the actors, their preferences and interests, the institutions surrounding them, and their interactions. We will also use Underdal (2002)'s Regime Effectiveness framework to analyze the output, outcome, and expected future impact of the institutional change examined in this case study.

## **2. Background**

Calling a national park ‘urban’ may seem like a paradox. However, the Rouge Valley has always been rich in natural resources, which several groups of humans have benefited from over the centuries. Today, it is surrounded by Canada’s most populated metropolis, the Greater Toronto Area. To protect the Rouge Valley, a national urban park was established in 2011. This represented a transition from the much smaller, locally-managed Rouge Park, which, at 46 km<sup>2</sup>, was about half its size. While Rouge National Urban Park does not fit the international definition of a national park under IUCN Category II, it is still protected as one. IUCN Category V has been determined to be the best fit for the park (Parks Canada, 2014), meaning that it is recognized and managed as ‘an area of distinct character with significant ecological, biological, cultural, and scenic value’ (IUCN, 2017b).

### **2.1 Study area**

Rouge National Urban Park is situated on the east end of the Greater Toronto Area, in southern Ontario, Canada. It is named after the Rouge River, the easternmost of the three major rivers in Toronto that empty into Lake Ontario, and lies in the Rouge Valley, which forms a natural ecological corridor from Lake Ontario in the south to the Oak Ridges Moraine in the north (Jim Robb, personal communication, March 9, 2018). After land transfers to Parks Canada have been completed, the park’s size is expected to total 79.1 km<sup>2</sup> (Parks Canada, 2018a).



**Fig. 3** Map showing the location of Rouge National Urban Park (in red) in southern Ontario, Canada. Source: Parks Canada (2014).

Rouge National Urban Park is situated in the St. Lawrence lowlands, which lies on clay-rich sedimentary rock. This bedrock is made of a 450 million-year-old shale formation known as the Whitby Formation, which has its origins in a prehistoric inland sea. It is occasionally exposed in the Rouge River and the Little Rouge River, where fossils of creatures such as trilobites, sponges, clams, corals, and brachiopods are sometimes found (Parks Canada, n.d.a). The park’s surrounding landscape is characterized by glaciation, which includes drumlins, moraines, and glacial till (Parks Canada, 2017f, p. 77). The Rouge itself contains internationally-significant geological features from the retreat of the Laurentide Ice Sheet, such as the Glen Eagles Vista (Parks Canada, n.d.a).

Rouge National Urban Park's ecosystem is primarily composed of one of the last of 36 deciduous Carolinian forests remaining in Canada, as well as sensitive wetlands (Macaraig, 2011; Macaraig, 2015). Its climax forests are primarily made up of sugar maple (*Acer saccharum*), American beech (*Fagus grandifolia*), and eastern hemlock (*Tsuga canadensis*), while mixed-wood zones include sugar maple, yellow birch (*Betula alleghaniensis*), eastern hemlock, and white pine (*Pinus strobus*) (Parks Canada, 2017f). Owing to its unique landscape features and glacial history, the park represents one of the most biodiverse areas in Canada and is home to more than 1,700 species. Typical fauna found in the park have adapted to thrive on suburban habitats and agricultural crops, such as white-tailed deer (*Odocoileus virginianus*), coyotes (*Canis latrans*), eastern grey squirrels (*Sciurus carolinensis*), house sparrows (*Passer domesticus*), and starlings (*Sturnus vulgaris*) (Parks Canada, 2017f). The park also contains 27 species at risk, some of which are locally or regionally rare, including the Blanding's turtle (*Emydoidea blandingii*), tri-coloured bat (*Perimyotis subflavus*), bobolink (*Dolichonyx oryzivorus*), eastern meadowlark (*Sturnella magna*), redbreast dace (*Clinostomus elongatus*), milksnake (*Lampropeltis triangulum*), and monarch butterfly (*Danaus plexippus*) (Parks Canada, 2018e).

Aside from rich natural features, Rouge National Urban Park also contains important cultural elements. Due to its glacial history, the park is home to some of the rarest and most fertile Class 1 agricultural lands in Canada (Parks Canada, 2018a). Currently, farms make up more than 50% of the total area of the park, and some families have been tilling the land for almost 200 years (Parks Canada, 2014).

In the Rouge Valley, we also find traces of prehistoric Aboriginal settlements dating from 10,000 years ago (Parks Canada, 2017c). Archaeological findings suggest that Aboriginal groups also passed through the Rouge River over several centuries, navigating its waterways by canoe and making trails while carrying them on land in a practice known as portage. The Ojibwe and Iroquois used to gather at sites in southern Ontario, including around the Rouge Valley, during harvest season for maple syrup or wild rice. Many of the park's current trails have their origins in these portage routes (Garratt, 2000).

Close to the mouth of the Rouge River, on the eastern side of the park, archaeologists have excavated artifacts such as glass beads and ceramic pipes, as well as a burial site, dating from 1665-1687. These indicate the remnants of a Seneca village known as Ganatsekwagyon. Findings

have also included a French coin from 1665, metal kettle fragments, European gunflints, and a decorated comb, which signified European contact. Indeed, French missionaries and *coureurs de bois* were active in the area at the height of the fur trade. Part of the bigger Carrying Place Trail, which was used both by First Nations people and French explorers, runs through the Rouge River from Lake Ontario to the Oak Ridges Moraine. Ganatsekwayon was recorded as an important trading post where the French exchanged items with First Nations people for fur. The archaeological site is now known as Bead Hill and was designated a National Historic Site in 1991, under the protection of Parks Canada (Parks Canada, n.d.b).

## **2.2 Historical overview of Rouge National Urban Park**

The original Rouge Park was officially opened in 1995. However, its conception long predates its creation. That story starts in the 1970s, when the federal Liberal government made plans to build a new international airport in the City of Pickering, east of the Rouge River. To do so, it expropriated about 7,800 hectares of farmland (Macaraig, 2011). At the same time, the Conservative provincial government bought around 80 km<sup>2</sup> of land around the Rouge Valley, with the intent of making it an environmental buffer zone between the City of Toronto and the airport (Hon. Pauline Browes, personal communication, February 23, 2018). The planned airport encountered fierce opposition from local citizens, and the federal government was forced to reconsider its actions (Jim Robb, personal communication, March 9, 2018).

By the late 1970s and early 1980s, citizens concerned with the rapid expansion of urban development had decided to mobilize to preserve ecologically-sensitive areas in the Greater Toronto Area (Glenn de Baeremaeker, personal communication, March 1, 2018; Jim Robb, personal communication, March 9, 2018). Aside from the airport, there were pressures from the housing sector, which wanted to build luxury homes and then affordable housing in the Rouge Valley; from Transport Ontario, which had plans to create a transport corridor through the Rouge Valley to connect two major provincial highways; as well as from the City of Toronto, which was putting a large amount of waste in the Beare Road Landfill, situated in the Rouge Valley (Glenn de Baeremaeker, personal communication, March 1, 2018). In 1975, concerned citizens formed a group called Save the Rouge Valley System, Inc. (SRVS), an environmental non-governmental organization (Macaraig, 2011). In 1987, they drafted the Rouge National Heritage Park Proposal, a plan to protect about 40 km<sup>2</sup> of public lands in the Rouge Valley from Lake Ontario to the Oak

Ridges Moraine. Since the public lands belonged to both the federal and provincial governments, they advised that the park be jointly managed by the two levels of government (Jim Robb, personal communication, March 9, 2018).

Due to pressures from urban developers, the provincial government was reluctant to the idea of creating a park. However, the federal government was more accepting. The Royal Commissioner on the Future of the Toronto Waterfront, David Crombie, saw the value in preserving the Rouge River watershed. At the same time, the Minister of the Environment, Thomas McMillan, was exploring the idea of saving ‘pieces of geography in Canada in the national interest... [that] don’t necessarily fit into the national park legislation’ (Hon. Pauline Browes, personal communication, February 23, 2018). In 1988, the federal government committed \$10 million to protecting the Rouge Valley (Hon. Pauline Browes, personal communication, February 23, 2018; Jim Robb, personal communication, March 9, 2018). In that same year, the local City Council passed a motion to protect 5,000 acres of land around the Rouge Valley (Robb, Gregorio, and James, n.d.).

In 1990, a bill that recommended that the federal government ‘consider the advisability of entering into negotiations with the Government of Ontario to establish a wilderness reserve or heritage park to protect the environmental uniqueness and importance of the Rouge River Valley System in Scarborough’ (StrategyCorp, 2010, p. 20) was passed in the House of Commons. During the provincial elections that same year, the Government of Ontario announced the creation of Rouge Park. The size matched that recommended by the SRVS proposal and included the lake-to-moraine ecological corridor envisioned by local conservationists (Jim Robb, personal communication, March 9, 2018). Most importantly, the park encompassed and protected the ecologically-sensitive Rouge watershed.

In the next few years, the provincial government initiated a public planning process that led to the creation of the *Rouge Park Management Plan* (1994). A governing body, the Rouge Park Alliance (RPA), was subsequently formed. Rouge Park officially opened in 1995 and was administered until 2011 by the Alliance, which was composed of members of the federal and provincial parliaments, politicians from municipalities surrounding Rouge Park, and representatives from local conservation authorities and citizen groups. They were:

- The Government of Canada;

- The Province of Ontario;
- The Region of York;
- The Town of Markham;
- The Town of Whitchurch-Stouffville;
- The Town of Richmond Hill;
- The Region of Durham;
- The City of Pickering;
- The City of Toronto;
- The Toronto Zoo;
- The Toronto and Region Conservation Authority (TRCA);
- The Waterfront Regeneration Trust; and
- Save the Rouge Valley System, Inc. (City of Toronto, n.d.)

The RPA operated under a mandate from the Ontario Ministry of Natural Resources to ‘protect, restore, and enhance the Park’s natural environment’ (Jim Robb, personal communication, March 9, 2018). The *Rouge Park Management Plan* (1994) and the *Rouge North Management Plan* (2001) served as the guiding documents. In addition, the RPA published an annual report and held meetings which were open to the public. Through the Toronto and Region Conservation Authority, they also managed to acquire additional lands from the Government of Ontario (Robb, Gregorio, and James, n.d.).

The funding for the original Rouge Park primarily came from the interest on the \$10 million initial commitment from the federal government (Hon. Pauline Browes, personal communication, February 23, 2018; Jim Robb, personal communication, March 9, 2018). The provincial government had also committed \$10 million, but this was used to acquire more land for Rouge Park as the years went on. Protecting the Rouge Valley became an act of every provincial government that then followed. From the Liberals to the New Democrats to the Conservatives, all three major political parties contributed to enlarging Rouge Park’s area size. Protecting the Rouge Valley became a ‘political but non-partisan’ project (Robb, Gregorio, and James, n.d.).

## **2.3 The Canadian policymaking process**

In Canada, deciding on policies is a multi-level process. The legislation for the new Rouge National Urban Park came as a result of a decision by the federal government to change Rouge Park's status and management to that of a national park. Before any policies are put in place, there is a lengthy decision-making process. In order to illustrate how these framed what ultimately became the official rules and regulations of the new regime in Rouge National Urban Park, this section explains the dynamics of government in Canada.

Being a constitutional monarchy, Canada's Head of State is the reigning Monarch of the United Kingdom. However, the Monarch appoints a Governor General to preside over his or her functions in the country. The actual Head of Government is the Canadian Prime Minister (PM), the leader of the party that receives the majority of the votes in Parliament. He or she is elected every four years.

To govern the country, three branches work in conjunction: the legislative, executive, and judicial branches. Each has its own powers, but checks and balances the others (Parliament of Canada, 2018a).

The legislative branch is represented by the Parliament of Canada. As in the United Kingdom, it consists of the Monarch (represented in Canada by the Governor General), the Senate (nominated by the Prime Minister and appointed by the Governor General), and the House of Commons (elected by the population). The Parliament of Canada is responsible for proposing and passing laws (Parliament of Canada, 2018a).

Laws that affect all Canadians are first proposed by elected Members of Parliament (MPs), who represent ridings or local districts. These begin as bills, which are printed and read in what is called the first reading. At this stage, there is no debate. During the second reading, the bill's principle is debated in the House of Commons. If it passes this stage, the bill is sent to a committee, which examines each clause and writes a report. These are known as the committee stage and the report stage. Once these are done, the bill is again sent to the House of Commons. By this point, the results of the report are considered in the debate, and MPs can add or delete clauses. If successful, the bill goes to the Senate, where it follows a similar process. Once the bill passes the



third reading in the Senate, the Monarch, through the Governor General, gives Royal Assent, and the bill becomes law (Parliament of Canada, 2018b).

The executive branch, represented by the Government of Canada, is responsible for implementing and overseeing these laws. It consists of the Prime Minister and his or her Cabinet. Like the Senate, members of the Cabinet are nominated by the Prime Minister and appointed by the Governor General. They are tasked with the administration of federal departments and agencies such as Environment and Climate Change, Health, Citizenship and Immigration, Public Works, and National Defence, among others (Parliament of Canada, 2018a).

Finally, the judicial branch interprets laws and punish those who break them. It is composed of hierarchical, independent courts, beginning with provincial and territorial courts, where most cases are heard. Following are the provincial and territorial courts, as well as the federal court, then there the provincial and territorial courts of appeal as well as the federal court of appeal. On the highest level is the Supreme Court of Canada (Parliament of Canada, 2018a).

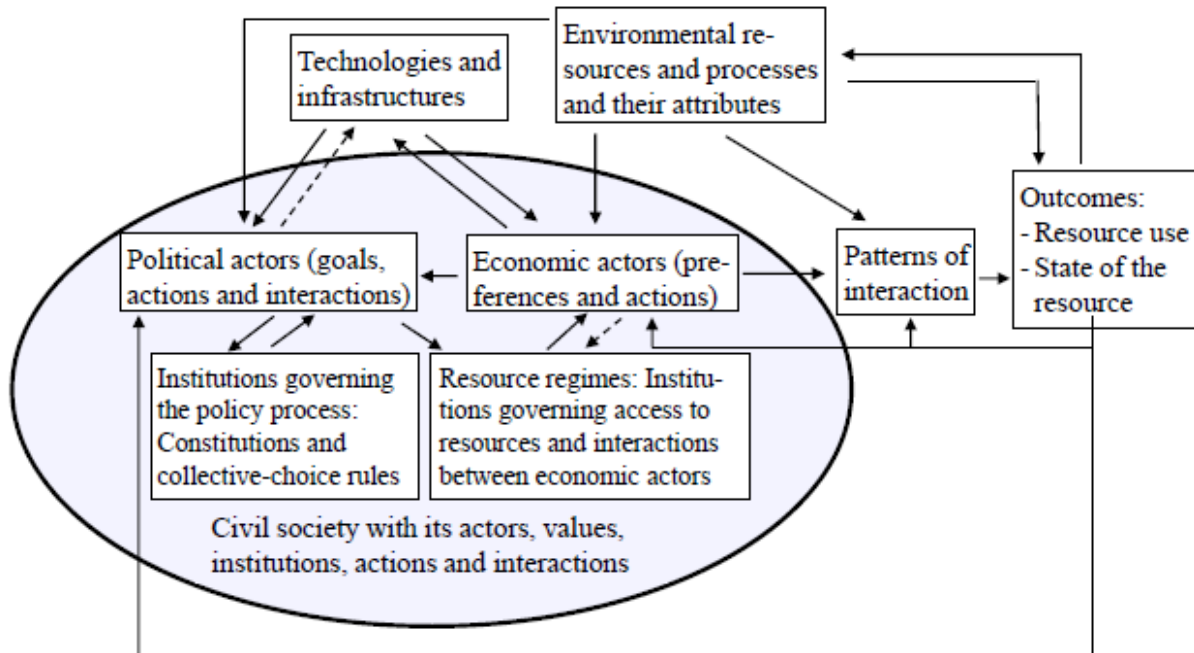
Canada has three main levels of government. The first and highest is the federal level, which attends to matters of law concerning the *Constitution Act, 1867*. As mentioned before, the federal government has departments and agencies responsible for implementing and overseeing laws on the national scale. Each province or territory also has its own government. This level attends to matters of law concerning the *Constitution Act, 1867* as well, but on a more specific scale. That is, each province or territory has its own laws addressing education, health care, natural resources, and road regulations, among others. The provincial or territorial government may cooperate or sometimes be in conflict with the federal government. Finally, there is the municipal level, whose powers are delegated by the provincial government. It takes care of local matters such as parks, libraries, local police, water systems, roadways, and parking, and implements related bylaws and regulations within a defined area (Parliament of Canada, 2018c).

### **3. Theoretical framework**

Environmental governance encompasses a variety of actors, institutions, and resources. To illustrate this and its applications to national park governance, we will use two theoretical frameworks. The first is Vatn (2015)'s Environmental Governance Systems (EGS) framework, which fleshes out the relationships between and the outcomes of the interactions between actors, institutions, and resources. Property and use rights as well as resource regimes as important in this analysis. The second is Underdal (2002)'s Regime Effectiveness framework, which complements most aspects of the EGS framework by focusing on the results of the decision-making process and its effects on the resources being governed. Putting these two frameworks together paints a clearer picture of institutional change in the case where a local park acquires a new status and is subsequently managed as a national park.

