



Fourth Session - Thirty-Fifth Legislature
of the
Legislative Assembly of Manitoba

**STANDING COMMITTEE
on
PUBLIC UTILITIES
AND
NATURAL RESOURCES**

42 Elizabeth II

*Chairperson
Mr. Marcel Laurendeau
Constituency of St. Norbert*



VOL. XLII No. 11 - 7 p.m., TUESDAY, JULY 20, 1993

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fifth Legislature

Members, Constituencies and Political Affiliation

NAME	CONSTITUENCY	PARTY
ALCOCK, Reg	Osborne	Liberal
ASHTON, Steve	Thompson	NDP
BARRETT, Becky	Wellington	NDP
CARSTAIRS, Sharon	River Heights	Liberal
CERILLI, Marianne	Radisson	NDP
CHOMIAK, Dave	Kildonan	NDP
CUMMINGS, Glen, Hon.	Ste. Rose	PC
DACQUAY, Louise	Seine River	PC
DERKACH, Leonard, Hon.	Roblin-Russell	PC
DEWAR, Gregory	Selkirk	NDP
DOER, Gary	Concordia	NDP
DOWNEY, James, Hon.	Arthur-Virden	PC
DRIEDGER, Albert, Hon.	Steinbach	PC
DUCHARME, Gerry, Hon.	Riel	PC
EDWARDS, Paul	St. James	Liberal
ENNS, Harry, Hon.	Lakeside	PC
ERNST, Jim, Hon.	Charleswood	PC
EVANS, Clif	Interlake	NDP
EVANS, Leonard S.	Brandon East	NDP
FILMON, Gary, Hon.	Tuxedo	PC
FINDLAY, Glen, Hon.	Springfield	PC
FRIESEN, Jean	Wolseley	NDP
GAUDRY, Neil	St. Boniface	Liberal
GILLESHAMMER, Harold, Hon.	Minnedosa	PC
GRAY, Avis	Crescentwood	Liberal
HELWER, Edward R.	Gimli	PC
HICKES, George	Point Douglas	NDP
LAMOUREUX, Kevin	Inkster	Liberal
LATHLIN, Oscar	The Pas	NDP
LAURENDEAU, Marcel	St. Norbert	PC
MALOWAY, Jim	Elmwood	NDP
MANNES, Clayton, Hon.	Morris	PC
MARTINDALE, Doug	Burrows	NDP
McALPINE, Gerry	Sturgeon Creek	PC
McCRAE, James, Hon.	Brandon West	PC
McINTOSH, Linda, Hon.	Assiniboia	PC
MITCHELSON, Bonnie, Hon.	River East	PC
ORCHARD, Donald, Hon.	Pembina	PC
PALLISTER, Brian	Portage la Prairie	PC
PENNER, Jack	Emerson	PC
PLOHMAN, John	Dauphin	NDP
PRAZNIK, Darren, Hon.	Lac du Bonnet	PC
REID, Daryl	Transcona	NDP
REIMER, Jack	Niakwa	PC
RENDER, Shirley	St. Vital	PC
ROCAN, Denis, Hon.	Gladstone	PC
ROSE, Bob	Turtle Mountain	PC
SANTOS, Conrad	Broadway	NDP
STEFANSON, Eric, Hon.	Kirkfield Park	PC
STORIE, Jerry	Flin Flon	NDP
SVEINSON, Ben	La Verendrye	PC
VODREY, Rosemary, Hon.	Fort Garry	PC
WASYLYCIA-LEIS, Judy	St. Johns	NDP
WOWCHUK, Rosann	Swan River	NDP
<i>Vacant</i>	Rossmere	
<i>Vacant</i>	Rupertsland	
<i>Vacant</i>	The Maples	

LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON
PUBLIC UTILITIES AND NATURAL RESOURCES

Tuesday, July 20, 1993

TIME — 7 p.m.

LOCATION — Winnipeg, Manitoba

CHAIRPERSON — Mr. Marcel Laurendeau (St. Norbert)

ATTENDANCE - 10 — QUORUM - 6

Members of the Committee present:

Hon. Messrs. Derkach, Ducharme, Enns, Praznik

Mrs. Carstairs, Mrs. Dacquay, Messrs. Laurendeau, Rose, Ms. Wowchuk

Substitution:

Mr. Ashton for Ms. Cerilli at 7 p.m.

APPEARING:

Marianne Cerilli, MLA for Radisson

Jerry Storie, MLA for Flin Flon

WITNESSES:

Robert Harbottle, Private Citizen

Steve Masson, Granges Incorporation

Armand Boulet, Lumber and Sawmill Workers Union (LSWU)

William Burbidge, on behalf of Donald J. Birak, Hudson Bay Mining and Smelting Co. Ltd.

William Burbidge, Manitoba-Saskatchewan Prospectors and Developers Assoc.

Brian Pannell, Canadian Bar Association, Manitoba Branch

Jon Phillips, Private Citizen

Gary Harbottle, Private Citizen

Edna Harbottle, Private Citizen

Bob Yatkowsky, Canadian Institute of Forestry

Anthony Hyrorchuk, Interlake Quota Holders Association

Glenn Hibbert, Private Citizen

Peter Thurston, North East Sustainable Development Association

Alice Chambers, Private Citizen

Brian LePoudre, Manitoba Parks and Recreation Association

John McFarland, Private Citizen

Hendrik Herfst, Defending of Nopiming

Margaret Kapinga, Friends of Oak Hammock Marsh

Donna Derenchuk, Canadian Parks and Wilderness Society (CPAWS)

Freda Rajotte, Private Citizen

Harvey Williams, Time to Respect Earth's Ecosystems (TREE)

Lindy Clubb, Sierra Club of Western Canada

Ted Batchelor, Cominco Ltd.

WRITTEN SUBMISSIONS:

Robin E. and Mary Carpenter, Private Citizens

Elen M. Carpenter, Private Citizen

William Ferreira, Private Citizen

Mary J. Carpenter, Private Citizen

Steve J. Lesavage, Private Citizen

Bruce Dunlop, The Prospectors Association of Manitoba

Elizabeth R. Sellick, Manitoba Association for Rights and Liberties

Judith and Claude Hutton, Private Citizens

Doreen Ander, Private Citizen

Gerald and Marlene Johnson, Private Citizens

Gordon and Donald Gale, Private Citizens

Kathy Sangster and Susan Lorden, Private Citizens

Wes A. Jones, Private Citizen

Margaret A. Reid and R.O. Hayes, Private Citizens

MATTERS UNDER DISCUSSION:

Bill 41—The Provincial Parks and Consequential Amendments Act

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Mr. Chairperson: Order, please. Will the Standing Committee on Public Utilities and Natural Resources come to order. We have before us the following bill to be considered, Bill 41, The Provincial Parks and Consequential Amendments Act.

At this time I would like to inform the committee members and members of the public of subsequent meetings to follow on Bill 41. They will be on Wednesday, July 21, at 9 a.m. and at 7 p.m. in Room 255 in the Legislative Building.

For the committee's information, copies of the bill are available on the table behind me. It is our custom to hear presentations from the public before detailed consideration of the bill. I have before me a list of persons' names registered to speak on Bill 41. For the committee's benefit, a copy of the list has been distributed to each member. Also for the public's benefit, a copy of this list is posted on the board just outside the committee room. For persons making presentations, please check the board for where you are on the list.

At this time I would like to canvass the audience and ask if there are any persons present, who would like to make a presentation to the committee this evening to Bill 41, who have not registered. If so, please let the staff at the back of the room know and they will add your name to the list.

The committee has also received written submissions to Bill 41. Copies have been distributed to the committee members at the beginning of the meeting. Copies of these submissions will appear on the back of the transcript of this committee meeting.

From time to time, standing committees in Manitoba put time limits on public presentations. Did the committee wish to put a time limit on the presentations today?

Hon. Harry Enns (Minister of Natural Resources): Mr. Chairperson, I have no particular desire to propose time limits with respect to this meeting, although I indicate to you, as to members of this committee, that precedent has been established in consideration of other bills during the course of the session. I put it to the committee that in the interest of, obviously, the many people who have shown an interest in Bill 41 that it may well be reasonable to consider. I suggest to you that perhaps a 20-minute time limit on presentation would make it more possible for more of the

persons wishing to make presentations to this committee a reasonable suggestion. I ask the committee, therefore, to consider whether or not a 20-minute time limit would not be worth our consideration.

Mr. Steve Ashton (Thompson): Mr. Chairperson, I am wondering first of all if there were more chairs, if we could make arrangements, and I was wondering if there was some possibility of dealing with that. We might want to see if there are either more chairs or if there is some other location that members of the public can sit while the considerations are going on, while they are waiting.

Second of all, in terms of time limits, we have only actually had one other bill in this session where there have been time limits imposed. I found that they created difficulties. In many cases, members of the committee were unable to ask questions of the presenters. While some people obviously can present in five or 10 minutes, there were many people who were cut off in mid-presentation.

So our concern, in terms of the opposition, would be not to have a time limit and instead would be to have additional committee hearings. There are two more announced and there obviously could be further committee hearings scheduled.

In fact, I would even suggest, as well, and we can perhaps discuss this afterwards, that we should also look at a reasonable adjournment time on the evening sittings. I do not think we want to be sitting until all hours of the morning, which I think will be the ultimate inconvenience to members of the public.

Hon. Darren Praznik (Minister of Labour): Mr. Chair, I would concur with the suggestion of the Minister of Natural Resources (Mr. Enns). There are lots of people here who wish to provide counsel to this committee of the Legislature. It is a very extensive list of people, and I think it accommodates more people to have some restriction on time.

I would also point out, Mr. Chair, that we ourselves in the Legislative Assembly on private members' submissions or private members' debate restrict ourselves to 15 minutes, that the Constitutional Task Force hearings which dealt with the constitution of this country restricted presentations, presenters to 20 minutes. So there is much precedent for it, and I think it

accommodates the number of presenters who wish to address this committee.

So I would move that we institute a time limit of 20 minutes for presentations.

Mr. Ashton: I have some comments, and I wonder if it would be possible to do a committee substitution prior to that.

Mr. Chairperson: Let us take care of the committee substitution then first.

Committee Substitution

Ms. Rosann Wowchuk (Swan River): I move, with the leave of the committee, that the honourable member for Thompson (Mr. Ashton) replace the honourable member for Radisson (Ms. Cerilli) as a member on the Standing Committee on Public Utilities and Natural Resources effective 7 p.m., with the understanding that the same substitution will also be moved in the House to be properly recorded in the official records of the House.

Floor Comment: Just a minute here. We cannot hear what is going on and there is no place for seating.

Mr. Chairperson: Order, please. Excuse me, sir, we have checked to see if there is some more seating for the public. If you will just be patient with us, they have just gone out to check at this time. We are attempting to carry on with some of the formalities at this time.

I would like to inform Ms. Wowchuk that the Honourable Mr. Praznik has moved an amendment, and I cannot have a motion, so I cannot have your motion come forward until we have dealt with his, unless there is leave of the committee.

Is there leave of the committee that we deal with Ms. Wowchuk's motion first? Leave? [agreed]

Floor Comment: You will have to speak up.

Mr. Chairperson: Sir, I am afraid this is as loud as this sound system goes in here. That is as loud as the sound system goes in this room, sir, and I would ask you to please keep it down a little bit so the rest of the public can hear.

It has been moved by the member from Swan River (Ms. Wowchuk), with leave of the committee, that the honourable member for Thompson (Mr. Ashton) replace the honourable member for Radisson (Ms. Cerilli) as a member of the Standing

Committee on PUNR effective 7 p.m., with the understanding that the same substitution will also be moved in the House to be properly recorded in the official records of the House.

Motion agreed to.

* * *

Mr. Chairperson: It has been moved by Mr. Praznik that presentation be limited to 20 minutes inclusive of questions for the committee.

Mr. Ashton: Mr. Chairperson, I indicated previously our difficulty with what is being proposed, and I note for the member from Lac du Bonnet (Mr. Praznik) that the example he used in terms of the Constitution, that people sat on the committee will also recall, too, that nobody was cut off.

We ran into a problem with the only bill in this session where time limit has been introduced. In fact, one of the few bills where there has ever been a time limit, particularly, as I said, with some presentations that went longer and also with questions. I am sure members of the public will gauge the length of their presentation by what they feel is important for this committee to hear and, also, consideration for other members of the public.

So I have a great deal of concern, and I know even the minister was in the position of not being able to ask questions, himself, being cut off midstream in questions. I would hope on a bill that is obviously of this importance to members of the public, I mean, this is one of the largest numbers of presenters that I have seen on any bill in the years I have been in the Legislature. We are extremely concerned in terms of time limits.

Being from the opposition, we obviously do not have the majority on this committee, but I point out, for example, on the MPIC bill where there were 70-odd presenters on the list, there was no time limit put in place. We have a taxicab bill that is being discussed right now, there is no time limit. We do not feel that the government should be in the position of picking and choosing where it wants to restrict presentations. It was done on Bill 22, which rolled back civil servants' wages, and we are now dealing with the parks bill, which is obviously of major concern to Manitobans or else there would not be 192 Manitobans here.

* (1910)

Our preference in the opposition, quite frankly, Mr. Chairperson, would be to add additional sittings. We can sit mornings; we can sit afternoons. In fact, there is a suggestion we are going to raise after this matter is dealt with that we can sit on the weekend as well. I realize it is a burden to members of the committee in terms of time, but I think it is important. The New Democratic Party would oppose the introduction of the 20-minute time limit. It did not work in the previous committee, and I do not feel it will work this time. I do not think it will be fair to members of the public.

Mr. Praznik: I would move that presentations to Bill 41 in the Standing Committee on Public Utilities and Natural Resources be limited to 20 minutes, inclusive of questions from the committee.

I do that, because simply looking at the size of the crowd tonight, at 20 minutes, which is five minutes more than we allow ourselves in certain debate in the House as members of the Legislature, and is certainly similar to the period used in a variety of committees of which I have been a part, even at 20 minutes, that allows for three presentations an hour. Between now and midnight, that would allow for only 15 people to make presentations from the rather large crowd that is there tonight.

So as one can see, certainly we are not imposing on the public anything substantially different from what we impose upon ourselves on many issues with which we have to deal.

Mr. Chairperson: I would like to note to the honourable members, the amendment that was made by Mr. Praznik was just to add to Bill 41 in SC on Public Utilities and Natural Resources. Is it agreed that that be a friendly amendment? [agreed]

Mr. Ashton: I just want to respond again, and I know from the reaction from members of the public here, I do not think they want this limitation themselves.

I have found, with our committee process, that members of the public are willing to stay through the process, and certainly we can schedule the committee hearings. I want to stress again that we in the opposition and, I think, all members of this committee do not want to be caught in the position of, for example, not being able to ask questions to presenters that go the full 20 minutes.

You know, that is something that happened in the previous committee hearings. The reason we are here is to hear from members of the public. I feel that the 20-minute time limit that is being imposed restricts our ability to do that. I have found in these committee processes, particularly on a bill like this—which, by the way, is going through its second version. There were obviously problems the first time around.

Hopefully this Legislature can get it right the second time, and we are not dealing with third-time lucky. The way to deal with that is to consult with members of the public, and I feel their contribution in this committee is invaluable. The only way to consult fully and make sure that there is not a further series of problems with this particular bill is to have full input from members of the public. That means without the time limits that are being proposed.

So, therefore, our position is that once again, very clearly, we oppose the time limits being brought forward by the government.

Mr. Chairperson: It has been moved by Mr. Praznik that the presentation to Bill 41 in the Standing Committee on Public Utilities and Natural Resources be limited to 20 minutes, inclusive of questions for the committee.

All those in favour of the motion, say yea.

An Honourable Member: Yea.

Mr. Chairperson: All those opposed, say nay.

An Honourable Member: Nay.

Mr. Chairperson: The Yeas have it.

Mr. Ashton: Request a counted vote.

A COUNTED VOTE was requested, the result is as follows:

Yeas 6, Nays 3.

Mr. Chairperson: The Yeas have it.

It is our practice to hear from out-of-town presenters first—

Mr. Ashton: Yes, we have a number of procedural items we wish to deal with first.

I have a motion to move, Mr. Chairperson, and it is aimed at ensuring that we have some reasonable sitting hours in the committee. We have had problems in previous years where committees have gone through and have sat until three and four in the morning.

Mr. Chairperson: Order, please. Could I ask the committee members to refrain for just a little while so I can hear the honourable member. It is a little noisy here.

Mr. Ashton: Mr. Chairperson, we recently have had committees where this has been adopted as the guideline, and it is a very simple motion.

I would move that this committee sit no later than twelve o'clock midnight without the unanimous consent of the committee. I will explain that, Mr. Chairperson.

Mr. Chairperson: It has been moved by Mr. Ashton that the committee sit no later than twelve midnight without unanimous consent of the committee.

Mr. Ashton: I just want to explain the final part of that was, for example, if we were in the middle of a presentation, that we would sit later than midnight to finish the presentation, basically if it was for the convenience of the presenters.

The concern I have though is to ensure that we are not sitting here until three or four in the morning and particularly since members of the public may not be aware of the fact that we usually have a system whereby at some point, we read the names through, and if people are not present for the second time—is usually what is adopted if it is done by a motion—they lose their opportunity to present. I want to make sure that no one loses their opportunity to present because they could not be here at one, two or three in the morning.

Mr. Praznik: Yes, Mr. Chair, we certainly share some of the member's concerns, that we certainly want to accommodate as many presenters as possible. We certainly do not want to be denying people their opportunity to address this committee, but I think the sitting hours of the committee are something that should be left to the committee at that time.

There may be a number of presenters who are from out of town who have a distance to travel. We could find ourselves sitting at midnight, and they may wish to present to us. We may have one member of the committee who decides that they just wish to go home at that hour and not be here for those presentations and inconvenience those presenters.

I think there is a willingness on the part of government members of this committee to be accommodating in terms of time. I do not think it is

our intention to sit into the wee hours of the morning. Midnight is an hour to aim for, but I would not want to see the committee so restricted by this particular motion, although we agree with reasonable sitting hours.

Mr. Ashton: In fact, there is a precedent, and we were talking about precedents before. This was very similar to the motion that was introduced in the other committee. I want to assure the committee that it is not our intention in any way, shape or form to inconvenience members of the public.

All we want to ensure is that there is not that process take place, and if the government is not willing to support this particular motion, what I would suggest we do is assess where we are at approximately eleven o'clock. We can ask members of the public who wish to stay, if they wish to, that we can sit to accommodate them and advise other members of the public that they are not going to be called that night.

I would suggest, if there is agreement on that, I will withdraw the motion and will assess where we are at eleven o'clock and perhaps discuss it further.

Mr. Chairperson: Is there unanimous consent for the motion to be withdrawn? [agreed]

Ms. Wowchuk: Mr. Chairperson, I move

THAT the committee accommodate members of the public of northern Manitoba wishing to speak to Bill 41 by holding committee meetings in the North.

The reason I move that motion is we have had calls from several people today who were just notified last night about having to present here in Winnipeg tonight. They were unable to get here at such short notice.

Also, many of the concerns that are in this bill are concerns of people in northern Manitoba and in rural Manitoba, and to accommodate those people and if the government really wants to hear the concerns of people as they prepare to pass this bill, I think it would be fair that we consider holding public meetings to accommodate these people.