#### **3.1 Environmental governance**

The starting point for the analysis of our case study is the concept of environmental governance, which can be defined as the 'use, management, and protection of environmental resources' (Vatn, 2015, p. 134). Environmental governance encompasses 'the set of regulatory processes, mechanisms and organisations through which political actors influence environmental actions and outcomes' (Lemos and Agrawal, 2006, p. 298).



**Fig. 4** Environmental governance systems (EGS) framework. Source: Vatn (2015), p. 154.

In environmental governance, political actors interact with economic and civil society actors within institutional structures (such as governments) and processes (such as elections). These interactions, with all the conflict and coordination they entail, have an effect on the environmental resource being governed. Different actors have varying degrees of participation in decision-making, and it is the resource regime that determine who gets access to these resources and how.

The following sections will explore the different elements of the EGS framework as outlined by Vatn (2015).

### 3.1.1 Actors and institutions

Institutions are the norms, rules, and conventions that both define and constrain human behaviour. Institutions ‘give rise to social practices, assign roles to the participants in these practices, and guide interactions among the occupants of these roles’ (Young, 2008, p. 4). In environmental governance, institutions govern actors’ behaviours as well as their access and use of resources.

Looking at the EGS framework, we see economic actors, who own and use productive resources; political actors, who possess the power to define property and use rights and interaction rules; and civil society actors, who provide democratic legitimacy to political action. Each have

their own motivations, capacities, rights, and responsibilities, and may negotiate to change the dynamics of the resource regime in what is called the governance arena (Vatn, 2015).

Actors are shaped by institutions, which they also create. As constraints devised by human beings and imposed on others to shape their interactions, institutions act as the ‘rules of the game’ (North, 1990). They can either be formal or informal, and by imposing restrictions that define legal, moral, and cultural boundaries (Scott, 2013), they provide meaning, stability, and expectations to human interactions (Vatn, 2015).

Institutions are not only structures, but also processes (Scott, 2013). It is through institutions such as elections and Parliamentary debates that policy decisions regarding environmental governance are made. Technologies and infrastructures may influence these decisions by providing more information to decision-makers and facilitating policy implementation, aiding politicians in their role as lawmakers and agencies in their administrative functions.

Having said this, it is clear that politics and governance are related, and that governance is the instrumental aspect of politics. Politics has more to do with the distribution of power and resources, while governance describes the actual process of carrying this out. For example, in the Canadian context, the difference between Government and government is emphasized. The Government is the current political party in power, while the government is the branch responsible for administration (Parliament of Canada, 2018a). Thus, the Government may well be a political actor, while the government may well be a political and an economic actor. The last actor in the framework is civil society, made up of ordinary citizens to whom policies apply. They too can influence instituted decision-making processes through participation in such channels as public consultation, protests, and lobbying.

All of these actors’ motivations are influenced by environmental resources and processes and their attributes, since possible benefits from use give incentives for behaving a certain way. However, each actor may act on their motivations differently. For example, both a local conservation group and a government agency may be motivated to protect a certain area, but implement different measures to do so, having to do with their preferences and interests.

As shown in the EGS framework, the interactions between actors and institutions ultimately have an effect on the use and state of the resource being governed – the ‘outcome’.

### 3.1.2 Interactions, power, and rights

We have seen the different roles actors have in environmental governance and can conclude that decision-making is a political process. Subsequently, power dictates which actors' preferences and interests are given primacy.

In national park governance, two sources of power are the most pertinent. The first is coercion, which rests on the authority to own and manage resources, enforced by the law (Vatn, 2015). This source of power is encompassed by Max Weber's definition of the state as the 'human community that (successfully) claims *monopoly of the legitimate use of physical force* within a given territory' (Weber, 1991, p. 78).

When it comes to governance, the state has a role as arbiter, but it is also an actor in its own right (Vedeld, 2017). This is similar to the distinction between 'Government' and 'government' that we discussed in the previous section. Through the political process of elections, the state receives the legitimate authority and 'duty to steer resource use in a society according to the will and the interests of its citizens' (Vedeld, 2017, p. 21). At the same time, it also receives the administrative capacity to implement policy instruments and measures and delegate some of its responsibilities to agencies, which are the often organizations. Young (2008) defines these organizations as 'material entities that typically have personnel, offices, equipment, financial resources, and often legal personality' (p. 13).

Going back to Weber's definition of the state, although physical force is not always necessary, it can still be a consequence of disrespecting the law. Although the state is the only actor with the legitimate authority to use physical force to ensure compliance, it can delegate this 'right' to other institutions or individuals to a pre-determined extent (Weber, 1991). For example, the *Canada National Parks Act* states that park wardens, acting on behalf of the state, have the authority to use force if necessary (c. 32, s. 19). The extent of this 'right' is set out in the *Parks Canada Agency Act* (c. 31, s. 2(a)). Other forms of coercion that can be used by the state under the *Canada National Parks Act* are fining and imprisonment (c. 32, s. 24-26).

The second source of power is rights, which can be described as 'institutionalized forms of power' (Vatn, 2015, p. 88). Rights are granted to individuals or groups, and may be supported by coercion. In environmental governance, property rights are the most important. According to

Bromley (2006), property is a value, and not a physical object; thus, having property rights mean having control over a benefit stream arising from ownership.

The types of property rights are private, common, state or public, and or open access (Bromley, 2006). When discussing these, we consider the rights-holder rather than the owner. For private property, the rights-holder is the individual. For common property, it is a group of owners who may also have some measure of individual rights. For state or public property, the rights-holder is the political community. Individuals may also benefit from the resource, but are subject to the rules of the responsible government agency. Finally, for open access property, there are no legal group or individual owners, and the resource is available to anyone (Bromley, 2006). Property rights give the right-holder access to resources and opportunities to participate in decision-making, along with the ability to limit others'. The rights-holder therefore has positional power. His or her property rights are safeguarded by a third party, usually the state.

The third type of right important in environmental governance is use rights. The types are the right to access, the right to withdraw, the right to manage, the right to exclude, and the right to alienate (Schlager and Ostrom, 1992). It is important to note that owning property does not always correspond to use. According to Schlager and Ostrom (1992), owners must be differentiated from appropriators, claimants, and authorized users of a resource. For example, a landlord can rent his property to a tenant, who may then have the right to access, withdraw, and manage the property. However, since the property still belongs to the landlord, the landlord reserves the right to exclude and alienate. The landlord, by owning the property, still has some form of control over the benefit stream.

Differing property and use rights can result in either conflict or coordination. For example, economic versus civil society actors' views and interests regarding resource use and management, or a change in land use or property rights, can lead to conflict. However, coordination is also possible where there are channels for participation, compromise, and cooperation. The most important is to have the proper institutions to fit the type of resource being governed.

### **3.1.3 Resource regimes**

Resource regimes are a type of institution used in environmental governance. They are 'issue-specific arrangements' (Young, 2008, p. 16) that stem from the intersection between types

of property and use rights, discussed above, and interaction rules between political, economic, and civil society actors. Resource regimes represent typical governance structures for environmental resource use.

**Table 1** Idealized resource regimes.

	<b>Type of property and use right</b>	Private	State or public	Common	Open access
<b>Type of interaction</b>	Trade	x			
	Command		x		
	Community rules – cooperation, reciprocity			x	
	No rules defined				x

Source: Vatn (2015), p. 143.

Although any combination of the above 16 types are possible, those marked with an ‘x’ are the most common. Where there are clearly-defined property and use rights, such as in private property, actors can more easily trade goods and services voluntarily with other users. In the case of state or public property, hierarchical command organization is important. Meanwhile, common property is jointly owned and used, and operates on cooperation and reciprocity between groups or individuals. In this type of interaction, resource use is by virtue of membership. Finally, in the case of open access property, there are often no formal rules associated with use, so that, in a sense, ‘everyone’s right is no one’s right’ (Arild Vatn, personal communication, February 26, 2018).

### **3.2 Institutional change**

When there is poor fit between the type of resource being governed and the governance structure, change may be necessary. Poor fit occurs when there is an incongruence ‘between biophysical systems and governance systems’ (Young, 2008, p. 26). In this case, a new resource regime may be necessary.

According to Bromley (2006), there are three steps in institutional change. The first is the recognition of the need for change when ‘the status quo institutional setup induces particular behaviours...which gives rise to realized outcomes that are no longer regarded as acceptable or reasonable (p. 73). After this comes the imagining of an alternative status quo, and finally, the

formulation of policy to make this a reality. Institutional change may either be designed or spontaneous. In the former, change is brought about by political will from the governing body, while in the latter, change is a result of the ‘efforts of numerous actors to pursue their own interests’ (Young, 2008, p. 24).

### 3.3 Evaluating regime effectiveness

Institutional change can result in the formation of a new regime. According to Underdal (2002), there are three aspects to this: output, outcome, and impact, representing stages in a ‘causal chain of events’ (p. 6).

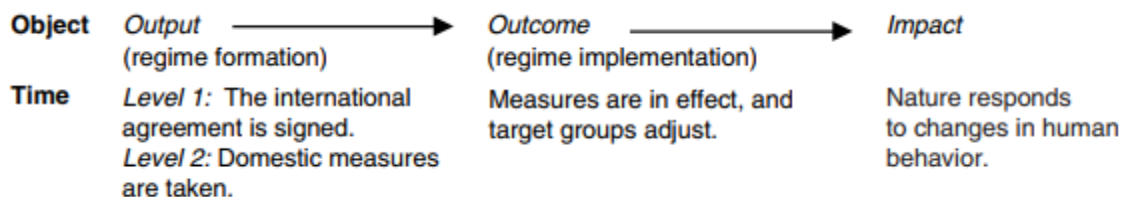


Fig. 5 Regime effectiveness framework. Source: Underdal (2002), p 7.

The ‘output’ is the end product of the decision-making process. Underdal’s framework includes two levels of implementation start times, the international and the domestic level. In terms of national park governance, for example, states sign conventions such as the Convention on Biological Diversity and follow the definitions of protected areas set out by the International Union for the Conservation of Nature. The output – the ‘new set of rules and regulations’ (Underdal, 2002, p. 6) is implemented to guide and constrain human behaviour on the domestic level.

After the output comes the ‘outcome’, which describes how the new set of rules and regulations change human behaviour. In short, it is the effect of the new regime on other actors. If the impetus for institutional change was an unacceptable or unreasonable aggregate of behaviours under the status quo regime, then the new regime is expected to produce new, more desirable behaviours.

Finally, the ‘impact’ is the long-term effect on the environmental resource being governed as a result of the new regime. The impact captures the extent to which the new regime ‘play[s] a role in solving or at least alleviating the concerns leading to its creation’ (Young, 2008, p. 19). A



new regime can be said to be effective when it ‘solves the problem that motivated its establishment’ (Underdal, 2002, p. 11).

Rules and regulations (output) are formulated with the goal of changing human behaviour (outcome) to have the desired effect on the environmental resource being governed (impact). However, any attempt to reduce conflict and facilitate coordination and produce ‘collectively optimal outcomes’ (Underdal, 2002, p. 20) is a fundamentally political act, especially where competing preferences and interests among different actors are involved. Understandably, coordination is more achievable when preferences and interests are similar. Where there are differences, conflict may result.

As we saw in the EGS framework, political, economic, and civil society actors each have their own motivations for resource use and act differently on these motivations. Whether or not a coordination problem is malign or benign depends on the relationships between these different actors – *are their interests competing or synergetic?* It also depends on the power distributions among them – *is it asymmetrical or symmetrical? When a decision is made, who wins and who loses?* Finally, it depends on the nature of issue cleavages – *if actors are a ‘winner’ in one dimension, will they win in others as well?*

**Table 2** Malign and benign coordination problems.

Malign	Benign
Incongruity (in particular relationships of competition)	Coordination (synergy or contingency relationships)
Asymmetry	Symmetry or indeterminate distribution*
Cumulative cleavages	Cross-cutting cleavages*

Source: Underdal (2002), p. 21.

Getting institutions right is the key to facilitating coordination and minimizing the malignancy of these problems. Indeed, conflict may also simply be the result of imperfect information or communication failure (Underdal, 2002, p. 21). This can be solved by addressing, as discussed above:

- ‘The institutional setting (the rules of the game),
- The distribution of power among the actors involved, and

- The skill and energy available for the political engineering of cooperative solutions’ (Underdal, 2002, p. 23).

Despite possibly competing preferences and interests, there is always room for coordination in the actions of political, economic, and civil society actors if roles are clearly defined and proper channels for communication are in place.

### **3.4 Participation and civil society action**

The distribution of power and rights among political actors, economic actors, and civil society actors differs. Often, those with political or economic clout have more power to push forward their agendas, especially when it comes to environmental governance. However, such civil society actions as lobbying, protests, petitions, and citizen science can provide the ‘skill and energy’ described by Underdal to initiate institutional changes that may prove to be a better fit for the environmental resources being governed.

While political decision-making often relies on technological and scientific knowledge, civil society can also have a substantial effect on output, outcome, and impact, especially when united under a cause. Indeed, good governance includes legitimacy of government, political and administrative accountability, competent governance structures, and respect for human rights and the rule of law (Vedeld, 2017). Since political actors are given power by civil society to represent their interests, it is essential to good governance to ensure civil society participation at all stages of decision-making. It has been shown that when local people are involved in conservation, the chances of protecting nature increase and costs reduce (Pimbert and Pretty, 2009).

The beginning of this chapter explored the relationship between environmental governance and politics. We have seen that implementing norms, rules, and conventions through institutions has much to do with actors’ roles and motivations and the distribution of power between them. Politics decides on the governing body, but governance depends on the interactions between actors, the resources being governed, and the kinds of institutions in place. Differences in relative power and property and use rights among political, economic, and civil society actors may result in conflict. However, coordination is also possible through governance structures that allow civil society participation. When there is poor fit between resource and governance structure, institutional change may occur, either spontaneously or by design, and modify the patterns of

interaction between actors and institutions. This, in turn, can have a long-term effect on the resources being governed.

## **4. Methodology**

As previously stated, the aim of this thesis is to gain an in-depth, contextual perspective of the particular institutional change that took place with the establishment of Rouge National Urban Park. Therefore, the case study appeared to be the best method for analysis.

A case study is defined as ‘a detailed examination of one setting, or a single subject, a single depository of documents, or one particular event’ (Bogdan and Biklen, 2003, p. 54, in Berg and Lune, 2012). Using this approach, the researcher systematically gathers information in order to gain the desired in-depth, contextual perspective. A particular case study is selected in order to ‘inform and give support to a larger generalization’ (Erikson, 1976, p. 12, in Berg and Lune, 2012). Here, the case study has been selected because of its novelty, in the hope that its analysis will contribute to future research on similar cases.

The goal of a case study is to illuminate ‘the manifest interactions of significant factors characteristic of this phenomenon, individual, community, or institution’ (Berg and Lune, 2012, p. 327). This is achieved by collecting case-specific data and examining it in as much detail as possible.

For this research project, the subject of interest and the object of the case study were identified before any data was collected. First, I, the researcher, decided on the keywords ‘institutional change, national park governance, Rouge National Urban Park’. Then, I conducted a preliminary literature review to get an idea of notable themes in the case study. Theory was selected accordingly, limited to the field of environmental governance, and research questions were formulated from the insight given by both the case study and theory literature review. Although it cannot be said the theory provides a perfect explanation for reality, it does provide a useful framework in which to analyze the chosen case. The approach used here is hence a grounded theory case study.

### **4.1 Research design**

Because of the case study-oriented nature of my research, I chose the qualitative method to collect and analyze data. Qualitative research’s epistemology seeks to understand the social world through the subjective interpretation of actors, while its ontology sees social outcomes as the result

of their interactions (Bryman, 2016). In qualitative research, knowledge is generated through observation and linked with theories that attempt to explain these observations. However, since new information reinforces existing information all along the research process, data collection is continuous and iterative.

#### **4.1.2 Data collection: sources and sampling methods**

Data sources were chosen by purposive sampling. This means that they were chosen for the value of their contributions to the issue being explored, and thus for the value of their ability to answer the research questions. Primary data was collected from interviews and government documents, while secondary data was collected from news articles and relevant academic literature.

Information from each source was coded and analyzed through text-based analysis. Collected data from each source was then triangulated (cross-checked) with others to ensure consistency. As Stake (2000) defines it, triangulation is ‘a process of using multiple perceptions to clarify meaning, verifying the repeatability of an observation or interpretation’ (p. 443). Triangulation implies seeing where information intersects; hence, cross-checking between sources helps verify the credibility of both.

##### **4.1.2.1 Government documents and news articles**

First, data was collected from government documents, public documents, and news articles. Literature was purposively sampled for their relevance to the issue at hand.

Government documents were selected because they show the decision-making process that led to the new regime. In particular, Parliamentary debates recorded in the *Hansard* illustrate the conflicts present in the issue of establishing the national park. Since politicians represent the differing preferences and interests of other actors (political, economic, and civil society), this conflict plays out in the political arena. The output of these Parliamentary debates is the legislation that defines the new regime’s rules and regulations. Thus, since the *Hansard* and the laws of Canada are official records of the decision-making process and its output, their main value is their authority. The government documents used in this study have been taken from the Parliament of Canada website, which is accessible to the public.

Public documents, especially those published by conservationists, provide useful summaries of relevant issues as seen by civil society actors with an interest in the output of the decision-making process. These documents are often used to advance an agenda, and may be biased towards achieving this. In this case study, the public documents were provided by the interviewees themselves, and include letters to politicians as well as issue briefs. Despite the inevitable bias, they are important to consult because they are an active source and provide a first-hand look at these particular civil society actors' preferences and interests.

News articles, in the meantime, document the policymaking process as it is happening. Since they are updated continuously during the implementation of the new regime, their main value is their currency. The news articles used in this study have been selected from leading newspapers in Canada from both sides of the political spectrum, in order to ensure a balanced perspective. A retrospective reading of news articles can reconstruct events and give insight on the political climate at the time of these events.

Triangulating these sources with the interview data gives a clearer view on political, economic, and civil society actors' motivations and goals, how they interacted with other actors in the decision-making process, and how these interactions resulted in the output as the rules and regulations of the new regime.

#### **4.1.2.2 Interviews**

Interviews are crucial to informing qualitative case studies. To conduct a good interview, the researcher must possess an inquiring mind, the ability to listen, and the flexibility and adaptability to change data collection strategies if necessary (Yin, 1998, in Berg and Lune, 2012). Accordingly, I made sure to prepare for this stage of the data collection process by reading as much as I could on the subject before meeting with my interviewees.

It was decided that the semi-structured format would provide a suitable means to confirm data collected from the literature. With the knowledge obtained from consulting government documents and news articles beforehand, I found it easier to fine-tune the questions for interviewees when the time came.

Interviewees were chosen for the value of their responses to the research questions and in accordance with the theoretical frameworks presented above. To gain a diversified and balanced

perspective, I made sure to reach out to political, economic, and civil society actors and to make a separate, tailored interview guide for each. Following research ethics of informed consent, I made sure to state the purpose of the interview, attach a copy of the interview guide, and include a confidentiality agreement form for those who preferred to remain anonymous. I also made sure to inform the interviewees beforehand that I would be using an audio recording device and taking notes during the interview.

After identifying the relevant actors in each capacity for my case study, I contacted 16 potential interviewees by email and phone. I received a number of responses from those who were unable to participate due to scheduling conflicts or not having enough knowledge of the issue (they did, however, refer me to other potential interviewees).

The final list of interviewees is as follows:

- Representatives from Parks Canada (1);
- Politicians from the surrounding community of Scarborough (2); and
- Representatives from local conservation groups (1).

When selecting potential interviewees, careful consideration was taken to include both critics and supporters of the institutional change. The final interviews took place in the end of February to the beginning of March, 2018 (Appendix 1-5). This period was after the *Rouge National Urban Park Act* was finalized, but before the institutional change to a national park was complete. Due to scheduling considerations, there was no particular order to the interviews. However, this was an advantage in that it reduced the chances of influencing subsequent respondents.

The semi-structured interview generated valuable first-hand information on actors' involvement in the decision-making process, as well as their perspectives on the institutional change. Keeping questions open-ended allowed the conversation to flow to a limited extent towards topics the interviewee wanted to elaborate on. At the same time, the format also made it possible to for me as a researcher to feed off of their responses, while not distracting from the aims of the interview. The questions I had prepared thus served as an overall guide to the sequence and content of the interview, allowing for a degree of flexibility that increased the depth of responses.

### **4.1.3 Data analysis: content analysis**

Content analysis entails ‘a careful, systematic examination and interpretation of a particular body of material in an effort to identify patterns, themes, biases, and meanings’ (Berg and Lune, 2012, p. 349). When doing content analysis, the researcher reads texts, which can be in the form of documents or oral transcriptions, and makes inferences from them.

Analyzing the content of the first type of source entailed examining narratives. Narrative analysis interprets information knowing that people construct stories based on how they make sense of events, and intend the telling of these stories to have an effect (Bryman, 2016). Reading through Parliamentary debates and documents published by conservation groups meant that I had to keep in mind the position and associated preferences and interests of political, economic, and civil society actors. Especially because the issue became, to an extent, partisan, it was essential to see what kind of agendas actors were promoting through their speech. To do the narrative analysis, I made notes of emerging patterns and themes as I read, then coded the information according to categories.

For the second type of source, interviews, data was prepared for analysis through transcription and coding. Between interviews, I listened to the audio recordings and wrote down the questions and responses verbatim. As soon as all interviews were completed, I read through the transcripts and highlighted keywords in different colours representing patterns and themes. I then labeled and sorted this information into categories, then made note of the connections that emerged. While coding, I followed the recommendations of Ryan and Bernard (2003, in Bryman, 2016) by paying attention to repetitions; metaphors and analogies; topic transitions; similarities and differences between interviewee responses; missing data; the use of linguistic connectors such as ‘because’ or ‘since’; and theory-related material. These were helpful to keep in mind because they made it easier to find such patterns, themes, and connections, as well as see the interviewees’ responses as an output of their position on the issue. As before, this procedure entailed narrative analysis.

Once reading, transcription, coding, and note-taking were complete, information from both types of sources were triangulated with each other.



## **4.2 Challenges**

During the data collection and writing stages, challenges related to research ethics, trustworthiness, and authenticity inevitably arose.

### **4.2.1 Ethical considerations**

Efforts were made to ensure that interviewees were well-informed of the purpose and nature of the study before and during the interviews. Initial emails explained the research questions and aims, and participants were able to sign a consent and privacy form that informed them of their rights, including to anonymity and withdrawal. I notified the participants in advance that the interview was to be recorded and transcribed. Throughout, I made myself available to answer questions and concerns, and made sure to be as clear as possible as to how I was going to use the information they provided. I also notified the participants that the completed research project would be available to them should they wish to see the results.

### **4.2.2 Trustworthiness**

According to Lincoln and Guba (1984) and Guba and Lincoln (1995), qualitative studies can be assessed by their trustworthiness. The criteria for this are credibility, transferability, dependability, and confirmability.

Credibility refers to how feasible the researcher's observations are and how acceptable it is to others. The researcher must make sure to conduct sound research and present it to academic society to confirm that he or she 'has correctly understood the social world' (Bryman, 2016, p. 384). To increase credibility, I made efforts to be rigorous during the data collection process and to clearly link the information gathered from content analysis with established theoretical concepts. The credibility of my research will further be determined by the defense of this thesis.

The second criteria, transferability, recognizes each study's contextual uniqueness, but recommends using thick description in order to ensure that the research can be replicated (Bryman, 2016). Again, since this study is based on a particular case, the same results will not necessarily come out in other cases, given, for example, the differences in political climate, time period, and existing policies in other countries. However, efforts have been made to contextualize this case as clearly as possible to increase the chances of its findings being useful in future similar cases. To

ensure transferability, I made sure to provide an extensive background section on my particular case study, as well as use thick description in describing the decision-making process and its related output, outcome, and impact.

In addition to using thick description, dependability requires the researcher to keep complete records of the research project in order to ensure that the data is accurate and justifiable to external audit (Bryman, 2016). Care has been taken to do so in the hope that this study be consistent with similar observations. At all stages of research, I kept track of my progress by writing down interview notes, ideas, and conclusions in a notebook. In this thesis, have also made sure to be as detailed as possible in my description of the research design and be explicit in explaining how I arrived at my conclusions.

Finally, confirmability asks the researcher to act in good faith and not allow biases such as personal values or theoretical inclinations to influence the research process and conclusions (Bryman, 2016). To successfully communicate the results of data collection, a good researcher must have a thorough understanding of the case study and be able to synthesize and interpret the data without bias (Yin, 1998, in Berg and Lune, 2012). However, it is worth noting that in a case study where interpretation must be done during data analysis, objectivity is hard to come by, and that in addition, the researcher may carry his or her own conscious and unconscious subjectivity into the writing (Berg and Lune, 2012). To reduce researcher bias, I have made an effort to focus on reporting events and analyzing processes and outcomes using a theoretical framework, instead of promoting an agenda.

### **4.2.3 Authenticity**

Other challenges pertain to the authenticity of research. Fairness means making sure that research ‘fairly represents different viewpoints among members of the social setting’ (Bryman, 2016, p. 386). This study has taken care to interview different types of actors, according to the Environmental Governance Systems framework used, in order to gain various perspectives on the issue of institutional change.

It is important to consider and account for these actors’ preferences and interests if we want to understand their effects on the output of the new regime. However, as can be expected, an individual interviewee cannot represent an entire organization. This research was limited to a final

interviewee count of four, and as such, the views they express may not reflect the views of the ‘actor’ as a whole.

A second consideration for authenticity is its ontology. By examining the effect of actors’ interactions on a particular issue, it is hoped that this study will at least help members of society better understand their social milieu, especially if the implications of the case examined are transferable. It is also hoped that, as required by tactical authenticity, this study will inspire members of society to engage in action through its conclusions (Bryman, 2016).

### **4.3 Limitations**

No research project is complete without its limitations. However, what is important is that these are acknowledged and addressed given the constraints.

#### **4.3.1 Data availability**

Interview data was limited due to the difficulties of securing participants. Although I reached out to a number of potential interviewees, I was only able to secure four at the end. This was due to scheduling constraints for some and lack of contextual knowledge for others – although, as in snowball sampling, these candidates referred me to other potential interviewees. Still others did not reply to my request at all, and these were mostly high-level politicians.

Despite these limitations, the four candidates I was able to secure interviews with aptly represented the actor positions and perspectives I was targeting for the purposes of my research. They were also helpful in providing additional data in the form of documents, particularly those published by conservation groups and Parks Canada. However, because each interview was conducted separately and in no particular order, not all interviewees had the equal opportunity to comment on others’ perspectives.

#### **4.3.2 Time constraints**

As of writing, the institutional change of the Rouge to a national park is still in progress. Because the environmental impact of this change will be in the long term, this research, in a sense, is yet incomplete. However, it does present an opportunity to examine the park’s management plan and monitor its results in light of its conservation aims, which this thesis attempts to do. As the

issue is ongoing, and especially since the national park being studied is a new type of protected area, it will be essential to follow up this thesis with further research. The insight gleaned from Rouge National Urban Park's experience could be used as a model for similar near-urban protected areas elsewhere in the world.

Using Vatn (2015)'s Environmental Governance Systems framework and Underdal (2002)'s Regime Effectiveness Framework, the following chapters will attempt to answer the four main research questions. It will thus explore, in order, what the decision-making process for creating a new national urban park was like; what policies resulted from it; what the effects of the new regime were on economic and civil society actors; and what the expected impacts of the new regime will be on the resources in the park and how they will be used in the future.

## **5. Becoming a ‘national urban park’**

Establishing a national park is not a one-step process. As we remember, before there was Rouge National Urban Park, there was simply Rouge Park – a local park campaigned for and maintained by local actors. However, the possibility of making it a national park was always in the background. It was only after four decades of the combined efforts of civil society and political actors, that the federal government finally had the political will to commit to the project.

The transition to a national park showed both conflict and coordination, not the least due to the different preferences and interests of political, economic, and civil society actors. Looking at these elements of conflict and coordination, this chapter aims to answer the first research question: What were the main characteristics of the decision-making process that resulted in the establishment of Rouge National Urban Park?

### **5.1 Governance under the Rouge Park Alliance**

The Rouge Park Alliance served as the governing body from Rouge Park’s official opening in 1995 until the 2011 announcement that Parks Canada was to take over its management. Just two years before the announcement, the Alliance had commissioned a report on the governance of the park. The report was published in February 2010, and its results indicated that, after nearly two decades of operation, there was still ‘no shared definition of the ‘Rouge Park’ – even among alliance members.’ (Hon. Pauline Browes, personal communication, February 23, 2018).

Due to the fact that the Rouge was governed by a constellation of organizations and municipal governments, there was no overall legislation for how it should be managed. Various municipal bylaws applied to different parts of the park (Parks Canada representative, personal communication, February 28, 2018), and its size of 46 km<sup>2</sup> was a result of incremental additions by successive provincial governments. The Toronto and Region Conservation Authority had some employees and maintained several trails, but only at southern portion of the park. Many activities, such as wildlife monitoring, tree planting, and guided walks, were carried out by local conservation groups such as Friends of the Rouge Watershed, 10,000 Trees for the Rouge, and the Rouge Valley Foundation, as well many local volunteers. There was no real agreement on what exactly the park was, what its limits were, who was responsible for the maintenance and supervision of activities

in its grounds, and where the funding would come from. The RPA did not even have legal authority to ‘own land or contract in its own name’ (StrategyCorp, 2010, p. 5), and there was no one to persecute poachers, vandals, and garbage dumpers in the park (Adler, 2015). The Rouge Park Alliance was ‘more of an advisory board’ of which the members were appointed by other organizations (Hon. Pauline Browes, personal communication, February 23, 2018). The report it commissioned concluded that the governance model was lacking in several aspects, including:

- A consolidated, well defined land base;
- A comprehensive master plan;
- A funded implementation strategy;
- A functional governance model; and
- An articulated park brand (StrategyCorp, 2010, p. 4).

Given these, and given Rouge Park’s size, history, needs, and potential for expansion, it was apparent that moving forward, better governance was necessary. The local park model did not provide sufficient finances or strong enough opportunities for concerted efforts for conservation, especially given that the park’s natural ecological corridor crossed several municipal jurisdictions, that its lands were owned by multiple levels of government, and that it contained habitats and cultural landmarks of national significance. This is a perfect example of poor fit, which Young (2008) describes as a mismatch ‘between biophysical systems and institutional arrangements’ (p. 28).

The report therefore concluded that the best model of governance for the Rouge would be the national park model (StrategyCorp, 2010, p. 8). When I interviewed politicians and activists instrumental in pushing for the creation of the original Rouge Park, three of them stated the same reasons for why they thought it should become a national park. These were funding, control of land, and authority and expertise – things the Rouge Park Alliance had a limited capacity to provide. Centralization of management to a federal agency with the mandate and the means to protect the Rouge’s nationally-significant ecological and cultural values seemed to be the best fit for governance.

If Rouge Park was to become a national park, the governance report recommended, it should include the existing park lands as created by the Province of Ontario as well as adjacent federal

lands, in order to form ecological corridor between Lake Ontario and the Oak Ridges Moraine. Thus, another important goal of the transition would be to unify the fragmented lands currently under the jurisdiction of three different levels of government, in order to be better able to protect the Rouge as a whole.

In June 2010, the same year the governance report was published, a poll that showed that almost 90% of residents in eastern Toronto were in favour of making Rouge Park Canada's first urban national park (Brennan, 2012). Civil society supported the idea of institutional change, while federal elections coming up the following year created the political will for the Conservative Prime Minister at the time, Stephen Harper, to promise that his government would make the Rouge a national park.

## **5.2 Establishing a new kind of protected area**

The Conservative Party won the elections in May 2011 and formed the majority government. A month later, in June 2011, Governor General David Johnson, opened the 41<sup>st</sup> Parliament of Canada with a Speech from the Throne. He announced on behalf of the new government that it would 'work with provincial, regional, municipal, Aboriginal and community stakeholders toward establishing an urban national park in the Rouge Valley of eastern Toronto' (Canada, 2011). This announcement coincided with the 100<sup>th</sup> anniversary of Parks Canada.

The establishment of Rouge National Urban Park was the direct result of four decades of campaigning by civil society with support from politicians on all three levels of government, combined with the political opportunity presented by the federal elections. A year after the Speech from the Throne, the federal government committed \$143.7 million towards the first 10 years of Rouge National Urban Park, as well as an additional \$7.6 million for every year afterward. (Parks Canada, 2017b).

## **5.3 Conflict**

Despite the seemingly good result of having the federal government commit to protecting the Rouge Valley in perpetuity, as the original proponents wanted in the 1970s, its declaration as a national park was the source of some conflict. As one of my interviewees stated, 'establishing a national park is a political act' (Allison Woodley, personal communication, March 8, 2018). The

governance of environmental resources is tied to politics, and thus to power, which depends on access to resources (Vatn, 2015, p. 88). Politics in environmental governance thus brings forth the concept of motivations – why each actor acts in a certain way, and how it affects their relationship with other actors.

We identify the political actors as the three levels of government in Canada: federal, provincial, and municipal, coexisting within a structure which gives each level a certain amount of independence. Chapter 2 discussed both the federal system and the Parliamentary decision-making process in some detail. These become important in the analysis of our case study, being that the decision-making process itself becomes an arena for conflict and, eventually, resolution. Why actors act a certain way stems from their preferences and interests – in this particular case, ‘ecological integrity’ over an integrated nature-culture-agriculture approach, and differing degrees of protection from each level of government. How it affects their relationship with other actors is at times conflictual. The new regime, then, is the output of these conflicts and resolutions.