Motion presented.

Mr. Praznik: Yes, Mr. Chair, I certainly concur with the member for Swan River in her desire to see that all Manitobans are as accommodated as best possible in making their presentations to this committee.

I would indicate to her that the long-standing tradition of committees of this Legislature, both

when her party was in power and my party has been in power over the years, has been to meet in Winnipeg, but certainly make an attempt to accommodate those from long distances.

As I am sure the member is aware, there is a long list of presenters. We will probably be sitting on a number of days and certainly members on this side of committee would be more than pleased to work with the Clerk to accommodate those who have long distances to travel to come to make presentations to this committee. But I would point out to the member for Swan River as to all members of the committee, if you would look through the material that has been provided, there has been a significant number of presentations already sent to this committee which is a vehicle by which the public can make this committee aware of their concerns, and there is a whole host of presentations coming, most of them, if one looks at the addresses, from northern Manitoba of residents who have sent in their material to this committee already.

* (1920)

So I would suggest that the Clerk of Committees ascertain if there are people from long distances not only the North, but certainly from Pine Falls in my constituency, Swan River, her area, who wish to come to this committee, if we could perhaps accommodate them with specific times, et cetera, that we could so do to accommodate their presentations.

Mr. Ashton: Mr. Chairperson, I appreciate the comments made by the member for Lac du Bonnet, but I point out this is a bill where there has been unprecedented interest shown by people outside of the city of Winnipeg. I point out that my understanding is that between 70 and 80 people registered for the committee are from The Pas and Flin Flon alone, and that, of course, does not account for the many other people from rural Manitoba, some of whom, of course, are here tonight.

The minister is quite correct when he says that some people have sent in written submissions. They have done so because it has obviously been indicated to them that the committee hearings will take place here. The reason we are asking for this particular aspect of the committee hearings is this is something that has unprecedented interest, and many of the concerns that were expressed about

the original parks bill, the one that was withdrawn, were people from rural and northern Manitoba.

I think the fact that people have on their own initiative here registered for this committee—this is certainly the largest number of presenters that have registered for a committee in this session on any bill. The only one that is within the same range was Bill 22, but given the significant numbers, that is why we are making the request, and if the government is not accepting of that, we have a couple of other suggestions, but I suggest, Mr. Chairperson, perhaps we can vote on this particular motion and deal with that.

Mr. Enns: Mr. Chairperson, just on a small matter, the honourable member for Thompson (Mr. Ashton) has on several occasions put on the record that the previous version was, in fact, presented to the Legislature and withdrawn. That, of course, is not true. A portion, dealing with one aspect of the bill, the question of certain structuring of cottage service fees, was introduced in Bill 21 last year. In my wisdom I withdrew that piece of legislation knowing that the greater legislation was being forwarded.

I obviously did the right thing because the bill as presented to you did pass through, in principle, the Manitoba Legislature without a dissenting vote from either opposition party, and I am rather pleased about that. That after all says that the Bill 41 that is before you was received without a dissenting vote in principle, and I put that on the record, Mr. Chairperson.

Now, the question that is before us, I would suggest, is best dealt with in the normal way, that we allow the Clerk to take note of those out-of-town presenters that are present that wish to make presentations, and we simply get on with the business of listening to the public.

Mr. Ashton: Mr. Chairperson, first of all, people from The Pas and Flin Flon are not here, period, so we can ask the Clerk of this committee to do whatever the Clerk will do, but they are 600 and 700 kilometres away. That is why we moved this particular motion. If the minister wants to get into debate on this particular bill, we will also recall debate where significant concern was expressed about a number of the aspects of the bill.

The minister, I know, is aware of the process we are going through in going through second reading. It is getting into committee and listening to

members of the public and that is what the debate focused on, but we, in second reading—in fact, I spoke on the bill—indicated we had significant problems with the bill as it is constructed. In fact, I have this distinct feeling that even the minister will be changing some aspects of this bill before this night or certainly a few nights down the line. In all seriousness, we are raising this matter on behalf of the many people in The Pas and Flin Flon who cannot be here tonight and we would appreciate some consideration for that fact.

Mrs. Sharon Carstairs (River Heights): With the greatest respect to the minister, he is being a little specious. The Leader of the Liberal Party in Manitoba made it very clear we would not be supporting this bill.

Mr. Chairperson: Order, please.

Mr. Enns: I accept that correction on the part of the former leader of the Liberal Party, but the fact of the matter is that neither the present Leader of their party, nor a single member of her group, nor the Leader of the official opposition, nor a single member of the New Democratic Party or official opposition, took the time in the House to vote against this bill, so my statement stands. This bill, 41, received was passed through on approval on principle without a dissenting vote.

Mr. Ashton: Mr. Chairperson, I think we are getting into some debate here, but I have to respond to the minister. I think the minister should also recognize that one of the main concerns of the opposition parties at this point in time was to give at least some notice to members of the public, notice that was inadequate probably for many people. I know I had concerns expressed to me that people did not get real notice of the particular committee hearings until very shortly before this hearing took place. For the minister to take what happened on debate and suggest anything other than the fact—in fact, the former leader of the Liberal Party is correct in terms of the Liberal Party. I know in our case, in terms of the New Democratic Party, we indicated major opposition with many sections of this bill.

If the minister is trying to take the fact that we did not want to spend the one hour that could have taken place for a vote and thereby provide even less notice of this committee, we could have ended up with less than one day's notice if it had not been for that. We make no apologies for that. In fact, I

want to put on the record, again, that many people have expressed concern to me in the public who registered that they did not get full and adequate notice. It is something we should really look at in this Legislature, making sure that we get more than 24 hours notice to members of the public when bills like this come up.

Mr. Chairperson: It has been moved by Ms. Wowchuk

THAT this committee accommodate members of the public from northern Manitoba wishing to speak on Bill 41 by holding committee meetings in the North.

All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed to the motion, say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In my opinion, the Nays have it.

Is it the will of the committee at this time to hear from the out-of-town presenters first?

Ms. Wowchuk: In light of the fact that that motion did not carry and we will not be having meetings in northern Manitoba—

Mr. Chairperson: Order, please. Could I ask the committee members to stop debating across the—Mr. Evans, Mr. Ducharme, if you would mind, Ms. Wowchuk has got the floor.

Ms. Wowchuk: In light of the fact that we will not be giving the people in rural and northern Manitoba the opportunity to speak in their communities, that they have to come into Winnipeg, I think we have to take into consideration the distance these people have to travel. These are also working people who cannot take days off work, and we have to make some accommodations for them, that being perhaps we could hold committee hearings on a Saturday. This would allow people to make arrangements to come into the city for their presentations, allow people to not have to take a day off work but give them the opportunity to have input into this bill.

* (1930)

Therefore, I move that this committee agree to sit on Saturday, July 24, in order to accommodate residents of rural and northern Manitoba wishing to speak on this bill.

Mr. Chairperson: This motion is out of order. Only the House leader can ask for the committee to sit on a specific day, so I will rule it out of order. The committee can advise but they cannot make that.

Mr. Ashton: Mr. Chairperson, when a difficult position in this particular case, although I am following on from a suggestion that was made by the government, the minister, the member for Lac du Bonnet, in terms of accommodating out-of-town presenters. This committee can amend the motion that it requests, you are quite correct in that sense. The government House leader can unilaterally decide when committee hearings take place no matter what opposition House leaders request.

What we are suggesting in this case, since we are going to be here for a few days anyway, is that we have a Saturday hearing and that would at least provide the opportunity for some people from The Pas, Flin Flon, recognizing it is a seven- or eight-hour drive to this area. We receive this as a direct request from residents of northern Manitoba.

If we are not going to have committee hearings outside of the Legislature, I am just asking that we recognize the special circumstances of the many northerners who are very concerned about this particular bill and request as a committee that we have a hearing on Saturday. It is not the first time we have met on Saturday, we have done that for other bills. Since we are going to be here for the next few days anyway, I am strongly recommending that we pass this motion. To members of the government—because I keep hearing, House leaders, House leaders—I am the House leader for the New Democratic Party. I do not set the committee schedule and quite often I am not consulted on sittings and I am told it is going to be on this date, and it is too bad if I do not agree.

What I am saying is that we all on this committee, instead of arguing across the table, agree we are going to have a meeting on Saturday, and go to the government House leader and request that, it will happen. So that is why I am suggesting we amend the motion and just be reasonable here and try and accommodate members of the public.

Mr. Chairperson: Order, please. The motion has been ruled out of order. It cannot be amended, Mr. Ashton, but the member could move another motion if she so wishes.

Mr. Praznik: Yes, Mr. Chair, the suggestion of the member for Swan River, I will endeavour to take that into discussions with the government House leader tomorrow. He is not a member of this committee and I am sure it will be given consideration, but obviously there are a lot of presenters here who would like to get on with the discussions. I think, as the member for Thompson has indicated, this committee will be sitting for several days, so I think there is a space of tomorrow, there is an opportunity to discuss that among House leaders about scheduling future committee meetings and I certainly undertake to convey that to the House leader.

Ms. Wowchuk: Thank you. I appreciate those comments, and I hope the House leaders will consider it, but I would still like to make a motion.

I move

THAT this committee recommend that there be a sitting on Saturday, July 24 to accommodate residents from rural and northern Manitoba wishing to speak on this bill.

Mr. Chairperson: Shall the motion pass? All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In my opinion, the Nays have it.

Mr. Ashton: A recorded vote.

Mr. Chairperson: A recorded vote has been asked for.

A COUNTED VOTE was taken, the result being as follows:

Yeas 3, Nays 5.

Mr. Chairperson: The Nays have it.

Is it the will of the committee at this time to hear from the out-of-town presenters first? [agreed]

At this time, I will ask the Clerk to visit with the group.