### **5.3.1 ‘Ecological integrity as the first priority’**

The *Canada National Parks Act* defines ecological integrity as ‘a condition that is determined to be characteristic of its natural region and likely to persist, including abiotic components and the composition and abundance of native species and biological communities, rates of change and supporting processes’ (c. 32, s. 2(1)). This concept is enshrined, ‘through the protection of natural resources and natural processes’ in the legislation as ‘the first priority of the Minister when considering all aspects of the management of parks.’ (c. 32, s. 8(2)).

While the establishment of Rouge National Urban Park was supported by civil society, some of its members were not content with its provisions. Conservationists from local groups such as the Friends of the Rouge Watershed and Rouge National Park Friends noted that the first version of the *Rouge National Urban Park Act*, unlike the *Canada National Parks Act*, did not mention ecological integrity and merely stated that the Minister would ‘take into consideration the protection of its natural ecosystems and cultural landscapes and the maintenance of its native wildlife and of the health of those ecosystems’ (c. 10, s. 6). The purpose of this wording was to allow Parks Canada to manage all three aspects of the park that gave it its national significance –



nature, culture, and agriculture – in an integrated way. However, the opposition from conservationists stemmed from the view that ‘take into consideration’ was too weak a regulation.

Was ‘urban national park’ a paradox? Its situation near Canada’s largest metropolitan area and its extensive land use history certainly made Rouge National Urban Park unique. However, these conservationists argued, it ‘remains, and is meant to forever remain, rural and natural, the exact opposite of urban and manicured’ (Friends of the Rouge Watershed, 2017). Contrary to urban parks, they said, the Rouge was a national park, which meant that it deserved the same level of ecological protection as other national parks in Canada. They listed the following characteristics as reasons:

- Biological diversity, which is greater than some other Canadian national parks;
- Size, which is larger than five other Canadian national parks;
- Connections with existing greenspaces in Ontario; and
- Status as part of an endangered Carolinian forest zone (Friends of the Rouge Watershed, 2017).

The Conservative federal Minister of the Environment, Leona Aglukkaq, who sponsored Bill C-40 and who was the Minister responsible for prioritizing ecological integrity in other national parks, responded that it was impossible to do so in the Rouge because it would mean allowing natural ecological processes such as flooding, pest outbreaks, and wildfires to occur, which was ‘not desirable and realistic in an urban setting.’ She continued, ‘Applying in the legislation the concept of ecological integrity as we do in national parks would make it impossible to permit the type of sustainable farming that has been taking place in the Rouge for centuries’ (Standing Committee on Environment and Sustainable Development, 41<sup>st</sup> Parliament, 2<sup>nd</sup> session, meeting no. 33). The extent of human impact on the Rouge lands, as well as its location near an urban area, was the reason why the federal government felt that it was necessary to create stand-alone legislation for the Rouge and to administer it as a new category of national park.

As the debate over maintaining ecological integrity in an urban national park continued, major environmental groups such as the Canadian Parks and Wilderness Society, Ontario Nature, Environmental Defence, the David Suzuki Foundation, Sierra Club Canada, and Nature Canada echoed the concern of local conservationists. After conducting a legal review on the legislation,

they concluded that the *Rouge National Urban Act* ‘threatens to undermine 25 years of consultation, scientific study and provincial policy development that made ecological integrity the main purpose of the park and the top priority for park management’ (Environmental Defence, 2014). They held that the Rouge, as the first of its kind in Canada, had the opportunity to ‘set a sound legal precedent for what a national urban park should be’, and that, following the international definition of a protected area, ‘the protection of ecosystem services and cultural values have to be compatible with [the] overarching nature conservation goal’ (Canadian Parks and Wilderness Society, 2012).

Political actors also had their concerns. In a speech during the second reading of Bill C-40 in the House of Commons, Rathika Sitasbaiesan, the New Democratic Party Member of Parliament for Scarborough-Rouge River, said that her constituents ‘want to ensure that the park has higher protection through the creation of national park status, rather than disintegrating the quality of it’ (41<sup>st</sup> Parliament, 2<sup>nd</sup> session). She cited the fact that Bill C-40 did not provide specific protection of the Rouge River, through which a federally-approved pipeline passed, as an example of the legislation’s shortcomings.

The Liberal Member of Parliament for Scarborough-Guildwood, John McKay, further expressed concern that the conservationists and organizations who had fought for the creation of the first Rouge Park, and who had been active in maintaining it for the past three decades, ‘appear not to be involved in, or have been specifically excluded from, the management plan of the park’ (41<sup>st</sup> Parliament, 2<sup>nd</sup> session). He also questioned the vagueness of the wording ‘take into consideration’, stating that unlike the *Canada National Parks Act*, the *Rouge National Urban Park Act* did not go into details as to how the federal government would ensure the protection of the park’s ecosystem health.

Despite the concerns from these political and civil society actors, Bill C-40 passed the committee and report stages of policymaking without amendment. Sitasbaiesan’s two attempts at introducing private Member’s bills with more specific protections – C-532, *An Act to amend the Navigable Waters Protection Act (Rouge River)*, and C-696, *An Act to amend the Rouge National Urban Park Act (ecological protection)* – did not make it past their first readings.

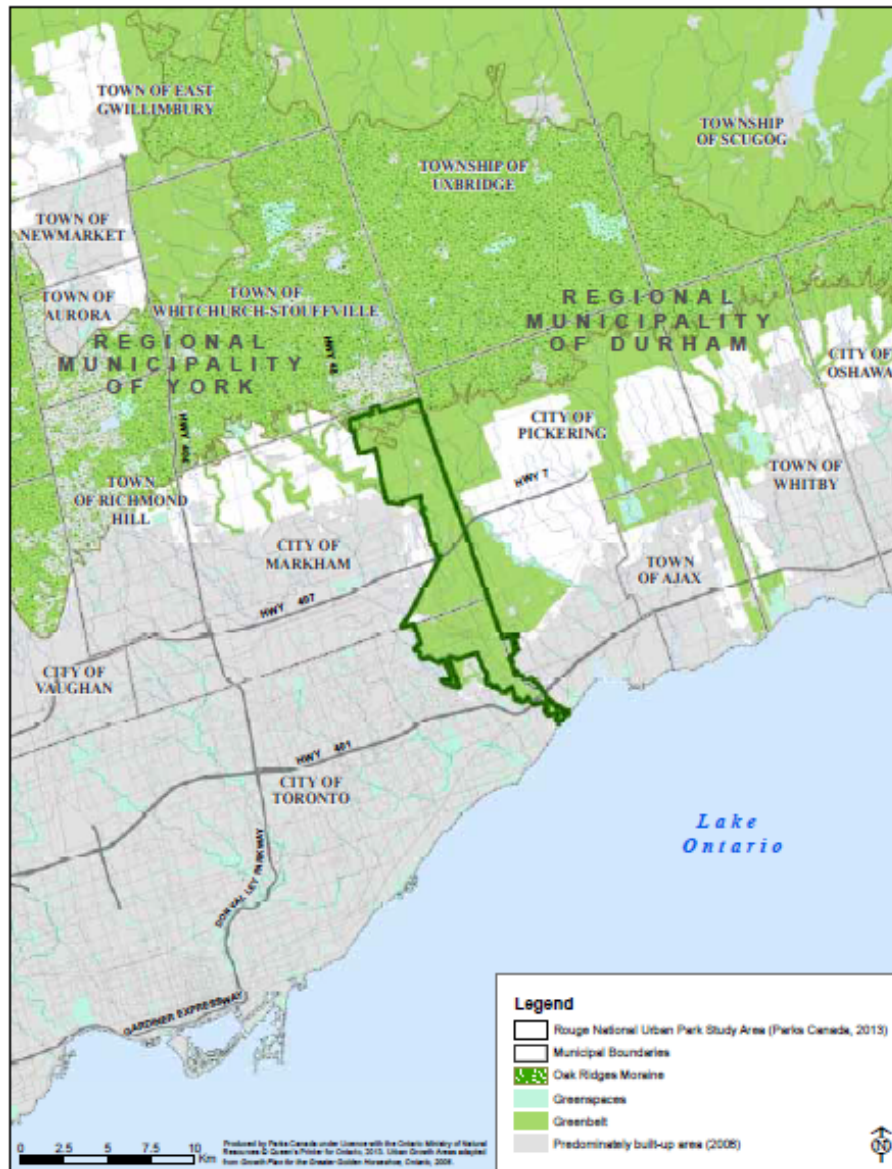
### 5.3.2 ‘Meet or exceed’ provincial standards

As part of formalizing the institutional change to a national park, the Governments of Canada and Ontario signed a Memorandum of Agreement to transfer provincially-owned lands to Parks Canada (Appendix 6). The condition was that the federal agency was to work with the Ontario Ministry of Infrastructure to ‘develop written policies in respect of the creation, management and administration of the Park that meet or exceed’ conservation policies that the province already had in place. The Memorandum named the *Greenbelt Plan* (2005), the *Oak Ridges Moraine Conservation Plan*, the *Growth Plan for the Greater Golden Horseshoe* (2006) and the *Big Move* as the policies Parks Canada had to meet or exceed (‘Canada’ and ‘MOI’, 2013). Failing this, the two levels of government would ‘enter into discussions’ and ‘work collaboratively’ to resolve issues and amend policies (‘Canada’ and ‘MOI’, 2013).

As it turned out, the concept of ‘meet or exceed’ was to become another source of conflict. When Parks Canada released its draft concept for Rouge National Urban Park, local conservationists criticized it, saying that it should ‘strengthen, not undermine’ (Friends of the Rouge Watershed, 2012) what had been developed under the previous governance structure. They were concerned that transferring the provincial lands to the federal government would cancel the existing ‘science-based’ conservation plans for the original Rouge Park made on the provincial and municipal levels (Jim Robb, personal communication, March 9, 2018). In particular, they noted that the Parks Canada concept did not mention the 600 metre-wide ecological corridor along the Little Rouge River that would secure the link between Lake Ontario and the Oak Ridges Moraine, which was included in the 1990 declaration of the first Rouge Park, the *Rouge Park Management Plan* (1994), the *Rouge North Management Plan* (2001), and *Greenbelt Plan* (2005). Friends of the Rouge Watershed wrote that this was contrary to ‘broad and longstanding public interest’ (Friends of the Rouge Watershed, 2012). We can recall at this point that most of the existing legislation had been pushed forward by the actions of civil society actors whose main motivation was to protect the Rouge Valley and who were, under the previous governance structure, able to work on the ground doing restoration and conservation projects.

Another main point of contention by local conservationists was that the park’s proposed area was not large enough. During the public consultation process, Rouge National Park Friends expressed the desire to increase the study area to 100 km<sup>2</sup> instead of the 57 km<sup>2</sup> that Parks Canada

was working with at the time, citing habitat connectivity as essential (Appendix 7). Conservationists also emphasized the need to continue managing the Rouge as part of the bigger Ontario Greenbelt protected greenspace (Parks Canada, 2012). Pointing to Environment Canada targets for healthy forest and wetland habitats, they expressed concern that if Parks Canada policies did not ‘meet or exceed’ existing provincial policies and ensure habitat connectivity, the ecosystem health of Rouge would be compromised (Friends of the Rouge Watershed, 2012).



**Fig. 6** Map showing the location of Rouge National Urban Park (dark green outline) within the Ontario Greenbelt (light green), which represents 7,284 km<sup>2</sup> of provincially-protected forests, wetlands, watersheds, and farmlands. Note that the park is also surrounded by densely-populated urban areas (grey). Source: Parks Canada (2014).

Evidently, the centralization to Parks Canada was seen as a step backwards by those who felt that more was being done under the previous governance structure, which depended on the work of civil society actors. Locally-run conservation and restoration projects had been allowed room by the strategies and plans of the Rouge Park Alliance and the Toronto and Region Conservation Authority, and by the legislation of the Ontario provincial government, and were seen to move faster under this decentralized framework.

As with ecological integrity, their concerns resonated with certain political actors. After consultation with civil society; conservation groups such as Environmental Defence, Friends of the Rouge Watershed, and Ontario Nature; and other local stakeholders, Brad Duguid, the Liberal Ontario Minister of Economic Development, Employment and Infrastructure, wrote to Leona Aglukkaq, the Conservative federal Minister of the Environment, that he was ‘unable to recommend to Cabinet that it should release, extinguish or transfer any of its interests in the Rouge Park Lands unless Bill C-40 is amended’ and that he felt that the lands ‘will be better protected if it remains with the province of Ontario’ (Duguid, 2014). Gary Anandasangaree, the Liberal Member of Parliament for Scarborough-Rouge River, also agreed that Bill C-40’s ‘take into consideration’ wording ‘did not meet, let alone exceed, protections that already existed under provincial law’, and that this ‘rightly’ prevented the provincial government from transferring its lands to the federal government (42<sup>nd</sup> Parliament, 1<sup>st</sup> session).

The Minister of the Environment had previously argued that Bill C-40 would provide stronger protections than provincial law in that, contrary to the latter, it would prohibit mining, the removal of native plants and fossils, and hunting. In addition, Bill C-40 would provide full protection under the *Species at Risk Act*, guarantee the link from Lake Ontario to the Oak Ridges Moraine, and enforce stricter penalties with regards to illegal activities, such as fines for poaching, as well as employ year-round enforcement officers (Standing Committee on Environment and Sustainable Development, 41<sup>st</sup> Parliament, 2<sup>nd</sup> session, meeting no. 33), aspects which were not possible under the previous governance structure. Her stance continued to be supported by Conservative Members of Parliament such as Peter Kent, also a former Minister of the Environment, who stated that Parks Canada had higher management standards than existing Ontario policies, and that, ‘in fact, loopholes in Ontario's *Greenbelt Act* and the *Oak Ridges Moraine Conservation Act* grandfather environmentally destructive practices, which allows

exemptions if endangered species are killed in the interest of the government of the day if a net benefit is provided' (41<sup>st</sup> Parliament, 2<sup>nd</sup> session).

Earlier, we defined environmental governance as 'the set of regulatory processes, mechanisms and organizations through which political actors influence environmental actions and outcomes' (Lemos and Agarwal, 2006, p. 298). As we have seen in this chapter, managing environmental resources brings forth sometimes conflictual preferences and interests, showing incongruity, asymmetry, and cumulative cleavages. These conflicts play out in politics, which, through the institutions of elections and Parliamentary debates, determines who the governing body will be. It is this governing body, in turn, that will have the power to set priorities and shape the new regime.

### **5.3.3 Politics in environmental governance**

The protection of the Rouge Valley had never before been a partisan issue. We recall that in its previous incarnation as Rouge Park, the lands had been added in increments by successive Ontario provincial governments, regardless of the political party in power. However, the establishment of the new regime happened to come between two election periods, 2011 and 2015, and thus seemed to become a political issue between the Conservative federal government, which legislated the park's transition to one of its agencies, and the Liberal provincial government, which was presumably acting on the interests of local civil society, or at least on the advice of those who had contextual knowledge of the original Rouge Park and had interest in continuing its role in the new regime. Glenn de Baeremaeker, a Scarborough politician involved in the creation of the first Rouge Park, who I also interviewed for this thesis, stated in 2015 that he believed that, 'for partisan reasons only, the Liberal government in Ontario is saying, 'We don't want a Conservative federal government looking good'' (Curry, 2015).

In September of that year, just before another set of federal elections, Friends of the Rouge Watershed surveyed candidates if they would support amendments to the *Rouge National Urban Park Act* regarding the notions of 'meet or exceed' and 'ecological integrity as the Minister's first priority'. Whether their reasoning was political or truly conservation-oriented, Liberal, New Democrat, and Green candidates supported these amendments. In October 2015, the Liberal Party won the federal elections and formed the majority government. In June 2016, it introduced Bill C-

18, *An Act to amend the Rouge National Urban Park Act, the Parks Canada Agency Act and the Canada National Parks Act*, in Parliament. Bill C-18 passed through both the House of Commons and the Senate, gained Royal Assent, and in June 2017, replaced Bill C-40 as law.

## **5.4 Resolutions**

As we saw in the conflicts above, malign coordination problems are a result of competing preferences and interests, asymmetrical relations of power, and issue cleavages. We have already seen how the issue about ecological integrity versus an integrated nature-culture-agriculture approach was a result of differing perceptions of what should be prioritized in conservation, and how a disagreement on conservation standards between two levels of government led to a slowdown in the land transfer process. Through it all, civil society – represented especially by local conservationists involved in the creation of the first Rouge Park – played a role by lobbying political actors on both the federal and provincial levels using their contextual knowledge of science and policy.

Resolving conflict in the decision-making process means harmonizing actors’ preferences and interests. One way to do this is to have an institutional setting that allows for transparency in the decision-making process. This in turn can be achieved through accessible information and frequent, open channels of communication, regardless of actors’ relative power.

Process legitimacy is essential to good environmental governance. Participation, which facilitates this, can increase efficiency and reduce transaction costs, and in some cases, reduce policy implementation costs themselves (Vedeld, 2017). Arenas for repeated and extensive negotiation increase the effectiveness of a new regime by ‘encouraging actors to adopt extended time horizons and norms of diffuse reciprocity’ (Underdal, 2002, p. 26). It is important to institutionalize participation in the new regime in all its stages – planning, implementation, and monitoring and evaluation. Doing so will ensure that actors’ preferences and interests are represented in its output, considered in its outcome, and continually evaluated in its impact.

### **5.4.1 Public consultation**

To ease the transition to a higher level of government and ensure that local preferences and interests were considered in federal management plans, Parks Canada engaged in dialogue with

civil society actors. According to a spokesperson, public consultation is part of the agency's standard procedure when new national parks are established (Parks Canada representative, personal communication, February 28, 2018).

During the first phase of the engagement process, which ran from June 2011 to May 2012, Parks Canada consulted with 'more than 100 national, provincial and municipal organizations, Aboriginal partners, youth, and individuals and organizations with expertise related to conservation, farming, tourism, recreation, youth engagement and education' (Parks Canada, 2012, p. 4). The second phase, which ran from June to October 2012, saw the agency distribute a survey on the national park concept to more than 8,500 individuals, put out an official email address to answer public comments, and send out a fact sheet to more than 26,000 households situated near the park's proposed boundaries, conduct three stakeholder meetings, and attended 15 community events (Parks Canada, 2012).

The results of the public consultations showed that participants were 'excited about the establishment of the national urban park and the recognition and profile' that came with it (Parks Canada, 2012, p. 3). While conservationists expressed concern that the 'urban national park' concept 'proposes a new vision that does not even mention the word ecosystem' (Friends of the Rouge Watershed, 2012), other civil society actors approved of the opportunity to 'celebrate and present cultural heritage', especially agricultural and First Nations heritage (Parks Canada, 2012, p. 3).

The insight gathered from the public consultations, with support and objections, was then used to structure the *Rouge National Urban Park Management Plan* (2014), which became the park's draft operating guide.

#### **5.4.2 Partnership with First Nations groups**

Public consultation also revealed the need to engage First Nations actors 'as keepers of traditional ecological knowledge' (Parks Canada, 2012, p. 10). Having stated its aim to recognize the cultural heritage of the First Nations that have historically lived in the area, Parks Canada began a working partnership with 10 indigenous groups with ties to the Rouge National Urban Park lands (Parks Canada, 2017c). This resulted in the establishment of the Rouge National Urban Park First Nations Advisory Circle in 2012.



Members of the Advisory Circle were selected for their historic and cultural connection to the new national park. They include representatives from the seven Williams Treaties First Nations, whose ancestors had signed agreements with the Crown regarding the use of their traditional lands in the 18<sup>th</sup> and 19<sup>th</sup> centuries. These seven First Nations groups are the Mississaugas of Scugog Island First Nation, the Hiawatha First Nation, the Alderville First Nation, the Curve Lake First Nation, the Chippewas of Georgina Island First Nation, the Chippewas of Rama First Nation, and the Beausoleil First Nation. In addition, representatives from the nearby Mississaugas of the New Credit First Nation, Six Nations of the Grand River, and the Huron-Wendat Nation are also included in the Advisory Circle. Upon its establishment, the partnership's purpose was to form a continuing dialogue between Parks Canada and First Nations groups with regards to planning and operations (Parks Canada, 2017c).

To date, the Advisory Circle has participated in several Parks Canada initiatives, including visitor experience, restoration, and archaeological projects. By explicitly and openly conducting such a partnership, Parks Canada is playing a part in the nationally-important reconciliation process between the Government of Canada and First Nations groups. It represents giving back their access – not only physically to the land, but also politically through institutionalized participation in Rouge National Urban Park's governance.

The extensive consultation that Parks Canada conducted with both the public and First Nations groups is an example of interactive participation, where people join together to create action plans and form or strengthen groups, giving them a real stake in decision-making on the local level. By involving such a diverse group of stakeholders and making use of 'interdisciplinary methodologies that seek multiple perspectives and make use of systematic and structured learning processes' (Pimbert and Pretty, 2009, p. 309), Parks Canada supported its commitment to ensuring 'accountability, inclusiveness and collaboration' (Parks Canada, 2012, p. 4) in the planning, implementation, monitoring, and evaluation of the new regime's policies. By taking into consideration these civil society actors' preferences and interests and seeking to harmonize it with its own through open, continuing channels of communication, the agency was able to minimize malign coordination problems in this instance.

### **5.4.3 Bringing nature, culture, and agriculture together**

As we have seen, the integrated nature-culture-agriculture approach chosen by Parks Canada to manage this new kind of national park was the source of conflict. Local conservationists, motivated by the interest and preference of putting nature first, were critical of the weak protections offered by the first *Rouge National Urban Park Act*. However, as Bill C-40's proponents argued, 'The Government of Canada's integrative and inclusive approach will allow us to succeed where the previous disparate park authorities and regimes have not before. While there has certainly been some wonderful work done to protect the Rouge over the last 20 years, there have also been divergent and sometimes conflicting interests in the lands that make up the future Rouge National Urban Park...Nature, culture, agriculture, and visitor connection opportunities were often seen as competing rather than complementary priorities' (Peter Kent, Conservative, MP Thornhill, 41<sup>st</sup> Parliament, 2<sup>nd</sup> session).

#### **5.4.3.1 Ecological integrity as the first priority**

When the Liberals won the federal elections in 2015, they acted to resolve this conflict more directly by listening to the wishes of conservationists and politicians who had localized connections to the Rouge. To address the concerns over ecological integrity, Catherine McKenna, the new federal Minister of Environment and Climate Change, introduced Bill C-18, *An Act to amend the Rouge National Urban Park Act, the Parks Canada Agency Act and the Canada National Parks Act*. The revised *Rouge National Urban Park Act* stated that, in accordance with the *Canada National Parks Act*, 'Maintenance or restoration of ecological integrity, through the protection of natural resources and natural processes, must be the first priority of the Minister when considering all aspects of the Park' (c. 10, s. 6(1)).

However, the new legislation clarified that maintaining ecological integrity 'does not prevent the carrying out of agricultural activities as provided for in this Act' (c. 10, s. 6 (2)). Thus, the park would continue to be managed with the integrated nature-culture-agriculture approach, but this time it was ensured that the preferences and interests of both conservationists and proponents of agriculture were written into law.

### 5.4.3.2 Ecological integrity as a lens

The passing of Bill C-18 meant that the Rouge lands would now be accorded the same level of protection as other national parks in Canada, but that at the same time, no efforts would be made to reverse human impact on it. However, efforts would be made minimize further damage, in order to assure the long-term health of its ecosystems. Regarding the ‘meet or exceed’ conflict, a spokesperson notes that Parks Canada has a ‘much stricter regime’ on maintaining ecological integrity than the provincial parks agency. Furthermore, Parks Canada wants to add a monitoring component to it, something provincial regulations under the *Ontario Greenbelt Plan* and the *Oak Ridges Moraine Plan* do not have (Parks Canada representative, personal communication, February 28, 2018). Working under the provisions of Bill C-18, Parks Canada now strives to use the concept of ecological integrity as a ‘lens’ and an ‘aspirational goal’ (Parks Canada representative, personal communication, February 28, 2018).

Even the groups that called for the amendments to Bill C-40 had stressed that there was no need for a conflict between farming and conservation (Jim Robb, personal communication, March 9, 2018), since both had the common interest of resisting urban development plans (Canadian Parks and Wilderness Society, 2015). Conservationists called for legislation that would ‘support a healthy foodbelt and farmlands, but not genetically-modified crops’ (Jim Robb, personal communication, March 9, 2018). Thus, the amendments would mean that ‘while farmers can continue to farm on their traditional lands, it must be consistent with our objective of preserving the park's ecological integrity’ (Gary Anandasangaree, Liberal, MP Scarborough-Rouge River, 42<sup>nd</sup> Parliament, 1<sup>st</sup> session).

Indeed, the uniqueness of Rouge National Urban Park is in its mixed land use over the centuries – uses which have coexisted peacefully until the threat of urban development in the late 21<sup>st</sup> century. From celebrating First Nations legacy to continuing sustainable local farming practices, putting ecological integrity into the legislation does not change the park’s purpose. Rather, it ensures that protecting nature will be the main guiding principle for the management of the park, and that that preserving and presenting the two other tenets of culture and agriculture will be harmonized with this.

## 6. The new regime

The physical and administrative changes in Rouge National Urban Park are the output of the decision-making process – a new regime consisting of norms, rules, and principles, according to Underdal’s definition. Creating a new regime by transitioning to the federal national park agency represents institutional change. The output is not only a change in the level of government responsible for the park, but also, because of this, a change in the property rights and governance structure of the park itself. We have seen that the previous regime’s property rights and governance structure were fragmented, and that for some, the conflict was whether centralization of management would be enough to safeguard the ecological integrity of the park. This chapter aims to answer the second research question: How did the regime change after the transition to Parks Canada?

### 6.1 The *Rouge National Urban Park Act*

To formalize the establishment of the new regime, the *Rouge National Urban Park Act* states the park’s purpose, rules, and regulations. Because of the Rouge’s unique land use history and its location within a developed urban area, the existing *Canada National Parks Act* does not apply to it; rather, it has its own legislation. Recognizing the ‘unique opportunity to connect Canadians with the natural and cultural heritage of the Rouge Valley and with the history of its early Aboriginal inhabitants and others who shaped its landscapes’ (Preamble), the Act’s purpose is explicitly threefold: to protect and present the park’s natural, cultural, and agricultural resources.

The stated aims for establishing Rouge National Urban Park, according to its legislation, are:

- To protect natural ecosystems and maintain native wildlife in the Rouge Valley;
- To provide meaningful opportunities for Canadians to experience and enjoy the diverse landscapes of the Rouge Valley;
- To engage local communities and businesses, Aboriginal organizations and youth, as well as other Canadians, to become stewards and ambassadors of the park;
- To provide a wide range of recreational, interpretive, volunteer and learning activities to attract a diverse urban population to the park;
- To enable youth and other visitors to connect with nature in an urban setting;

- To protect the cultural landscapes of the park and identify its heritage values to facilitate an understanding and appreciation of the history of the region;
- To encourage sustainable farming practices to support the preservation of agricultural lands in the park and celebrate the agricultural heritage of the region; and
- To promote the park as a place of discovery, enjoyment and learning, and as a gateway to all of Canada’s national protected heritage areas (Preamble).

The above aims for establishing the Rouge National Urban Park match the IUCN definition of a Category V protected landscape, which similarly take into consideration historical multiple land uses. Some of the stated aims of Category V protected landscapes are:

- To maintain a balanced interaction of nature and culture through the protection of landscape and/or seascape and associated traditional management approaches, societies, cultures and spiritual values;
- To contribute to broad-scale conservation by maintaining species associated with cultural landscapes and/or by providing conservation opportunities in heavily used landscapes;
- To provide opportunities for enjoyment, well-being and socio-economic activity through recreation and tourism. (IUCN, 2018b)

As the *Rouge National Urban Park Management Plan* (2014) acknowledges, Category V is the best internationally-accepted description that fits the context of the park and its aims. The Rouge is unique in that even though it is not a Category II protected area, it is still legally considered a national park. The IUCN’s emphasis on ‘safeguarding the integrity of this interaction is vital to protecting and sustaining the area and its associated nature conservation and other values’ (IUCN, 2018b) in Category V protected areas fits Parks Canada’s mandate of ‘protecting and presenting’, as well as its definition of national parks as ‘nationally-significant examples of Canada’s natural and cultural heritage’ (Parks Canada, 2018c).

## **6.2 Organizational changes**

As a result of the changes in rules and regulations under the new regime, the governance structure for Rouge National Urban Park has changed as well. In contrast to the former patchwork

governance under the Rouge Park Alliance, the Parks Canada takeover represents a more centralized, formalized system, established and in practice well before the original Rouge Park was created. As such, the governance structure that already exists within Parks Canada, which is used to manage other national parks, was imposed on the Rouge when the transition was made.



**Fig. 7** Organizational structure of Parks Canada. Source: Parks Canada (2017). Retrieved from <https://www.pc.gc.ca/en/docs/pc/ann-rpts/profil1/profil2>.

The new regime is ‘served and managed by an organization or body established with a particular purpose in mind’ (Underdal, 2002, p. 27). Parks Canada fits Young’s description of such an organization – a material entity that typically has ‘personnel, offices, equipment, financial resources, and often legal personality’ (Young, 2008, p. 13). The Rouge, now being a national park under its own legislation, is an institutionalized public good managed by an agency of the state. Unlike the localized, ‘advisory board’-like Rouge Park Alliance, Parks Canada has a budget for its operations, as well as a federal mandate under the *Parks Canada Agency Act*.

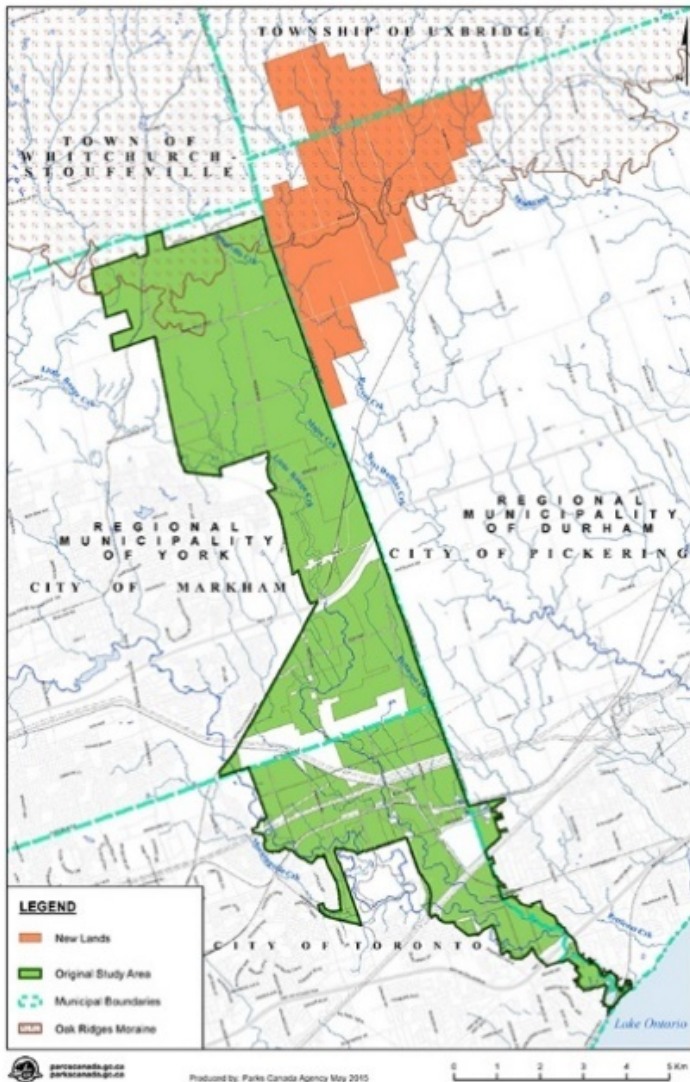
As we can see above, Parks Canada organizes itself into administrative and geographical directorates, with field units under each geographic directorate. These field units consist of national parks, national historic sites, and national marine conservation areas located in the same vicinity, and their superintendents are responsible for delivering Parks Canada programs and services in that vicinity.

Similarly, as part of the new regime and established governance structure under Parks Canada, a Field Unit Superintendent was put in charge of Rouge National Urban Park. The Field Unit Superintendent has considerable decision-making power (Parks Canada representative,

personal communication, February 28, 2018). He or she works with the advice of issue-specific working groups, and shares information with others in the same capacity. Such a hierarchical organization facilitates cost and resource-sharing as well as harmonization of policies in similar areas (Parks Canada, 2017d). It clearly shows the command interaction rule of state bureaucracy.

### 6.3 Property rights changes

Aside from organizational changes, property rights changes were visible signs of the new regime. In June 2013, the same year the Memorandum of Agreement was signed between the



governments of Canada and Ontario, the federal government announced its intent to transfer 4,720 acres (19.1 km<sup>2</sup>) of the expropriated airport lands in Pickering, east of the Rouge Valley, to Parks Canada. This transfer was completed, through Transport Canada, in April 2015 (Parks Canada, 2017b).

In July 2015, the federal government announced that it would transfer an additional 5,200 acres (21 km<sup>2</sup>) of the expropriated airport lands in Uxbridge, northeast of the Rouge Valley, to Parks Canada. This transfer was completed, through Transport Canada, in May 2017 (Government of Canada, 2017a).

**Fig. 8** Map showing the Rouge National Urban Park study area (in green) and the additional 21 km<sup>2</sup> of federal airport lands in Uxbridge slated to be transferred by Transport Canada to Parks Canada in May 2017 (in orange). Source: Parks Canada (2015).

These land transfers represent a change in property rights, but not necessarily use rights. When the federal government expropriated agricultural lands in 1972 to build the airport, the property rights went from private to public or state. The resource regime, meanwhile, went from being community rules under the farming community to command under Transport Canada. However, the farmers were still able to use the land through one-year tenancy leases.