Clerk of Committees (Ms. Judy White): Oh, no, I have identified them.

Mr. Chairperson: You have identified them somewhere. According to the list that we have available to us, the first out-of-town presenter is Ed Johanson from The Pas.

Mr. Ashton: If I might be of some assistance to the Chair, Ed Johanson is from The Pas. He is one

of the people we are trying to schedule that committee hearing for on Saturday. Rather than go through the list, because you are going to run through about 70 or 80 people who are not here, Mr. Chairperson, what I would suggest is, what we normally do is we ask members of the public who are from out of town and cannot return at a subsequent committee hearing, because that is usually the criteria we use, that they identify themselves with the staffperson at the back. Perhaps, given the number of people, we might want to just recess until that is done and then call the names in order following that.

Mr. Chairperson: Is that agreed? [agreed]

Recess five minutes? We will take five minutes then.

The committee recessed at 7:35 p.m.

After Recess

The committee resumed at 7:44 p.m.

Mr. Chairperson: May I have the committee come to order, please. The staff have canvassed the audience that is here tonight, and we will bring the names forward as they appear on the list, that is, with the people that have identified themselves as from out of town. So the first one will be No. 50, Robert Harbottle.

Mr. Robert Harbottle (Private Citizen): I guess I must live—[interjection]

Mr. Chairperson: Mr. Harbottle, carry on.

Mr. Harbottle: Thank you. I do not know what I did to deserve the honour of being No. 1 here; however, I will take it. I wish I had the pleasure of meeting all the members or at least know their names. I am sorry I do not. My name is Bob Harbottle. I have lived, worked, played and am a cottage owner in the Whiteshell over 36 years.

I oppose Bill 41 as it now exists because it infringes on my basic rights as a landowner. When my land was purchased, the area was known as unorganized territory, and as such, there was not any taxation vehicles in existence at this point in time. I then felt that as time progressed, an LGD or municipality would be formed where I would be taxed and, in turn, be granted the same rights as any property owner in the province of Manitoba. Simply put, I would have the right to elect local representation and, in turn, have a voice to local concerns.

I also oppose Bill 41 because a court has determined that the existing Provincial Park Lands Act does not have the power to levy private land service fees. The government of past recognized this and skirted the issue because it would infringe on the basic property rights and discriminate against private landowners in Manitoba.

Further, I oppose paying for services received, and I also oppose it because I refuse to sign a blank cheque and not be given a voice in a democratic society which our fathers fought so hard to attain.

I am sorry if I seem to be hesitating. I was only notified of this last night, late, and as a result, I have worked this through once only.

It seems as though the service fees need to be addressed, yet Bill 41 refuses to define service fees under its definitions. I suggest to you, this is simply taxation and, as such, offers nothing for representation, no council, no reeves. Simply put, they suggest taxation without representation.

Further, to rub salt into the wound, Bill 41 then proposes to bypass our legal system in the collection of outstanding fees levied against our private properties. I therefore suggest that Bill 41 be withdrawn and our Parks Branch be forced to recognize that we have the rights of ownership the same as any property owner in our province of Manitoba. Thank you very much. [applause]

Mr. Chairperson: Thank you, Mr. Harbottle. Order, please. Could I ask if the audience could refrain from giving us too much applause and getting us out of order. The decorum has to be maintained so that we can get through these in some fashion that is orderly. It is much easier when I have the co-operation of the committee and the audience. I can carry forward a much better meeting.

Mr. Harbottle, would you mind answering a few questions?

Mr. Harbottle: No, not at all.

Mr. Enns: Mr. Harbottle, I appreciate your presentation here, today. I appreciate, as do all of us indeed, that that is one of the difficulties within the legislative framework, that we can not always provide the necessary time. We do not know when these bills will actually be proceeded with to committee stage.

The bill was introduced in the House some time ago, a month ago, but that is the way the system works. I am pleased, and I remind you, sir, and indeed all of us, including the members of the committee, that sometimes tend to forget that Manitoba is the only jurisdiction in Canada that affords this opportunity for private citizens and organizations, reflection, advice, constructive or otherwise, with respect to what a government proposes to do.

It is worth bearing that in mind that we, even under these circumstances that are less than perfect in terms of notice to individuals or in terms of facilities, that this is a tradition that we have in Manitoba. I am certainly very pleased that we do have that. So, I do appreciate your presentation, here this evening.

Mr. Harbottle, I am aware and you are aware that that is a question that has troubled Parks Branch, the presence of private lands within provincial parks, the application of some reasonable service fees that, in fairness, I think most people including cottage owners on private lands accept. You make an eloquent plea with respect to the principle of taxation, if you like, without representation, one that I have a great deal of empathy for.

* (1950)

I would ask you that Section 9 in the bill is an attempt on the part of the Parks Branch to accommodate, indeed, a voice for persons such as yourself to have an opportunity to directly interface with departmental representatives as to the level of service that a particular parks district requires and as to what reasonable fees should be charged to recover some of those costs.

Let me take this opportunity. That is why the word "park district" is specifically referred to. If you like, you could change that to an LGD or, indeed, to a local council. We have different levels of cottaging activities within the provincial parks system. In some cases such as, for instance, the Falcon town site, they are larger than some of the local government districts that we have, the local government municipalities that we have.

If, indeed, it is their wish to organize themselves more formally by electing councillors on a fixed term to make this representation, that is permitted under this act. On the other case, we also have cottaging situations where we have just a handful of cottages in relatively remote portions of different

parks requiring entirely different services. We have some cottages, for instance, that have no access by road so the question of snowplowing or road maintenance does not come into play.

This is an attempt, on the part of the drafters of the bill, to provide an opportunity to do precisely what you are asking me in this committee to consider. That is, we impose a reasonable user fee, if you like, for some of the services that the general public has to provide in accessing your property in the park, to pay a reasonable user fee or service fee for that. I believe that Section 9 of the bill is a reasonable attempt at doing just that.

Mr. Harbottle: Do you then say Section 9 gives us representation?

Mr. Enns: Yes, Section 9 particularly says that the Lieutenant-Governor-in-Council, that is the cabinet, may by regulation designate provincial parks or area of provincial parks as parks districts, that is, as exclusive from the entire park.

I should go on to say, it has never been, nor is it presented in this bill, that cottages should begin to bear costs related to the operation of the general park. That will, and will continue to, be the responsibility of the Department of Natural Resources.

The section further goes on, Section 18(2): "When a park district is established under subsection (1), the minister shall provide an opportunity for the owners and occupiers of the land in the parks district to review the level and the cost of providing services in that district and the service fee that should be charged for providing those services."

So this, Mr. Harbottle, I say to you, with all the sincerity that I can muster, is a genuine attempt on the part of this administration and this minister to comply with your request that prior to fees being imposed on anybody—or taxation, as you indicate in your brief—that those who are being asked to pay these fees have an opportunity, as they have in an LGD, as they have in a local government district or indeed as they have in the provincial district, to vote or to consult with the fees.

Now, because of the different kind of parks structures—I mean, I was persuaded that a group of cottagers, numbering maybe 15 or 20, somewhere in a remote section of the park did not want to become that formal as to actually elect local government councils, Reeves and councillors.

Most people in Manitoba that enjoy their all-too-short summer in Manitoba go to their cottages to enjoy the natural setting of the park and to get away, quite frankly, from the activity that occupies their daily lives.

But I do suggest to you, sir, that this is a genuine attempt on the part of the department to provide cottage owners, land owners like yourselves to directly have a voice in the setting of those fees.

Mr. Harbottle: I am sorry if I am little bit skeptical, because the track record of the government in this area so far, over the past 36 years that I have seen, has not been favourable to us, and I do not really feel as though we have had representation. This does not offer any more representation than what we have had in the past.

That is the unfortunate part, and that is why I speak to the bill, because it does not offer any more than that, other than the government bureaucracy which we have in place now. If there was a change to that basic procedure and you had elected representatives that would give guidance to the government peoples in those areas, then I would see that there would be a definite change from what we have had in the past.

But I do not see that, and I do not see it happening in this bill. There are other things and a lot more things that I wish I had time to address. I did not really feel as though I did. I was not sure of the time structure or anything like that. One of those other things was going retroactively to seek payment for past services.

The other thing I wanted identified was how much these services cost. We never have had that. We have had meetings. I have been involved with the Private Land Owners association, where we identified these. We sat down, and government, in good faith, and we worked out these fees and what we would be willing to pay. That went as far as our local little meetings, and it never did get to the legislative department.

Mr. Enns: Mr. Chairperson, it did finally get to the Legislature, and it is finally embodied in Bill 41. You and I may disagree in the form, but what this section really means is that I am instructing the Parks' officials, not simply to discuss with you the acceptability of certain services, but to open the books of the department, to tell you what, in fact, it is costing the Parks Branch of the department, so that there can be a healthy discussion take

place—this all being done prior to next year's, or next incoming year's, fee schedule being assessed, so that the particular Park district that requests service levels at a lower or a higher level than currently being experienced can be reflected in the rates.

We do have a multiple structure of rates, about five categories, covering the different kind of cottaging situations that we have throughout the park system, and I accept your concern. I would simply ask—and I have particularly asked some of the senior representatives of the department, who generally are here only when the bill is being considered clause by clause later on, precisely to be with us this evening. We have my deputy minister of the department, Mr. Umendra Mital, and Mr. Gordon Prouse, the Director of Parks for Manitoba, precisely here for this reason, so that they indeed get a flavour and get an understanding of some of the concerns of the kinds that you are raising right here.

I submit to you that the jury is out whether or not the intentions of the act will be carried out in the manner and way in which I am describing. It is certainly my wish that they will; that those discussions will be real; that you will have a feeling of participation in the setting of fees in the future; and that in fact that will be a break in the practice that has occurred since you were surrounded by government in the form of a provincial park. Thank you, Mr. Harbottle.