Since property rights are also safeguarded by the state, the April 2015 land transfer was completed between two federal government agencies, Transport Canada and Parks Canada. There was no need for a third party, and the interaction rule remained command. However, the original landowners, the farmers who had been paying Transport Canada, would now have to pay Parks Canada for the same use rights. We see clearly here how, as we discussed in Chapter 3, rights are ‘institutionalized forms of power’, and how property and use rights are not necessarily the same. In both command interaction rules under Transport Canada and Parks Canada, the farmers leasing the land can still practice some degree of community rules, although not to the extent as before the expropriation.

**Table 3** Property rights and interaction rules in federal lands, 1972-2017.

<b>Land</b>	<b>Action</b>	<b>Property right change</b>	<b>Interaction rules</b>
Federal – Pickering (19.1 km <sup>2</sup> )	Expropriation, 1972	Private → State (with lease to landowners)	Community rules → Command
	Land transfer, April 2015	State → State (Federal → Federal)	Command
Federal – Uxbridge (21 km <sup>2</sup> )	Expropriation, 1972	Private → State (with lease to landowners)	Community rules → Command
	Land transfer, May 2017	State → State (Federal → Federal)	Command

Concurrent with the federal government’s announcement in June 2013, the Ontario provincial government also committed to transfer to Parks Canada 1,600 acres (6.5 km<sup>2</sup>) of its own lands, as well as give up reversionary rights to 3,700 acres (15 km<sup>2</sup>) of land it had delegated to be managed by the Toronto and Region Conservation Authority (‘Rouge National Urban Park Taking



Shape...’, 2013). These transfers were completed in October 2017, with the addition of 272 acres (1.1 km<sup>2</sup>) of provincial lands managed by the City of Markham (Government of Canada, 2017b).

Unlike the expropriation in the case of the federal lands, there were no significant changes in property rights or interaction rules in the provincial land transfers. These only signified a change in the level of government responsibility, which was outlined in the Memorandum of Agreement. Since the property is public and the two actors are state actors, the interaction rule remains command. As we have discussed in the previous chapters, there were some political conflicts, or malign coordination problems, that complicated this interaction. Despite the change in level of government with property rights, the management of the land itself continues under a command hierarchy, with Parks Canada, an agency of the federal government, responsible for administering the new regime’s rules and regulations.

**Table 4.** Property rights and resource interaction rules in provincial lands, 2017.

<b>Land</b>	<b>Action</b>	<b>Property right change</b>	<b>Interaction rules</b>
Provincial (6.5 km <sup>2</sup> )	Land transfer, October 2017	State → State (Provincial → Federal)	Command
Provincial – Reversionary rights (15 km <sup>2</sup> )	Land transfer, October 2017	State → State (Provincial → Municipal, through the TRCA → Provincial → Federal)	Command
Provincial – Markham (21 km <sup>2</sup> )	Land transfer, October 2017	State → State (Municipal → Provincial → Federal)	Command

With the above land transfers completed, Parks Canada now officially owns 80% of the 79.1 km<sup>2</sup> total area agreed on to comprise Rouge National Urban Park. The rest of the lands – approximately 17.5 km<sup>2</sup> – are expected to be transferred from the municipal governments surrounding the park in 2018 (Government of Canada, 2017b). The newly-established park is

almost twice the size of the original Rouge Park, and represents the physical output of conflict and coordination in the decision-making process.

## **6.4 Use changes**

With most of the land transfers completed only six years after the announcement that the Rouge would become a national park, Parks Canada is still in the process of implementing the rules and regulations of the new regime.

One of the most concrete physical outputs of the institutional change is the trail network. The Rouge Park Alliance had given its trail plans to Parks Canada in 2012 when it was announced that the Rouge would become a national park (Brennan, 2012). They hoped that the agency would continue including agricultural areas in its planning. However, since Parks Canada still does not own 100% of the park lands, evidence of the former patchwork governance is still visible and the trail network has yet to be expanded.

In August 2017, I visited southern part of the park, which was formerly managed by Toronto and Region Conservation Authority. By then, the park was open to visitors as Rouge National Urban Park, but with the part only having been transferred in October 2017, signage had not yet been changed.



**Fig. 9** Signage on the Vista Trail, Rouge National Urban Park, August 2017. Note the logos of Ontario Power Generation – an electricity company owned by the Government of Ontario – and the City of Toronto beside the logo of Rouge Park. Source: Author.

Parks Canada is currently working to expand the trail network in the northern parts of the park, which were formerly owned by the provincial government, while adding more trails in the newly-added federal parts, in order to create the desired connection between Lake Ontario and the Oak Ridges Moraine. Physical access is planned to be improved with the addition of welcome centres and new trailheads (Parks Canada representative, personal communication, February 28, 2018).

Unlike the previous governance structure, management under Parks Canada will include a definite economic component. Its mandate to ‘present’ means that it is an economic actor,

generating income through tourism, which is then used to achieve its other mandate to ‘protect’. Although admission to Rouge National Urban Park remains free, as it was under the Rouge Park Alliance, Parks Canada now sells official brand merchandise, a Discovery Pass valid for all national parks and historic sites across Canada that usually charge an admission fee, and recreational services such as canoe and kayak rentals. Camping and other rental services, which are paid, continue to be managed jointly with the TRCA (Toronto and Region Conservation Authority, 2018). The inclusion of farmers in the park adds to this economic component as well, though their activities remain independent of Rouge National Urban Park.

As an institution, national parks are defined by norms, rules, and conventions. The new regime, resulting from this institutional change, introduces a new set of rules and regulations that are in concurrence with other national parks in Canada. These include prohibitions for certain activities within the park’s now-defined boundaries. Under the *Rouge National Urban Park Act*, it is forbidden to:

- **(a)** traffic in a wild animal, a plant, a part of a plant, any other naturally occurring object or product of natural phenomena or a cultural, historical or archaeological resource, whether it is in the Park or has been removed from it;
- **(b)** hunt a wild animal in the Park;
- **(c)** remove a wild animal, a plant, a part of a plant or any other naturally occurring object or product of natural phenomena from the Park;
- **(d)** possess a wild animal, a plant, a part of a plant or any other naturally occurring object or product of natural phenomena that is in the Park or that has been removed from it;
- **(e)** disturb, harm or destroy a wild animal or disturb, damage or destroy a plant, a part of a plant or any other naturally occurring object or product of natural phenomena that is in the Park or that has been removed from it;
- **(f)** harvest timber in the Park;
- **(g)** explore for minerals, oil or gas, or conduct an extractive activity, including mining, in the Park;

- **(h)** dump or dispose of any substance in the Park;
- **(i)** disturb a cultural, historical or archaeological resource in the Park, remove one from it or, whether it is in the Park or has been removed from it, damage, alter, destroy or possess one; or
- **(j)** remove a park facility or other park property from the Park or, whether it is in the Park or has been removed from it, damage, alter or destroy a park facility or other park property (c. 10, s. 18(2)).

A significant addition that comes with the new regime is the presence of federal park wardens. As representatives of the state, their role is to ensure compliance to the new regime's rules and regulations, using force if necessary. This is in accordance with Weber's definition of the state as the 'human community that (successfully) claims *monopoly of the legitimate use of physical force* within a given territory' (Weber, 1991, p. 78). With the addition of these wardens, the institutional change to a national park is concrete.

As previously mentioned, the new regime also allows for agricultural activities in the park (c. 10, s. 19). It also gives the right to the Minister of Environment and Climate Change to 'enter into leases, grant easements and issue licences of occupation' (c. 10, s. 13(1)). As the first of its kind in Canada, the new regime's rules and regulations regarding the use of agricultural lands in a national park are setting a legal precedent for, perhaps, future urban national parks.

## **7. How the new regime affects economic and civil society actors**

As the new regime is instituted by political actors, affected economic and civil society actors respond to its rules and regulations. Changes in human behaviour – what Underdal terms the ‘outcome’ – are the means by which the long-term impact on the environmental resource being governed is brought about. As Young (2008), wrote, ‘guiding the behaviour of human actors is essential to the success of any effort to solve environmental problems’ (p. 19). Thus, this chapter aims to answer the third research question: What are the effects of the new regime on the actions of economic and civil society actors?

### **7.1 Employees**

To ensure continuity in the day-to-day management of the park and bring existing knowledge and experience into operations, former Rouge Park employees were offered the opportunity to work for the new national park (Parks Canada representative, personal communication, February 28, 2018). These employees were to work under the new organizational structure of Parks Canada, as well as adhere to its operating procedures.

As discussed above, new employees were also added to the roster. During the transition, Parks Canada hired two arms-carrying officers trained by the Royal Canadian Mounted Police. Similar to other national parks, the Rouge now has wardens who have the authority to enforce law on behalf of the state (Adler, 2015).

### **7.2 Farmers**

When the agricultural lands were expropriated by the federal government in 1972 for the airport, farmers were given one-year tenancy terms to lease their old lands. Therefore, when Transport Canada transferred some 20 km<sup>2</sup> of these lands to another federal agency, Parks Canada, they were viewed with some suspicion by the farming community. However, recognizing the agricultural and cultural heritage of these farming communities, Parks Canada has committed to improving relations with these farmers, working with them to pursue ‘best management practices’ (Parks Canada representative, personal communication, February 28, 2018).

One approach being used is to involve adjacent landowners in conservation initiatives under the new national park regime. Parks Canada has begun a partnership with farmers to work on 15 ecological restoration, scientific research, and farmland enhancement projects (Hon. Catherine McKenna, Liberal, Minister of Environment and Climate Change, 42<sup>nd</sup> Parliament, 1<sup>st</sup> session), as well as trail planning (Parks Canada representative, personal communication, February 28, 2018). Concrete work on leased lands includes repairing ecological buffers, restoring wetlands, removing invasive species, and creating pollinator habitats (Parks Canada representative, personal communication, February 28, 2018). To address concerns about the use of GMOs and pesticides, Parks Canada is also working with universities to conduct research on ecologically-sustainable farming practices.

Additionally, Parks Canada is working to improve tenancy terms for farming communities. A representative described the relationship as ‘positive’ (personal communication, February 28, 2018). While farmers have not and likely will not be compensated for the 1972 expropriation, Parks Canada will strive to give them better leasing options than those under Transport Canada, offering up to 30 years’ lease on agricultural land (Parks Canada, 2017e). This will ensure farmers’ land security and income stability while also enabling them to continue providing locally-grown food to the region. This will aid not only conservation but also sustainable economic growth.

Thus, instead of a limitation, ecological integrity becomes a way to make these important economic stakeholders stewards of the land. Parks Canada’s inclusion of agriculture in national park management still fits the IUCN definition of a Category V protected area, which, while technically not making the Rouge a national park by international standards, allows for ‘a balanced interaction between people and nature that has endured over time and still has integrity’, and which has ‘unique or traditional land-use patterns, e.g., as evidenced in sustainable agricultural and forestry systems and human settlements that have evolved in balance with their landscape’ (IUCN, 2018b).

Nevertheless, it will be essential to ensure that, in keeping with the aims of Rouge National Urban Park, agricultural activities are done in a way that will not negatively impact the health of the ecosystems in the area. Maintaining a partnership to monitor species, as well as encouraging organic farming practices and the maintenance of pollinator-friendly habitats, for example, would be key.

### **7.3 First Nations groups**

As we have discussed, one of the most important outcomes of the establishment of Rouge National Urban Park is its inclusion of First Nations in its governance. The Advisory Circle's ongoing partnership with Parks Canada in the management of the park's resources represents a long-due recognition of their historical use of the land. In this, the integrated nature-culture-agriculture approach taken by Parks Canada cannot be understated. For example, First Nations-led archaeological digs in farmlands in the northern end of the park have unearthed several-thousand-year-old remains of ceramics, tools, and arrowheads left behind by their nomadic ancestors.

By giving First Nations physical and political access to traditional lands and their governance and valorizing First Nations cultural history in the visitor experience, the park's transition into a national park has increased coordination with between political, economic, and civil society actors. According to First Nations archaeologist Luke Swinson, 'Parks Canada seem just as passionate about preserving our culture as we are' (Dawe, 2016).

### **7.4 Local conservationists and volunteers**

As part of its management plan, Parks Canada wants to 'foster a culture of community and youth volunteering, engagement, respect and partnership' (Parks Canada, 2014, p. 7). Former Rouge Park volunteers continue to do guided walks in the same format and schedule as before. These guided walks have become an official activity for Rouge National Urban Park, and volunteers are now provided with Parks Canada clothing. A new cultural and agricultural history component has been added to the walks, reflecting the integrated approach of the new national park (Parks Canada, 2018b).

Conversely, there have been less opportunities for conservation groups such as Friends of the Rouge Watershed to get involved. According to its general manager, Jim Robb, 'The people who created the park have been run to the ground because of bureaucracy' (Jim Robb, personal communication, March 9, 2018). Since the transition to Parks Canada, Friends of the Rouge Watershed and 10,000 Trees for the Rouge, which have been working in the area since before the first park was established, have had less access to tree-planting sites in the park, and have also had to deal with a decrease in funding (Jim Robb, personal communication, March 9, 2018).



While Parks Canada is doing restoration in the Rouge, local conservationists are concerned about the long-term effect of their exclusion. According to Friends of the Rouge Watershed, Parks Canada has ‘a budget of \$17 million a year, but they are doing it at approximately a third of the rate we did with a lot less money. They spend it on publicity and community events – they will do a great job on that – but you have to think about planting the trees, creating the wetlands, removing the invasive species. We can’t wait for the cuts to heal’ (Jim Robb, personal communication, March 9, 2018).

## **7.5 Mixed outcomes**

The outcome of the institutional change has been mixed. On one hand, centralizing management to the federal agency has increased the participation of former Rouge Park employees, First Nations groups, and new volunteers as Parks Canada works to implement its integrated nature-culture approach. On the other, it has resulted in some actors, such as Friends of the Rouge Watershed, being left out of the new regime.

Under the previous governance structure, local conservationists had a higher level of stewardship over their specific projects. The loose framework and small amount of staff in the original park meant that civil society actors were critical in its management (Macaraig, 2011, p. 367), working all the same to support the mandate of the Rouge Park Alliance.

Research has supported the ‘capacity of communities and other small-scale social formations to manage resources (Lemos and Agarwal, 2006, p. 303). The transition to Parks Canada management and a national park institution should indeed be taken as an opportunity to engage local communities and farmers in making an investment to protect the Rouge lands from further development. However, the focus should not just be on creating new stewards, but also on involving the original ones. For example, tree planting and wetland habitat restoration initiatives previously carried out by 10,000 Trees for the Rouge and Friends of the Rouge Watershed should be incorporated into Parks Canada volunteer programming. This will not only speed up project implementation, but also ensure that local communities and farmers are invested in the long-term health of the Rouge’s ecosystems as much as those who fought to establish the original Rouge Park were. As Underdal (2002) posits, ‘Informal networks of experts – *epistemic communities* – contribute to regime effectiveness by strengthening the base of consensual knowledge on which

regimes can be designed and operate.’ Indeed, ‘the more integrated an epistemic community and the deeper it penetrates the relevant national decision-making processes, the more effective – *ceteris paribus* – the regime it serves tends to be.’ (p. 36).

## 8. Expected impacts of the new regime

Underdal's 'impact' and Vatn's 'outcome' both refer to the effect of the new regime on the biophysical environment. How well will Parks Canada, as the agency in charge of the new regime, answer its stated aim to protect biodiversity?

The *Rouge National Urban Park Management Plan* (2014) is the document being used in the first 10 years of park operations, although it is slated to be revised in 2019 (Parks Canada representative, personal communication, February 28, 2018). Parks Canada's plan is to manage the Rouge lands according to its current land use, using an integrated nature-culture-agriculture approach. Looking at the current land use, as well as the ecosystem services offered by the forests, wetlands, and agricultural lands in the park, it is evident that the three elements need to be considered together in the management of the park.