Mr. Ashton: Mr. Chairperson, I appreciate the minister's attempt to discuss and debate the bill. I hope that will not be deducted from this 20-minute time limit we have because I have some questions.

By the way, my name is Steve Ashton. I am the opposition House leader and I am also the MLA for Thompson. I appreciate your coming here because I know there are a lot of people I am sure have never been to a committee like this. It is pretty difficult, I know, for people to get up, and especially being first, so welcome here.

I will tell what people in my area are saying in the North generally, and I just want to confirm if it is similar to what you are saying as well.

I appreciate what the minister was saying before, but I read the section. It is actually Section 18, I believe, that the minister is referring to. What it says basically is that when a park district is set up, there has to be consultation. It then talks about in

Section 19 that "the Lieutenant Governor in Council may make (a) regulations respecting the service fees"

I just want to make it very clear, your problem with the bill, essentially as I understand it and of many cottage owners, is that it is strictly consultation. There is concern about what degree of impact it has, but there is no ability on the part of cottage owners to have any real significant say on what the service fee is, where the service fee goes, the kind of input that you would have if you were part of some body that had some elected control, whether it be an LGD with a reeve or councillor. You want not to be consulted with, you want to have some say in what happens.

* (2000)

Mr. Harbottle: That is exactly right. That is our major problem is that these fees come out and they are set already. We have had no consultation prior to that, whether it be through an association level or through individuals, and that is where I feel that the democratic process has not been addressed. You are so right.

Mr. Ashton: I also want to deal with Section 18, too, because I find it interesting the minister referred to Section 18. Once again, you know, I talked before about our concerns that we expressed in the House, and I know both opposition parties have significant problems with the bill.

The section related to park costs. It is fairly straightforward in the first section. I will not get into the details, but it talks about sewer, water, highways, streets, street lighting, sidewalks—I mean, I do not know how many cottage owners have sidewalks and street lighting, certainly not too many I know, certainly not in my area—and other service, some of which are provided on a standard basis. It talks about capital expenditures. It then talks about (c) Park district costs: "amounts required to defray the costs of administrative and other services provided to the park district or to defray the administrative costs of the park district."

I am wondering if you feel comfortable with the fact that they have thrown in "administrative and other services." I do not know what "other" means in this particular case, but are you comfortable with that particular section of the bill that would result in cottage owners being charged those other costs, whatever they might be?

Mr. Harbottle: No, I am not. I have addressed this prior, and I have come to the government and asked for the cost to be shown as to what our park and our section at West Hawk Lake and what the actual costs are. I got handed a booklet of material about yea thick which I had very much difficulty in trying to disseminate. In fact I could not disseminate what the actual costs were of certain portions of that park, such as gate fees, how much money is raised by the gate fees and what costs of operating the gates are. I suggest to you that we turn away more tourists than we accept in this province.

In fact I was told just the other day that there were eight cars in a line-up waiting to get through the gate. Four of those turned away. Now, if 50 percent of your population is turned away because of, let us say, getting into the park whereby they pay a park entrance fee, they go down to the campground and they again are assessed another fee, I think this eventually gets to a tourist, especially ones that are Canadian tourists coming from other provinces and so on and so forth. Whereas they can walk into some of the other parks and they are not being double billed more or less.

But I have not been satisfied with what I have received from the government as to a breakdown of the actual costs, and I have not been able to figure that out. I wish somebody would.

Mr. Ashton: Well, I know one of the concerns that cottage owners have expressed to me in my constituency—there are two kinds of cottages in my area. A lot of people have remote cottages. They have no road access; they have no services, period. In fact, in one case, Paint Lake cottage owners in Thompson this year, because of a change in the way the winter road went in, they had to pay to establish a winter road that previously had been provided by the Department of Highways. So even the road access they had before, indirectly, was taken away and they had to pay out of their own pockets to provide that.

There were other cottages that received limited services in my area, and I know that in varying degrees across the province. But one of the concerns that had been expressed to me is a lot of cottage owners are saying: Look, we are in a provincial park area, a recreational area; we are not the only ones that use park. There are the day users. There are the seasonal users or the people

that have seasonal camping or daily camping. One of their concerns is that they become an easy target if something like this is introduced for the Parks department and the government to pick up a higher percentage of costs from cottage owners than, say, from other users of the park. Is that a concern that you share?

Mr. Harbottle: Yes, that is definitely a concern because you can get a day user can come into the park, pay the day fee, and they receive the same services as a cottage owner. As a result, I guess the cottage owners turn around and say, hey, why are you asking us to pay anywhere between \$200 to \$500 seasonally when I can come down, and I can park my boat in the water and so on and so forth, put my tent on an isolated spot and receive more or less the same services. So, yes, it is. It is a definite concern.

Mr. Chairperson: Thank you very much, Mr. Harbottle. The 20 minutes has come up.

Mr. Ashton: Can I just ask one further question?

Mr. Chairperson: Sure, go ahead.

Mr. Ashton: Just the final question I have, and I appreciate the comments of the presenter. It just relates to a further concern that is often expressed in terms of this issue. As I said before, it is partly to do with the level, and it is partly to do with the representation, but do you think there is a better system that could be put in place?

Sometimes we are accused in the opposition, from our side, of just criticizing. I take it from your comments you do not want to just be seen as opposing this bill. You are suggesting that, if there are going to be the service fees put in place, there should be a better kind of system there.

What kind of setup would you like to see that would give you the right to have a democratically elected body that would have some decision-making power over where those service fees that you will be paying under this bill, where they would go in terms of services and providing the other cost?

Mr. Harbottle: I suggest, yes, that there are ways and means already established. We have LGDs. We have municipalities. With the municipalities, we have a Municipal Act, and that applies to a terrific number of variances which the Parks Branch has to rewrite in their Park Lands Act, such as one of the simple things being dog control, that you

cannot set up a kennel in the park, things of that sort.

The Municipal Act covers an awful lot of that. It also covers things such as your sewage treatment, and many, many things of that sort. So I would suggest to you, yes, that possibly an LGD or a municipality would give us the kind of representation we would like to have for the same kind of costs that we are talking about. Thus, I think that we would all be a lot happier in that type of situation.

I do not mind paying the dollars, provided I get some representation and say before these things come out, and bang, you are assessed with a certain fee which you have had no control or input on. So I would agree, yes.

Mr. Chairperson: Thank you very much, Mr. Harbottle.

Mr. Harbottle: Thank you.

Mr. Chairperson: Our next presenter is No. 79, Mr. Steve Masson, Granges Incorporation. No. 79, Steve Masson. If I am incorrect on any pronunciations, please correct me.

Carry on, Mr. Masson. We have your written brief.

Mr. Steve Masson (Granges Incorporation): I would like to thank the Chairman and the committee for giving me this opportunity. My name is Steve Masson. I represent Granges Incorporated. We are a mining company in Flin Flon, and of concern to us and to the mining group in general is the possibility of mining being restricted from parks that are now allowed to be explored and do it in and, in particular, the Grass River Park.

Mr. Chairperson: Order. Mr. Masson, could you come a little closer to the microphones. They are not quite picking you up.

Mr. Masson: Can you hear me now?

Mr. Chairperson: That is it. Thank you.

Mr. Masson: All right. Sorry. The other concern is with the creation to the newly Endangered Spaces Program of new parks, that these parks might be put in a place that might jeopardize the economic concerns of mining. Mining basically occurs in about 3 percent of the area of the province—in greenstone belts, they are called. We would prefer that if new parks are created they are not in these areas, so that we do not have

confrontation with interest groups or parks groups or other groups, unnecessary confrontation of interests. I am just going to read this presentation here.

We have a unique chance here in Manitoba with the new Parks Act to not only ensure the preservation of large areas of land and habitats for future generations, but also to ensure that key areas fundamental to the continued economic health of our province are also preserved. It is extremely important that we find the balance—a win-win situation. A province with wide expanses of wilderness and a low standard of living and few jobs is just as bad as a booming economy with little care for setting aside special places for future generations.

* (2010)

In Manitoba, because of its land mass, we can ensure both the health of our economy and of our wilderness. We can have both, and we must have both. Perhaps this is—I want to say, I am not from Manitoba originally, and since I moved here, I have been really impressed with Manitoba. I mean, people are really friendly, open. I think if anything can be done, it can be done here in Manitoba. Just this open forum is really impressive. I want to commend everybody here in Manitoba, but to get to my topic here.

I want to stress, maybe to people in Winnipeg, the significance of mining in Manitoba. One important contributor to the economy of the province is the mining industry. We contribute at a rate of \$1.2 billion a year on average or 20 percent of Manitoba's export. It is the export portion, as it is with other resource industries, such as forestry and farming, that are key here. This is real wealth; we create wealth, not only monies transferred from one industry—if you go buy it in McDonald's, you put it in someone else's pocket—but real wealth. Our standard of living is directly tied to this export wealth, and it pays for all kinds of things like education, parks, conservation officers, museums, heritage and many things, this real wealth—this is real wealth. It makes us a richer province.

Our mining camps in Manitoba are not something to sneeze at. They are on the same scale as three of the other major areas in this country, but because we are, population-wise, a very small province, their economic benefit is far much more significant and far more worth maintaining.

If we are going to maintain a healthy mining industry as sustainable development and contributing to the wealth of the province, new deposits must be constantly found to replace the old ones. We mine out. Mining eventually removes all the ore; then we have to find new ones. They are hard to find. They are not easy. Only one in 1,000 holes finds significant mineralization.