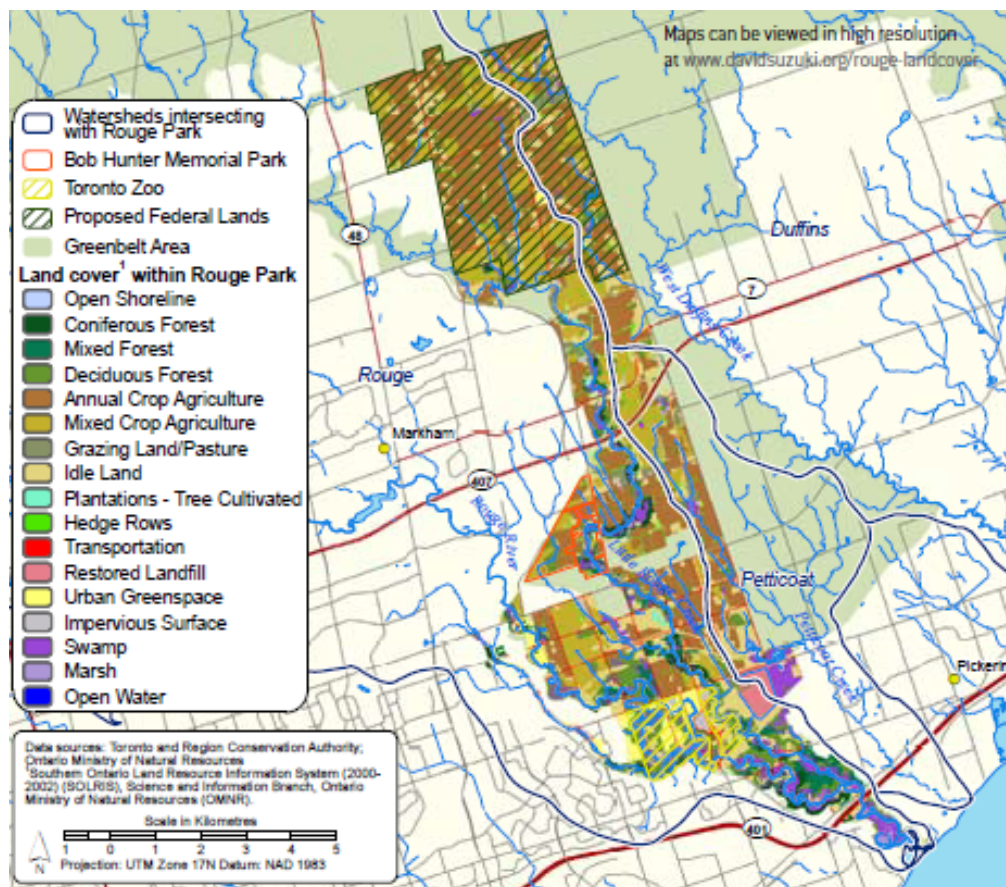


Fig. 10 Land use in Rouge National Urban Park. Source: Wilson (2012).

Protecting the Rouge Valley is especially important because of the ecosystem services it provides. A 2012 report found that the Rouge National Urban Park would provide at least \$12.5 million annually in non-market economic benefits (Wilson, 2012). Within and around it, the forests would provide \$41.2 million, the wetlands would provide \$34.9 million, and idle agricultural lands would provide \$18.2 million annually. According to the same report, important ecosystem services in the park include pollination, worth \$28.2 million, stored carbon, worth \$17.8 million, and wetland habitat, worth \$17.1 million annually (Wilson, 2012). Although not always a reliable measure of impact, ecosystem services nevertheless highlight the benefits of nature conservation, and pinpoint the specific aspects that would need to be incorporated in, as in this case, protected area management.

As the Rouge undergoes institutional change, it remains to be seen what the long-term impact will be on the ecosystems in the park. However, some insight can be gained from transition initiatives that are already being done, as well as Parks Canada's operational management plan.

## **8.1 Ecological protection**

Parks Canada bills the Rouge as a 'protected heritage area' (Parks Canada, 2014, p. 13), and not merely a protected area, under its own category. As we have already discussed, this urban greenspace does not adhere to the international definition of a Category II national park and is to be managed as a Category V protected landscape that allows for the continuation of agricultural activities. Regardless, its legislation, like other national parks in Canada, now states that it will maintain ecological integrity as a priority. Managing the Rouge lands as an 'urban national park' means, however, that that Parks Canada will not be reintroducing predators, creating wildfires, or removing man-made hydrological features. Instead, using ecological integrity as a lens, the aim will instead be to safeguard ecosystem health while allowing for the existence of built-up areas, such as farms, roads, hydro corridors, and rail lines. The focus will be on protecting the vulnerable species that already exist within the park and restoring their habitats. Under federal jurisdiction, Parks Canada will ensure species recovery under the federal *Species at Risk Act* (Parks Canada, 2014).

In addition, measures will be harmonized with existing local, provincial, and international conservation plans. Examples include the implementation of the Ontario Ministry of Natural

Resources' *Fisheries Management Plan* in the Rouge River; restoration of hydrological functions and protection of water quality; restoration of habitat for terrestrial, aquatic, and riparian species; implementation of IUCN guidelines for 'effective, efficient, and engaging' restoration; and application of IUCN and The Conservation Measures Partnership standardized methods to characterize and evaluate threats (Parks Canada, 2014). Parks Canada will also partner and share data with the Toronto and Regional Conservation Authority and the Ontario Ministries of Natural Resources and Environment and Climate Change with regards to monitoring (Parks Canada, 2014), for example, the conversion of the Beare Road Landfill into a habitat for vulnerable species.

The main advantage of management centralization to the federal national parks agency is better fit in terms of more streamlined governance and property rights, ie. the unification of land previously under different jurisdictions. Furthermore, with the highest level of government having the property rights to the assembly of lands being protected, there is a higher chance that it will be to enforce not only rules and regulations but also use rights and safeguard against the threat of further development by private interests (Fuchs, 2003). Being surrounded by urban areas, the Rouge are still a lot of edges, but at least the vital ecological corridor from Lake Ontario to the Oak Ridges Moraine will finally be realized once all lands have been transferred to Parks Canada. It is important, as Parks Canada is doing, to align operations with other levels of government in order to ensure full protection of the Rouge Valley's ecosystem as a whole.

## **8.2 Cultural heritage preservation**

In addition to natural resource management policies, Parks Canada also has cultural resources management policies (Parks Canada representative, personal communication, February 28, 2018). This kind of protection was not provided for under legislation by the provincial government, for example the *Ontario Greenbelt Act*, which prioritized greenspace conservation.

One concrete, positive outcome of the transition to Parks Canada management is Bead Hill (Hon. Pauline Browes, personal communication, February 23, 2018). Already a National Historic Site and therefore under the Parks Canada portfolio, it will be easier to manage in conjunction with the landscape it is found in, instead of just an isolated site in the midst of an assembly of municipal, provincial, and federal lands. Managing the landscape as a whole will also allow for better access for First Nations groups doing archaeological work with the agency.

## **8.3 Economic land use**

As part of the new regime under Parks Canada management, economic land use will also be recognized. In consideration of the regime's long-term impact on the environment, it is essential to ensure that these activities continue to be done in a way that causes no harm to the ecosystems protected by Rouge National Urban Park.

### **8.3.1 Agriculture**

We have already discussed that there is no necessary conflict between nature conservation and sustainable farming practices. People have been benefiting from the Rouge's rich soils for well over two centuries, and farmers can continue to provide locally-produced food to the Greater Toronto Area's growing population without resorting to the use of genetically-modified organisms (GMOs) or pesticides (Parks Canada, 2017e). Those who prioritize nature conservation, such as Friends of the Rouge, worry about the existing use of GMOs and pesticides, and argue that extending private leases on farmlands in the park to 30 years will undermine the 'science-based' conservation plans supported by the Government of Ontario and Environment and Climate Change Canada ('Ontario hands over...', 2017). At the same time, forming a partnership with the park's agricultural tenants could be seen as an opportunity. Better tenancy terms will help farmers invest more in organic agriculture and work on providing habitats for pollinators, birds, and amphibians. It could also very well reduce the use of GMOs and pesticides by introducing command rules through compliance to a state authority, since Parks Canada has the property rights to the land that farmers use. Indeed, using ecological integrity as a lens, and forming positive partnerships with farmers in the Rouge Valley, will only serve to add stewards to its protection.

### **8.3.2 Tourism**

Another opportunity to create stewards is through ecotourism-based activities. Since Parks Canada and farmers are economic actors, the partnership could be beneficial for both. While farms are private entities, the lands on which they are situated are now owned by a public agency. Parks Canada could engage in cross-promotion with local farms, creating a situation where farmers, by serving an educational role for visitors, could be incentivized to use sustainable farming practices and participate in conservation initiatives while earning the income to be able to continue their agriculture.

Of course, measures must be put in place to minimize damage caused by a larger influx of visitors. Branding the park as ‘urban’ and putting it under the Parks Canada banner will certainly make the park more popular, especially since admission is free. However, the primary purpose of preserving the Rouge lands – because and in spite of its proximity to an urban area – must not be ignored.

In 2017, to celebrate the 150<sup>th</sup> anniversary of the country’s confederation, Parks Canada waived access fees to all its parks. A concern was immediately raised that parks would be overcrowded and that the sudden increase in visitor numbers could compromise ecological integrity. The response by Parks Canada was that they would increase available campsites and promote other, lesser-known parks in its inventory (Cheadle, 2016). Making entrance free is certainly a great way to generate interest in Canada’s national parks system, but, as with the Rouge, there is a balance to be struck between increasing visitor numbers, providing excellent recreational services, and making sure that human impact on the natural environment is minimal. At the same time, it presents an unparalleled opportunity to educate the public about nature conservation through visitor experience.

## **8.4 Institutional change and its impact**

In the words of Young (2008), ‘demonstrating the influence of institutions in terms of impacts...is extremely hard’ (p. 19). Indeed it is, especially when the institutional change is so recent. However, the transition to Parks Canada management could very well be the right fit for the Rouge lands, especially given the shortcomings of the previous local governance model. Because national parks managed by Parks Canada are institutions, they already come with their own norms, rules, and conventions. This is exemplified by the organizational structure and agency of Parks Canada under the *Parks Canada Agency Act*. As a representative of the state, Parks Canada has the legitimate authority to use force if these rules are not followed within its territory, as evidenced by the addition of federal park wardens to the Rouge.

When discussing the long-term effects of institutional change, it is essential to note that the management should include a solid monitoring and evaluation component that will allow for some flexibility. Parks Canada has indeed incorporated this in its management plan, which is due to be re-evaluated in 2019 (Parks Canada representative, personal communication, February 28, 2018).

The new regime is taking a step in the right direction by forming partnerships with farmers to work on restoration projects and encouraging sustainable agricultural practices. It is also doing well in adopting conservation measures from provincial and international bodies.

As an economic actor, Parks Canada generates revenue. As always, the challenge is to balance this with nature conservation. To ensure that the positive impact of the institutional change is lasting, yet more funds could be directed towards implementing long-term programs, such as reforestation and wetland habitat restoration. Uniting the lands together, increasing the overall size of the park, establishing the ecological corridor between Lake Ontario and the Oak Ridges Moraine, and working together with farmers, local communities, First Nations groups, and the municipal and provincial levels of government has to go hand-in-hand with ensuring that the ecosystem health of the Rouge Valley as a whole is under the strongest standard of protection.



## 9. Discussion

When it was determined that the original Rouge Park needed better funding and expertise, as well as better ecosystem protection through land unification, it was clear that the governance structure was not the best fit for the resource being governed. In the next year, Rouge Park transitioned from being managed by the ‘advisory-board’ organization of local political and conservation representatives, the Rouge Park Alliance, to the centralized federal agency, Parks Canada. Not only was it a governance structure change, as evidenced by the transition in management organization; it was also an institutional change, as Rouge Park became a national park.

National parks are formal institutions constituted by their own norms, rules, and conventions. They are governed by legislation enforced by a third party, the state. Parks Canada, as a federal agency, acts on behalf of the state through the *Parks Canada Agency Act* to ensure compliance to the *Canada National Parks Act* and the *Rouge National Urban Park Act*, which includes the use of force when necessary.

Since it is best characterized by IUCN Category V, the Rouge does not fall under the international definition of a national park, Category II, which is an institutionalized level of protection. However, as a federally-protected area with its own legislation, the Rouge National Urban Park is now defined by much of the same norms, rules, and conventions as found in the *Canada National Parks Act*. Examples of such norms include maintaining ecological integrity as a priority in national parks (c. 32, s. 8(2) in the *Canada National Parks Act* and c. 10, s. 6(1) in the *Rouge National Urban Park Act*); examples of formal rules include no hunting within park boundaries (c. 32, s. 26(1)(a) in the *Canada National Parks Act* and c. 10, s. 18(2)(b) in the *Rouge National Urban Park Act*); and examples of conventions include making sure one is adequately prepared before going on a hike.

The aims of creating Rouge National Urban Park, as outlined in its legislation, include the protection of ecosystem health, the protection of cultural landscapes, the encouragement of

sustainable farming. Given the prevalence of cultural artifacts and the 200-year history of farming in the Rouge Valley, and given that its mandate is to ‘protect and present’, Parks Canada chose to take an integrated nature-culture-agriculture approach in the management of this national urban park. This was met with criticism from local conservationists such as the Friends of the Rouge Watershed as well as major environmental groups such as the Canadian Parks and Wilderness Society, who felt that nature conservation should come first in protecting the Rouge lands. Specifically, the concern was that ‘ecological integrity’ was not listed as the Minister’s first priority in the original *Rouge National Urban Park Act*, Bill C-40, and that the plans and policies first proposed by Parks Canada did not ‘meet or exceed’ existing provincial plans and policies.

The conflict between the preferences and interests of ‘nature-first’ proponents and those who felt that agriculture in particular should be included in the park was both science-based and political. In the period between 2011, when the national park was established, and 2015, when the first land transfers occurred, local conservationists such as Friends of the Rouge Watershed’s Jim Robb and Scarborough-based politicians such as the New Democratic Party’s Rathika Sitasbaiesan and the Liberal Party’s John McKay expressed concern that GMOs and pesticides were being used in lands adjacent to the park, while Ontario’s Liberal Minister of Infrastructure, Brad Duguid, refused to transfer the province’s lands to Parks Canada until it could prove that it would provide better protection. The Conservatives, such as former Minister of the Environment Peter Kent, focused more on the historical importance of agriculture in the Rouge Valley as well as the impossibility of maintaining ecological integrity in an urban park, as stated by then-Minister of the Environment Leona Aglukkaq. Perhaps due to the timing of institutional change between two federal election periods, the conflict became partisan. It is worth noting that both sides made their arguments with reason. However, amendments were not made to Bill C-40 until after the 2015 elections, which the Liberal Party won. This shows the extent to which the institutions of the decision-making process, such as Parliamentary debates and elections, can have on the output, outcome, and impact of the new regime.

With nature conservation now being first in the legislation, ecological integrity came to be regarded, as an interviewee put it, ‘an aspirational goal’ (Parks Canada representative, personal communication, February 28, 2018). Rather than being a constraint, it became a lens through which other management activities could be coordinated. Examples include involving farmers in

restoration projects and incorporating the impact of thousands of years of human use of the land in visitor education. According to its mandate of ‘protecting and presenting’, Parks Canada now aims to use this first urban national park as a starting point for visitors to learn more about Canada’s protected heritage areas and at the same time create stewards for the Rouge Valley through visitor experience and stakeholder outreach.

Rouge National Urban Park is the first of its kind in Canada. It is not, however, alone in its experience. Since 2015, the United States National Park Service (NPS), has been exploring the idea of parks in cities through its Urban Agenda (NPS, 2015). Using principles of urban ecology and resilience and providing programs and services in urban areas, it seeks ‘to strengthen the intersection between urban populations and more remote national parks’ (NPS, 2015, p. 3). Although there is yet to be a formalized national urban park in the United States, this vision is similar to Parks Canada’s aim to make the Rouge a gateway to its larger network of national parks by providing pertinent visitor experience and education services. Like Parks Canada, the NPS also emphasizes natural and cultural heritage in its management of protected areas.

In Norway, a new national park was established on Jomfruland, an inhabited island on its southeastern coast, in 2016. When I visited the following year, I was surprised to see the extent of human impact in a ‘national park’ – people were living, farming, and vacationing on the island (observation, May 7, 2017). As with the Rouge, Jomfruland is considered a national park because it contains nationally-significant natural elements, such as over 300 species of seabirds, ice reserves, and coastal lakes (Miljødirektoratet, 2016), as well as a multitude of endangered species. Traditional livelihoods of fishing and agriculture continue to be permitted in the national park as long as they do not have a permanent effect on its environment (Lovdata, 2016). In fact, those living on Jomfruland argued that it was their activities over the years that contributed to biodiversity conservation on the island, and, despite the Miljødirektoratet’s initial insistence of national parks being ‘pristine’ (Arild Vatn, personal communication, May 14, 2018), cultural heritage is equally protected as ecosystem health in Jomfruland (Lovdata, 2016).

We often think of national parks as pristine places, but they have often had a long history of human use. They become national parks *because* people see the value in protecting them for the benefit of future generations. The new trend towards recognizing multiple land uses in protected area management presents can be positive so long as there is a balance between preserving natural

features and allowing the continuation of traditional, and more importantly, *sustainable* land use practices.

As one of my interviewees stated, ‘nature won’t get priority unless it’s required’ (Allison Woodley, personal communication, March 8, 2018). Giving national park status to the Rouge and now according it the same standard of protection as other national parks in Canada is the most significant aspect of the institutional change. This means that the new regime will ensure that the Rouge lands are managed as a whole, not only in terms of land unification, but also in terms of safeguarding its natural, cultural, *and* agricultural legacy. In the coming years, it will be crucial to monitor and evaluate the long-term impact of the conservation programs Parks Canada is putting in place on the ecosystem health of the Rouge Valley, as well as continue the partnership with farmers, local communities, First Nations groups, and municipal and provincial levels of government to achieve the overarching goal of protecting the Rouge lands in perpetuity.