Because it is harder and harder to find deposits, we need a large land base to do it. Now large, we do not need all of Manitoba; we need 3 percent of Manitoba, the greenstone belts. Any reduction in this land base will have a very crippling effect on our industry to find new ore, which brings me to my major concern. If we are going to create new parks or reclassify existing parks, we must do it with the utmost caution to ensure we do it without jeopardizing our children's economic future, because of the importance of mining in the province, by putting park concerns and mining on an unnecessary collision course. Good planning to meet both concerns is paramount.

Parks people and a number of people generally view a park as something to look after and very jealously discourage any development that is, in their mind, not consistent with a park. This is not a criticism. People are just trying to do the best to protect the area that is defined as a park. The problem arises when parks are placed such that their position very directly affects the economy and the main resource industries.

Of particular concern, as I mentioned previously, is the Grass River Park. It is situated dead center in the third richest mineral area of this country. This park has potential to host enormous economic wealth. Its location is totally inconsistent with a park that excludes mining. Formation of this park was not originally inconsistent; it was to be a multiple-use park. We now have the technology in mining when we develop a mine to basically—we are going to have an environmental impact, but it will be on the scale of about three to 10 acres at the mine site itself.

Our concern is that something like Grass River Park which is very key to Flin Flon—I do not know how many people here are familiar with Flin Flon, but we have a smelter up there, and we are not in a good situation for ore reserves. We have to find more ore to keep that smelter fed and our industry alive. I am not going to read all of this.

I want to say that to understand mineral potential, in other provinces there are mineral-potential maps general rated zero to six. Zero is extremely poor, there is very little mineral potential. Six is extremely rich. Grassy River, the geology is on a scale of four to six. It is major. Hemlo, probably worth \$40 billion-\$50 billion to Ontario, was originally rated in an area stated as two.

Our mining association, when we started to look at this Endangered Spaces Program being presented to take at least 12 percent of the province and make it into a wilderness area, we looked at this and we supported it. We decided to support it, provided that it did not drastically affect our economic concerns where the parks could be put into areas of high potential. Again, we do this with some trepidation because Hemlo, worth something like \$40 billion, was found in an area potential of two. So even though we were willing to surrender a lot of these areas to create these parks, we do it with trepidation but still we support the idea.

Our position is that we would like to keep all future parks out of the greenstone belts to avoid conflicting purposes, and especially to the Grass River park, either give mining guaranteed access with no economic hindrances other than presently provided by present environmental legislation, or maybe we should move the park, because to Flin Flon, to our mining industry, it is that important.

To sum up, we can have it or we can lose it out. We cannot both pay for the environmental cleanup of the whole province, the creation of parks, plus all the public services we enjoy, the standard of living, and undercut the industries that generate the wealth that pay for them.

We must maintain these industries, and if we do it, it is a recipe for disaster, both for the northern communities and for the province. In B.C. a mining company spent \$40 million to develop the Windy Craggy deposit, a deposit worth in the billions, only to be told by the government that they could not mine it. It was a clear signal to the mining community, and millions of dollars are leaving that province.

Presently, exploration dollars are leaving this country at the rate of \$2 million a day. I have to be really impressed with Manitoba, they are actually encouraging mining, and I think some of that mining that is leaving some of the other provinces is going

to be coming here. But what happens to the parks like Grass River—or where 12 percent of these additional parks are going to be put will be taken as a clear signal, and if poor choices are made, exploration mining will be driven out.

I just want to leave the committee with the idea that only wealthy provinces can afford the luxury of setting aside large areas as true wilderness, and in this province our wealth is directly tied to the health of our resource industries.

Mr. Chairperson: Thank you, Mr. Masson. Would you mind taking a few questions?

Mr. Ashton: Being a northern MLA, northern resident, I certainly know the Flin Flon area and know the ongoing controversy on the Grass River park. I know it is not a new one. I also know the dilemma in the North that we are faced with. I think northerners in particular have an appreciation for both the resource development questions and, of course, the wilderness.

I want to focus in, though, on the 12 percent allocation you are talking about in terms of the wilderness space, because my understanding of your concern in the brief, in the case of the B.C. Windy Craggy deposit—and I, by the way, think the government of B.C. did the right thing—but my understanding of your concern is as much to do with the fact that they had started development in that area, and then at a later point in time, it was turned into a park.

* (2020)

Now, to your mind, would it not be better if we were to take seriously the 12 percent allocation? I, by the way, believe that is important. I think we have to maintain additional park space, wilderness space in this province. We tend to underestimate the vastness of the province, and as you pointed out, there are many competing uses. But would it not be better if that 12 percent was clearly and fairly allocated, and a park system with some integrity in terms of protecting wilderness spaces, than the current situation that we have where we do not have that allocation? There have been promises made. There has been talk of a 12 percent allocation. Would it not be best for everyone involved if that decision was made and that clear commitment was lived up to?

Mr. Masson: I think the government is actually moving in that direction. There has already been the creation of the one at Churchill, and our mining

association and the Prospectors and Developers Association of Saskatchewan and Manitoba have actually supported the 12 percent, were willing to work with the government and with the parks people and with other groups to carve out 12 percent for wilderness, and we will live with it. But we just want an input of where that 12 percent is going to be because we just would—we only want 3 percent, not 12 percent, and we just want to make sure that as much as possible that 3 percent is not touched for the benefit of the mining industry.

Mr. Ashton: I appreciate the fact, as you are saying, that there has been a lot of reference to the 12 percent, but my concern is that it tends to be something that is referred to during election campaigns and becomes sort of a long-distance goal afterwards. I really feel that is something that has to be a commitment of this province. But what you are saying then is that while there obviously will be some conflicts—and then the Grass River park is a clear example of that—you are saying that you are willing to work with the system, and the mining industry, per se, is not opposed to the 12 percent allocation?

Mr. Masson: Well, to answer the first part of your question with regard to Grass River, we are willing to accept the status quo of there existing a park there and allowing mining at the same time, but there are certain groups of people who do not want anything to go on in the park, and this to us seems unreasonable considering where this park is. If they really insist that they do not want anything in this park, maybe it would be better if we moved the park because we cannot move the rocks. It is easier to move the park.

To answer your second question, I was under the impression that this present government is moving towards this 12 percent. I would not want someone to just say, well, let us carve this out, 12 percent, in a hurry. I think the rashness of doing that is irresponsible. I think a slower process, taking one area at a time, is a responsible way to attack the problem.

Mr. Ashton: Mr. Chairperson, I understand. There will be difficult situations, although I think there have to be points at which, when we do develop the park system, that we have to have some integrity to that park system.

I just point to my own area, for example, Paint Lake—it is actually a recreational area—there are

mining rights. I can tell you of some of the people that probably work more strongly in the mining industry were quite shocked to find the degree to which there were existing mineral rights within the park, in fact, right around the cottage areas that they occupy. So it is an ongoing dilemma.

We had some very interesting discussions a number of years ago when there were some proposed changes to the boundaries of the park that related to some service fees. So this all comes full circle.

But I just want to make it very clear, then—and I do not want to continue this, because I know the Liberal Leader has some questions as well—but if there is this commitment, the 12 percent commitment, and there is a real follow-up on that, that does not necessarily create difficulties. You are saying that obviously there are going to be some disputes. But you are quite committed to the 12 percent figure?

Mr. Masson: The mining association and the Prospectors and Developers Association which represents the mining companies and the prospectors in this province is committed, is supporting this 12 percent.

Mrs. Carstairs: Mr. Chair, my name is Sharon Carstairs, and I am the MLA for River Heights.

I am interested in two comments that you make. The first one is that only wealthy provinces can afford the luxury of setting aside large areas as true wilderness. Do you not believe that all of us who live in wealthy countries like Canada have a responsibility, not only to the heritage of our children and the parklands for the future, but also to the entire world, to set aside reasonable amounts of land for the enjoyment of the entire world?

Mr. Masson: Well, I think you should ask the Premier of Saskatchewan whether he considers himself a wealthy province or this is a such a wealthy country. I am not so sure. I mean, relative to some other countries, we are wealthy. But we are rapidly losing that wealth if we do not maintain our industries.

I contest your point there, that we are so rich that we can ignore the sources of our economic wealth. I am just saying that we can have it both. We can have your wilderness, only we should choose wisely, choose areas of wilderness that do not affect our economic well-being. We can have it

both. We do not have to be always in a confrontation.

Mrs. Carstairs: Well, I do not think that 12 percent out of 100 percent is limiting to any great degree. But you have indicated that your committee supports that concept. Then you refer to the B.C. situation, but surely the problem there was that the rules changed. Is not what is critical to the mining industry is that rules be absolutely clear? That would mean that once a parkland was set aside, there would be no mining.

Mr. Masson: Well, there are two questions here, but I will answer the first one. You are right, you are absolutely right that we would prefer that the rules be fixed. They went and spent \$40 million, and they may get the \$40 million back, but they will not get the 10 years of which they may have found another deposit. For the economic well-being of that particular company, I mean, that is changing the rules.

But the second question, what I interpret is that in referring to Grass River, the problem with Grass River is that people say it is a park, you should not be in it. The thing is that the only reason that people went along in the Flin Flon area with creation of that park is that it was to be a multiple-use park. I think if it was to be a park without mining, that park would not even exist there now.

I think you have to go to the history of that place. First, I think it originally started as a forest reserve to preserve timber for mining. Then, because the forests were there, it got transferred to a multiple-use park, and it has a nice lake and that. People felt that with the multiple-use principle, that mining and the public could coexist in this park.

We had an example of the Spruce Point Mine that existed in the park and just recently closed. It occupied, I am not sure, but I think it was about three or four acres of that park with negligible environmental impact on it. We have the technology now that we can operate in a park, and that area is critical to our industry. I do not know. To me, you cannot take that park and put it as the same as the Windy Craggy, where they decided to do this afterwards.

I mean, this park is something that people have been exploring in, people were mining in that park long before the park was created.

* (2030)

Mr. Chairperson: Thank you, Mr. Masson. We have time for one last question.

Ms. Marianne Cerilli (Radisson): Mr. Chairperson, you have spoken a lot about conflicts in dealing with certain areas in the province, specifically an area like the Grass River park, but also the conflict of knowing where to designate for protection. I would just like to ask you, what is your understanding of how this bill changes the way those competing interests will be dealt with and how those designations will be made?

Mr. Masson: How does this bill change—I am sorry. Could you repeat that question?

Ms. Cerilli: I would like you to explain what your understanding is of the legislation and how that is going to change how the competing interests and conflicting uses for the parks will be dealt with under the new legislation.

Mr. Masson: I am more here, not so much as to interpret what this legislation is really going to mean, but only to offer counsel that when parks are designated as multiple use or wilderness, that we do it, but not affect our resource industries, and also, as a guide to when we create new parks that we do not get into a Grass River situation where we put a park where we do have competing interests.

Mr. Chairperson: Thank you very much, Mr. Masson.

We will now move on to No. 96, Mr. Armand Boulet.

Mr. Armand Boulet (Lumber and Sawmill Workers Union (LSWU)): Good evening. My name is Armand Boulet. I am here today to represent the members of the Lumber and Sawmill Workers Union, Local 2612.

Being employed in the forest industry for almost 25 years, I certainly endorse, for obvious reasons, the new Provincial Parks Act. Logging and mining have been allowed in parks for as long as I can remember, and rightly so because they have a recognized purpose. It has been the belief of this government that the role of parks is to provide economic opportunities in accordance with parks classification and land use categories. It is all part of the philosophy that parks should be put to multiple use and that it would be wasteful not to allow resource extraction in zoned areas.

Once again, common sense should prevail and reality will dictate that the use of our resources in

and out of parks should be a priority, because it is the driving force that stimulates economic activity in rural areas. Without the forest sector the country as we know it would be recognized mainly as farmland with most of all Crown lands to be used for recreation purposes. The employment opportunities arising from this idealistic setting would be very minimal, and the survival of rural communities would be at risk.

In view of this, the government of the day looked at different ways to ensure continuity, and one idea that reflected their long-term vision was by defining natural parks in Bill 41, which is both to preserve areas of natural regions and to accommodate a diversity of recreational opportunities and resource uses. This multiple-use concept is a welcome step because it indirectly promotes the principle of sustainable development with the belief that resource extraction will be done in an organized fashion under a good forest management plan.

On the other hand, certain environmentalists believe that this new bill will destroy the original purpose of parks as places for people and wildlife. Reaffirming this is the fear by many that the world will fall prey to industrial rule and will not pursue the objectives of the United Nations, which is the preservation of ecosystems in wilderness parks for planetary recovery and survival. I can appreciate these opinions and comments because I have some serious concerns myself about many environmental problems that face the world today. It is for those reasons that the parks act addresses many of the questions of the special interest groups with a provision that public forums will be ongoing in the hopes of achieving some form of compromise between various groups involved.

In closing, I would like to leave you with a quote from Bruce Littlejohn, writer and historian, which says: The wilderness with all its diversity, mystery, space, freedom, challenge and beauty remains a vital component of our heritage as Canadians. It has marked our history and helped to form our national identity.

As a logger and a true environmentalist I share the same goals and ideals as Mr. Littlejohn and the Friends of Nopiming, with one exception. I believe that economic activity in and out of parks is needed to build the supportive infrastructure for fire prevention and wilderness preservation. On this note I am appealing to all of you to pursue this

worthy cause with an open mind and one eye on nature and one eye on nature's keeper.

Mr. Chairperson: Thank you, Mr. Boulet. Would you mind taking a few questions from the committee? Were there any questions?

Mr. Enns: Mr. Chairperson, simply to thank Mr. Boulet for his presentation. Presentations like yours, and the one that we just heard from Mr. Masson, and the ones I am sure we are going to hear from many other presenters that makes the job of the Ministry of Natural Resources interesting. Thank you very much.

Mr. Boulet: You are welcome.

Mr. Chairperson: Thank you very much, Mr. Boulet.

Mr. Ashton: Mr. Chairperson, I would hope that all the presentations would make the job of a minister of parks interesting, but—

Mr. Enns: They continue to, all these many 26 or 27 years, Mr. Ashton.

Mr. Ashton: Well, that is right. You are still here, so there must be some interest, so I appreciate that.

I just wanted to ask the presenter—

Mr. Chairperson: Oh, Mr. Boulet, there was a question from Mr. Ashton. I am sorry, Mr. Boulet, I was wrong. Mr. Ashton did have a question.

Mr. Ashton: I am sorry about that. There was a mixup here in the recognition back and forth to the minister.

I understand your presentation very clearly. I just wanted to ask, because there are a number of other issues that are coming up, whether you support or oppose the 12 percent allocation that we referred to in the previous discussions, notwithstanding your particular concerns related to current usage, whether you support that 12 percent allocation.

Mr. Boulet: Yes, I do, and I believe that we have already 11.4 percent in our FML that is protected.

Mr. Ashton: We are dealing with a question here, too, of the degree of wilderness protection. Obviously, there are multiple-use parks in place, but I just was asking on the 12 percent figure because that is one of the other ongoing issues that is going to come up in this discussion, and you do support the 12 percent.

Mr. Boulet: Yes, I do. Again, in the ecological zone that we are in, we do have that protection.

Mr. Chairperson: Thank you very much, Mr. Boulet.

We will now move on to No. 116, Donald J. Birak. Again, correct me if I pronounce it wrong.

Mr. William Burbidge (on behalf of Mr. Donald J. Birak, Hudson Bay Mining and Smelting Company Limited): In Mr. Birak's absence, I will be presenting his brief. The name is William Burbidge. You will also have to excuse me. I cut myself on the way, rushing to get here because I came from Flin Flon this morning, so you will have to bear with me here.

Mr. Chairperson: What was the last name again?

Mr. Burbidge: William Burbidge.

Mr. Chairperson: Burbidge?

Mr. Burbidge: Yes. I am also on the list for another one here, too.

Mr. Chairperson: Yes, you are right underneath, Mr. Burbidge.

Mr. Burbidge: Yes. Well, I really love being here.

Mr. Birak, who was supposed to be presenting, is vice-president of Exploration for Hudson Bay Mining and Smelting, so I will present this now.

On behalf of the Hudson Bay Mining and Smelting Company Limited, I would like to thank the Legislature for providing the opportunity to address the committee on this important new piece of legislation. We have been active in northern Manitoba for over 60 years and hope to continue to be a viable exploration, mining, and mineral processing enterprise for at least another 60 years. Some of the issues I wish to address today could adversely affect the realization of this desire.

Bill 41, The Provincial Parks and Consequential Amendments Act, is in many respects well-reasoned legislation that provides more balanced opportunities for the numerous users of Crown land than its 1988 predecessor. One of the purposes of the new act, as stated in Section 5(d), "to provide economic opportunities in accordance with park classifications and land use categories" demonstrates an attempt to serve all of the people of Manitoba. The provisions for fivefold classification and subordinate, seven land use categories accord the mining industry a measure of statutory protection not present in the existing act.

Together, the multiple-use purpose and the system of parkland classification and use categories acknowledge the concepts of parks and economic diversification are not mutually exclusive. Hudson Bay Mining and Smelting Company Limited fully supports the concept of multiple use in parks and commends the department for their broad scope of vision crafted into the new parks act.

* (2040)

While we are pleased with the general purpose of Bill 41, we are concerned with portions of the content and mechanics of the bill. I respectfully submit our concerns to you with suggestion for improvement.

Most Manitobans are aware of the role the mining industry has played in the history of Canada and the province, particularly in the North. In Manitoba, mineral exploration and mining operations have been active since early in this century and have singularly contributed to the existence and development of communities such as Flin Flon, Thompson, Lynn Lake, Snow Lake, and Leaf Rapids. The spinoff from our activity has been numerous, notably in the tourist industry which has benefited tremendously from the infrastructure present in these towns and made possible by mining. Mining is one of the few new wealth-generating industries, and Canada is blessed with an abundance of natural resources including a mineral inventory wealth that ranks amongst the largest in the world.

The recent performance of our industry has shown that this wealth can be realized with minimal disturbance of our large, generally undeveloped, land mass. In Manitoba the total areal extent of mining disturbance is only 34 square kilometres. Furthermore, we have the potential to increase the generation of wealth while minimizing the effect to the land, a concept that is in apparent conflict with others who feel diversification of the economy should be based upon service and high-technology industries which are perceived to be more environmentally friendly. Society will benefit more by balancing economic diversification with components of the new industries and the proven new wealth creators like mining. This approach requires crafting a sustainable multiple land use policy. Bill 41 attempts to do this and should be strengthened so that this premise is not diluted through regulatory override.

Section 7(2)(a). This section of the bill deals with the wilderness park classification. The bill does not present the province's position on the number of hectares it deems suitable for such a restrictive park classification, and indeed it may not be reasonable to expect such a broad act to cover specific land allocations.

(Mrs. Louise Dacquay, Acting Chairperson in the Chair)

However, we would like to remind the committee of the province's commitment to meet the federal Green Plan goal excluding 12 percent of all natural regions from all development as Endangered Spaces. The fact that Bill 41 is silent on the similarities between wilderness parks and Endangered Spaces creates a potential for an increase in the amount of land excluded from public use through these two very restrictive classifications. We feel this potential duplication should be specifically prevented through addition of the proper language in the act.

Sections 8(1) and (2). In this section of Bill 41, the Lieutenant-Governor has the power to place Crown lands being considered for inclusion into the provincial park system into a status termed a park reserve. The purpose of such a designation is deemed to be to allow time for public consultation. The initial period of the reserved designation is six months with a possible extension by simple decree of up to five years.