## 10. Conclusions

Environmental governance encompasses human activities in the biophysical environment and can most aptly be described by the notion of ‘steering’ (Vatn, 2015). Political, economic, and civil society actors are involved in environmental governance, each with their own motivations and goals, and preferences and interests. Their actions are shaped by institutions, such as national parks, which they also shape.

This thesis has used the case study method of qualitative research to analyze the institutional change represented by the Rouge’s transition in status and management from a local park to a national park. It has attempted to answer the four main research questions of what the decision-making process for creating a new national urban park was like; what policies resulted from it; what the effects of the new regime were on economic and civil society actors; and what the expected impacts of the new regime will be on the resources in the park and how they will be used in the future.

Vatn (2015)’s Environmental Governance Systems framework was selected as a tool with which to examine decision-making process, itself an institution, that led to the institutional change. Together, we have conducted a content analysis of Parliamentary debates and public documents, as well as examined statements by political, economic, and civil society actors, each with their own motivations and goals, and preferences and interests. Doing so has allowed us to see how these actors have interacted in circumstances of conflict and coordination, and how the decision-making process shaped the new regime of Rouge National Urban Park.

In the context of a federal system such as that in Canada, it is evident that provincial autonomy in the governance of its own resources presented difficulties in the implementation of the new regime. The original Rouge Park had been governed by the Rouge Park Alliance, a loose coalition of surrounding municipalities, and the local conservation authority, and its lands were defined by successive Governments of Ontario and protected by the province’s plans and legislations. Under this governance structure, local conservationists had considerable room to implement their own projects. However, after operating as such for two decades, it was determined that the local park model was not the best fit for the resources being governed. A report commissioned by the Alliance itself concluded that due to a lack of funding, control of land, and

authority and expertise, it would be best to transfer management to the federal Parks Canada agency.

The transition from local park to national park was not smooth. During the decision-making process, there was conflict between levels of government about the concepts of ‘ecological integrity’ and ‘meet or exceed’. Although arguments for including ecological integrity in the legislation and meeting or exceeding existing provincial policies were framed as ‘science-based’ and made with reason, it was clear that politics played a role in governance as these preferences and interests came into conflict with the chosen nature-culture-agriculture management approach. Conservationists gave support to provincial politicians and Members of Parliament representing the Rouge to push for better protection for the lands to be included under Parks Canada management. It was only when amendments regarding these conflicts were made to the original legislation that the provincial land transfers to the federal agency finally gained traction.

Using Underdal (2002)’s Regime Effectiveness framework, we can agree that the governance of Rouge National Urban Park, as it stands today, is an output of the abovementioned decision-making process, which is inherently political. The new regime’s rules and regulations, which are instituted in the *Rouge National Urban Park Act*, has in turn affected the behaviour of economic and civil society actors as an outcome.

Although Parks Canada, an economic actor, is now the primary manager of the park, civil society has always been important in its protection. It was civil society that created the political will for the first Rouge Park to be inaugurated; it was civil society that maintained it through volunteer-run conservation and restoration activities. It was also these actors that pushed for better ecosystem protection when the new Rouge National Urban Park was established. While it was legislation from the top that ultimately defined what the park was, in a sense, institutional change always came from the bottom. Local conservationists have expressed feeling left out of this new regime, but it is important that they continue to be involved in Rouge National Urban Park’s management ensure that the new governance structure continues to fit the unique context of the resources being governed.

As the United States National Park Service states, it is at the intersections of jurisdictional boundaries ‘that the need for interdependency becomes apparent.’ (NPS, 2015, p. 17) Having 79.1 km<sup>2</sup> of the Rouge Valley managed as a whole by the federal Parks Canada agency means, now that

the conflicts of ‘ecological integrity’ and ‘meet or exceed’ have been resolved, the park lands will be offered the highest standards of protection. Transferring property rights to a federal agency that has historically protected both nature and culture will also facilitate the management of both these elements, as well as provide better use rights to those practicing agriculture on park lands through improved tenancy agreements. Under the new national park regime, the Rouge is ‘served and managed by an organization or body established with a particular purpose in mind’ (Underdal, 2002, p. 27). Despite the centralization of management to Parks Canada, it will continue to be important to coordinate with municipal and provincial levels of government to ensure that the Rouge Valley and its ecosystems will continue to be protected for what it is – a vulnerable greenspace with multiple land uses and values.

Parks Canada’s integrated nature-culture-agriculture approach only makes sense if we acknowledge that the Rouge Valley has always been, and always will be, home to human beings. In the 21<sup>st</sup> century, urbanization brings both challenges and opportunities. Given the Rouge’s situation beside Canada’s largest metropolis, calling it a ‘national urban park’ may seem like a paradox, but it also emphasizes the fragility of the park as a greenspace. On one hand, there is the continuing threat of fragmentation brought about by urban development. On the other, there is the opportunity to create new stewards. Managing a national park together with other users of the land can only strengthen its protection if putting nature as a priority complements what already exists. It is already a positive aspect that Parks Canada has shown a commitment to including such important stakeholders as First Nations groups and farming communities in operational activities. It is also positive that it puts emphasis on visitor experience and education. Likewise, the work of local conservationists over the past decades should be recognized and incorporated in the new regime.

In the context of increasing urbanization, it is important to know how different actors can work together to protect greenspaces within them. The case of Rouge National Urban Park is the first in Canada, but it is surely not the last. The lessons learned from its management could be transferred to similar cases of near-urban protected areas in the country. In this thesis, we have also explored the trend towards parks in cities in the United States, as well as the harmonization of natural and cultural heritage conservation in Norway. The successful establishment of such

humanized landscapes as institutions could serve as models for future national parks around the world.

In the case of the Rouge, what is important is that the lands have now been unified under an agency with the mandate and the means to protect such a nationally-significant area. Perhaps Parks Canada could further improve the long-term impact aspect of its new regime by one day increasing the size of the park. As the Hon. Pauline Browes, who has worked to protect the Rouge Valley since before the first park's inauguration, told me:

*'It's been quite a joy to actually know that this is going to be saved in perpetuity. I think a hundred years from now, your great-grandchildren will say, 'Wow, this is really good.' Because there's seven million people now, but there might be 70 million people [in the future]. And this will be a real oasis.'*

*– Hon. Pauline Browes, former Minister of the Environment and Board Member of the Rouge Park Alliance*





**Fig. 11** Sunset at the Beare Marsh, Rouge National Urban Park. Photo courtesy of Larry Noonan.

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## 12. Appendices

### Appendix 1

Interview Guide for Hon. Pauline Browes, former Member of Parliament for Scarborough Centre; Parliamentary Secretary to the Minister of the Environment; Minister of State for the Environment; and Member of the Rouge Park Alliance

1. As a politician, you campaigned to protect the Rouge Valley even before the first Rouge Park was created. What was there that you saw was worth preserving?
2. In your opinion, was the management under the Rouge Park Alliance effective, or did you feel that there could be improvements?
  - a. Why was it decided to transfer the management to Parks Canada, instead of continuing under the Rouge Park Alliance?
  - b. How had the Rouge Park Alliance been financed?
  - c. Where did the decision to create the national park come from?
3. How did you feel about the announcement that Parks Canada was to acquire Rouge Park?
  - a. What do you think about this new governance structure?
  - b. How were the negotiations with surrounding municipalities and the Government of Ontario carried out? There were some conflicts – in your opinion, were these more ecological or political?
4. In the early days, there was some concern that the proposed *Rouge National Urban Park Act* was not enough to safeguard the ecological integrity of the park's ecosystems. Did you share those concerns or were you satisfied with the original Act?
5. Do you have any thoughts on the expected long-term impacts of the land transfer and management change on the following, and will these be improved under Parks Canada management?
  - a. Environmental protection
  - b. Cultural heritage preservation
  - c. Use of surrounding park lands (eg. agriculture)?

### Appendix 2

Interview Guide for Jim Robb, General Manager of Friends of the Rouge Watershed and Founding Member of Save the Rouge Valley System, Inc.

1. How did you feel about the announcement that Parks Canada was to acquire Rouge Park?
  - a. What do you think about this new governance structure?
  - b. Did you have any concerns with the land transfers?
2. What were the reasons you felt that the original proposed *Rouge National Urban Park Act* was not enough to safeguard the ecological integrity of the park's ecosystems?
3. What do you think of the concept of an 'urban' national park?
4. What were the reasons you and other conservationists pushed to increase the size of the original study area?
5. Were you involved during the public consultation process?



- a. What was the form of your involvement?
- b. How frequently did you give input?
- c. Were you notified of opportunities to participate?
6. Are you satisfied with the amendments to the *Rouge National Urban Park Act*? What, in your opinion, are the strong points, and what can still be improved?
7. Has conservationists' access to or use of the land changed since the park was created? How?
8. What are some of the ecological impacts you expect from the land transfer to Parks Canada management?

## Appendix 3

### Interview Guide for a Parks Canada representative who chose to remain anonymous

1. What is the IUCN category of RNUP, and did it change or is it expected to now that it is a national park?
2. Who decided which areas were to be acquired as part of the expansion of the new 'urban park', and how was it decided, ie. what criteria were used? (eg. protected species, cultural or agricultural value, already part of existing park, expropriated land, align with stated aims)
3. Parks Canada engaged with various stakeholders before the transition.
  - a. Which parties did you consult? How were these chosen?
  - b. What were some of their positive and negative responses?
  - c. How were these responses taken into account in creating the *Rouge National Urban Park Act*, and in the management plan?
  - d. Is the public consultation normal procedure, or is this specific to RNUP? What was new about the process of creating RNUP?
  - e. Were the park's stated aims decided before public consultation or were they a result of these?
  - f. Were affected landowners compensated?
4. What are some of the changes with regards to the internal structure of the management organization after the transition?
5. What are some of the physical changes?
6. Are there changes in peoples' access to and use of the park land? (eg. new trails, or blocked-off areas, different entrance fees)
7. What is the procedure when Parks Canada has to take over what was once a volunteer project?
8. How does Parks Canada reconcile the three tenets of nature, culture, and agriculture in its management practices?
9. What are the expected long-term impacts of the land transfer and management change on:
  - a. Environmental protection
  - b. Cultural heritage preservation
  - c. Use of surrounding park lands (eg. agriculture)?

## Appendix 4

### Interview Guide for Glenn de Baeremaeker, Ward 38 Councillor for Scarborough Centre and former President of Save the Rouge Valley System, Inc.

1. What were the reasons you supported the creation of Rouge National Urban Park?
  - a. In your opinion, why was it better to transfer the management to Parks Canada, instead of continuing under the Rouge Park Alliance?
  - b. Can you comment on why was the decision only made in 2011? In your opinion, was the impetus primarily from the bottom (lobbyists) or from the top (federal government)?
  - c. Do you support calling the national park 'urban'?
2. How did you feel about the announcement that Parks Canada was to acquire Rouge Park?
  - a. What do you think about this new governance structure?
3. As someone who did a lot of work in the original Rouge Park, can you comment on the debate about ecological integrity?
4. What do you think of the concept of an 'urban' national park?
5. Are you satisfied with the current progress of the transition? Could there be improvements?
6. In your opinion, will the new governance structure of the park better ensure protection of the biodiversity and cultural heritage of the park? How is it improved from the previous structure?

## Appendix 5

### Interview Guide for Allison Woodley, National Director, Conservation of the Canadian Parks and Wilderness Society

1. How did you feel about the announcement that Parks Canada was to acquire Rouge Park?
  - a. Do you think that the new federal management is better than the previous local management in terms of ability to protect natural resources in the park?
  - b. Did you have any concerns with the acquisition of land by Parks Canada? If so, what were they, and why did they concern you?
    - a. Some local conservation groups argued that the park was 'not big enough' and proposed increasing the size. Did CPAWS agree or disagree? Why?
    - c. These groups also felt that the original proposed *Rouge National Urban Park Act* was not enough to safeguard the ecological integrity of the park. Working on other, more 'traditional' national parks, did CPAWS share those concerns?
    - d. What do you think of using the word 'urban' to describe a national park?
2. In your opinion, will the new governance structure of the park better ensure protection of the biodiversity and cultural heritage of the park? How is it improved from the previous structure?
3. Are you satisfied with the amendments to the *Rouge National Urban Park Act*? What, in your opinion, are the strong points, and what can still be improved?

## Appendix 6

Memorandum of Agreement between the Governments of Canada and Ontario, January 2013

### MEMORANDUM OF AGREEMENT

#### RESPECTING THE ESTABLISHMENT OF THE PROPOSED ROUGE NATIONAL URBAN PARK

THIS AGREEMENT made this 26 day of January, 2013.

**BETWEEN:** **HER MAJESTY THE QUEEN IN RIGHT OF CANADA** as represented by the Minister of the Environment for the purposes of the Parks Canada Agency ("Canada")

#### OF THE FIRST PART,

**AND:** **HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO** as represented by the Minister of Infrastructure ("MOI")

2.09 The Parties agree that:

- a) Parks Canada will work with Ontario to develop written policies in respect of the creation, management and administration of the Park that meet or exceed provincial policies regarding the Transferred Lands, including the policies set out in the Greenbelt Plan 2005, the Oak Ridges Moraine Conservation Plan, the Growth Plan for the Greater Golden Horseshoe 2006 and the Big Move.
- b) If in the development of written policies in respect of the creation, management or administration of the Park, Parks Canada identifies a provincial policy that it is not able to meet or exceed then it will enter into discussions with Ontario to attempt to resolve the matter to the satisfaction of both Parties.
- c) Ontario agrees that if any changes are proposed to any provincial policies to which subsection a) applies prior to any transfer of the Lands or the Other Lands then Ontario will work collaboratively with Canada and consult regarding any proposed policy amendments.
- d) Canada agrees that if any new written policies in respect of the Park are developed or any changes are proposed to any Park policies after the transfer of the Lands or the Other Lands then Canada will work collaboratively with Ontario and consult regarding any proposed policies or policy amendments.

2.06 Supplemental Agreement(s) will be prepared identifying the parcels to be transferred and establishing any further terms and conditions which must be fulfilled prior to the transfer and acceptance of administration and control of any lands from Ontario to Canada and the release of Ontario's interest in any lands.

## Appendix 7

Page from a brochure distributed by Friends of Rouge National Park calling for an extension of the park's original study area to 100 km<sup>2</sup>

### The Park Management Plan needs to demonstrate ecological integrity by:



Implementing Environment Canada's scientific recommendations for "How Much Habitat is Enough"



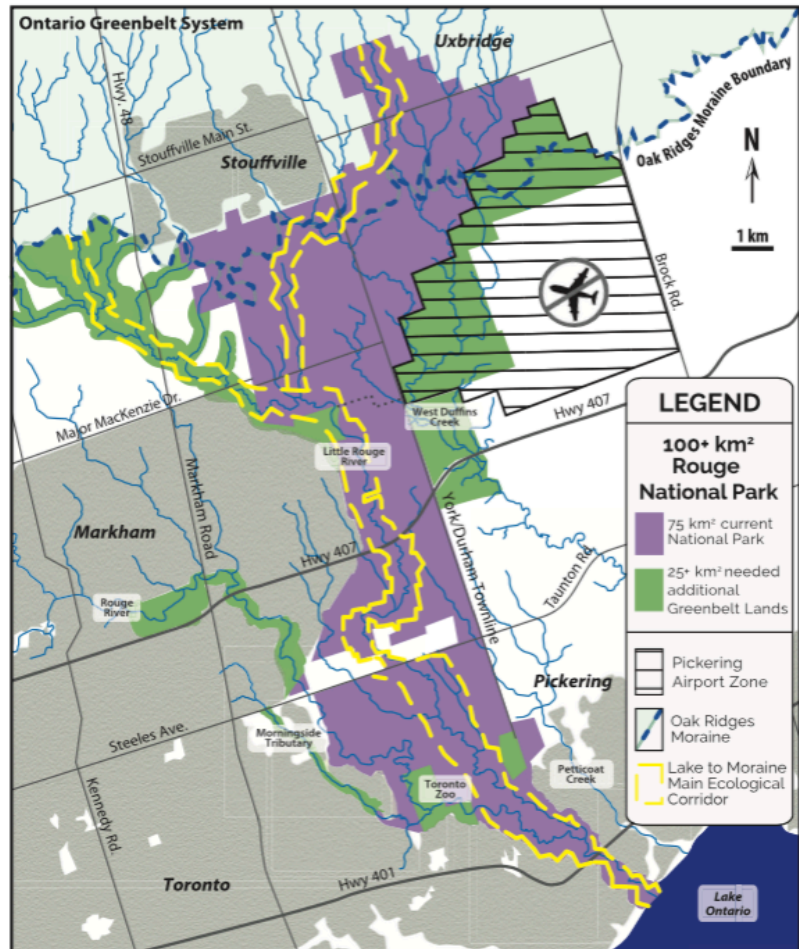
Restoring the Park's "main ecological corridor" and Indigenous Peoples Trail, linking Lake Ontario to the Oak Ridges Moraine



Implementing existing Park & Watershed Plans to combat pollution, climate change, and flooding



Adding Greenbelt lands to create a 100+ km<sup>2</sup> national park





**Norges miljø- og biovitenskapelige universitet**  
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