The bill does not address how the land would be administered under such a designation. We feel there is a very high probability it would be in the most restrictive fashion as a de facto wilderness park. Clearly, this threatens the tenure to the land that current and potential users of all types require in order to properly pursue new development ventures. Very few, if any, new investments would be initiated without security of tenure on the public lands as is currently possible.

This then begs the question of how the interests of private enterprises, like prospectors or mining companies which currently exist in the reserve area, would be protected. We feel this section of the bill contravenes the general intent of the bill and strongly request it be revised.

Section 29(1). Under this section, the minister has the authority to appoint an advisory committee to assist with the administration of parks. It does not state who would be eligible to sit on the

committee—government officials, members of the public or a combination. Since the act provides for operation of private enterprise in certain parks, we feel such a committee should have a broad representation to cover the majority of private industries and other stakeholders who could be affected by subsequent administrative regulations.

Section 32. In this section, the Lieutenant-Governor-in-Council is given sweeping administrative authority to enact regulations on a myriad of topics. We are specifically concerned with subsection (h) covering rehabilitation of areas in parks that have been disturbed by development activity. Rehabilitation of Crown lands disturbed by mining is adequately covered under The Mines and Minerals Act. The new parks act should not grant regulatory authority that serves to duplicate existing statutes and which thereby has the potential to violate any limitations on liability granted by such other statute.

Section 33. Similar to Section 32, this section grants sweeping regulatory authority to the minister. In order for mining or any commercial venture to be able to operate, or even commence, security of land tenure must be present. The regulatory authority granted in Section 33 severely compromises this premise. While we recognize the need for regulatory authority since it is impractical to craft a statute that covers the multitude of subjective concerns attendant with a resource such as parks, we feel subsections (s) and (t) grant too much regulatory authority and thereby abrogate any protection or opportunity afforded under the general preamble of the bill.

In summary, we feel Bill 41 is an improvement over the old 1988 act. It represents the numerous public concerns that operate on Crown lands and who thereby have a stake in how these same lands are administered. We respectfully submit our main concern is with the administrative subjectivity granted in the bill that supersedes the rights granted by the multiple-use purpose and system of land classification and use categories section of the bill. Override options, such as those in Sections 32 and 33, severely compromise the security of land tenure that is so important to a high-risk industry like mining.

We would also like to remind all stakeholders that a parks designation poses significant restrictions to public use. Even in the current parks system, where mining is locally allowed, the

restrictions placed on mining have had negative economic aspects. The Grass River Park, established over a large tract of Manitoba known to be mineral rich, is a good example of how a parks designation can confound the orderly and economic development of the province's natural resources. Several exciting mineral occurrences in this park may never be mined because of added costs resulting from park administration restrictions.

* (2050)

Contrary to the well-known surficial resources of the province, there are still vast tracts of the province in which the mineral potential is unknown. While there are undoubtedly mineral occurrences in these portions of the province that will be found by good old-fashioned prospecting, the majority of new discoveries will be made with increasingly more sophisticated and costly exploration methods. The risks to making a new discovery are therefore very high. The point of this is that when deciding the fate of the public lands, governments must weigh the various resource inventories carefully, and be cognizant of the fact that the accuracy of the estimates is not the same for surficial resources as it is for subsurface resources.

We should remember the positive economic contribution mining has made to the province of Manitoba and all of Canada. This contribution can continue and improve with application of well-reasoned and balanced legislation that recognizes the risks inherent in any commercial enterprise, not just mining, and thereby creating a climate for sustainable growth.

In closing, I thank you again for the opportunity to make this presentation. Your task is a difficult and unenviable one. We applaud your broad-based vision in Bill 41 and encourage you to strengthen the bill more to ensure all public and private interests are protected and served and thereby help perpetuate the unique and rewarding way of life we Manitobans have come to enjoy.

(Mr. Marcel Laurendeau, Chairperson, in the Chair)

The map attached to the handout shows the greenstone areas in the Grass River Park for your information.

Mr. Chairperson: Thank you, Mr. Burbidge.

Mr. Enns: Simply to thank Mr. Burbidge for appearing before us on short notice. I appreciate that. Thank you very much.

Mr. Chairperson: Just for clarification, Mr. Burbidge was just presenting for Donald Birak from Hudson Bay Mining and Smelting. Mr. Burbidge was registered as No. 117, northern Manitoba-Saskatchewan Prospectors and Developers Assoc. We have a written brief from Mr. Burbidge.

Mr. William Burbidge (Manitoba-Saskatchewan Prospectors and Developers Assoc.): I am also presenting the Manitoba-Saskatchewan one tonight as well.

Mr. Chairperson: So I will distribute this right now. Mr. Burbidge, continue.

Mr. Burbidge: Would you like me to go right into the other one?

Mr. Chairperson: Yes, carry on, Mr. Burbidge.

Mr. Burbidge: On behalf of the Manitoba-Saskatchewan Prospectors and Developers Association, we wish to thank this committee of the Legislature for allowing us the opportunity to comment on Bill 41. Our association has 38 members including individuals, contractors, junior exploration firms and larger exploration firms, all engaged in or associated with exploration in northern Manitoba.

Over the past two years, we have worked closely with the Mining Association of Manitoba and others in the industry and government on both the Endangered Spaces Program and the Natural Lands and Special Places program. Like the other groups, we have adopted a balanced approach to land matters. Taking into account both the importance of our industry to the economy of Manitoba and Canada and the need to be environmentally responsible, we intend to continue this objectivity in our comments on Bill 41.

In general, we feel this bill is well designed and should meet both the economic and environmental needs of Manitoba. This is a large, and especially in the North, sparsely populated province. We feel that there must be room to accommodate all of our needs. With these positive comments in mind, we would first offer the following suggestions pertaining to specific sections in the bill.

Under Section 5, there is some concern that economic opportunities are ranked last in the order

of priorities. While it is recognized that the primary concern of the parks act is preservation and conservation, for those living in close proximity to very large parks which have a direct impact on resource-based industries, economic considerations are very important. We would urge you to keep this in mind in designating park categories. In particular, the Grass River Park dominates the Flin Flon-Snow Lake greenstone belt, and a loss of access to the area would have a severe negative effect on the economy of the region.

Under Section 8(1)(a), lands may be designated as a park reserve for a period of six months during which time consultation must take place. Under Section 8(2)(b), this designation may be renewed for a further five years with specific park regulations applying to the area. While we realize that time is required to assess the area, at the same time, the lands would become a de facto park for up to five and a half years. Depending on the category applied to the area, this could eliminate all economic activity during the study period and could cause severe problems for local economies.

In Saskatchewan we have seen such hold areas withdrawn for at least 20 years for various purposes. We would suggest that the time limit for renewal be limited to one two-year renewal or that the category automatically become a natural park, especially during the longer renewal period. This would result in the application of more stringent park regulations, but still allow economic activity. Some indication of the intended park category is also required to determine whether future investment is warranted. In connection with this, if a park category designation precludes access to existing mining claims, The Mines Act should be amended to place such claims in abeyance since it would be impossible to carry out required assessment work.

Section 17(2) denies compensation to the landholder where restrictions result from the application of 17(1). This should not apply to the complete loss of access to a mining claim or where it becomes impossible to carry out normal development of an economic deposit. Such a situation has arisen in British Columbia, and this has had a severe negative impact on the mineral industry in that province.

Under Sections 18 and 19 it would appear that all costs of operating a park could be prorated among occupiers of land and these costs recovered.

While there is some logic to this where specific services are being supplied to individual residents, it is also conceivable that in the case of a single mine operating in a large park, but receiving no services supplied by the Parks Branch, the entire park could be designated a park district and the mine assessed the cost of operating the park. I hate to plant that idea. This could tax the mine out of existence and deny the province the resulting economic benefits. We would therefore recommend that some sort of appeal process be provided in the act.

Section 27(1) permits the closing of roads and trails while Section 27(2) prohibits travel on such routes. The closing and reopening of a trail is routine practice in resource activities, and such trails should be available for future use to avoid having to open new access routes. Provision should therefore be included to allow trails to be temporarily reopened and then closed under the existing work permit system.

Section 32(h) makes provision for regulations concerning the posting of rehabilitation bonds in connection with work in parks. The Mines Act also requires that such bonds be posted. This should be recognized and the bond posted under The Mines Act should fulfill the parks act requirement.

While other sections of the act cause concern, we realize there must be compromise, and we are willing to try to work with the government to achieve that compromise.

We would also like to take this opportunity to make some general comments on the matter of mineral development activities in the park areas, mainly from an exploration point of view. A great deal of the negative perception comes from a lack of understanding of our industry. In fact, actual mining activities affect only very small areas. Since 1900 mine sites in Manitoba have covered 52 square kilometres or .008 percent of the province. In 1991 mine sites occupied 34 square kilometres of the province, which is approximately 6 percent of the area covered by the city of Winnipeg. The area occupied by mine sites would probably be less than the amount of prime farmland in Winnipeg paved over for parking lots. In 1991, mineral production was worth \$955 million. With the economic impact of mining, the small areas significantly affected and the excellent rehabilitation carried out on modern mine sites,

great care must be given to selecting areas where access is to be denied.

* (2100)

For those unfamiliar with our activities, I would like to outline impacts as follows:

(1) Mineral exploration, the area with which I am most familiar, requires access to relatively large geographic areas with particular rock types. In the case of base metals, this is represented by the greenstone belts, which may represent about 10 percent of the province—that is, optimistically. After staking which is carried out on foot by blazing trees, line cutting, geophysical and geochemical sampling work follow. These are all low-impact activities carried out on foot which have only a very minimal visual effect and no lasting effect on the environment.

Ultimately, targets or anomalies are identified for drilling. This stage has the greatest impact since narrow trails must be broken. Access is, wherever possible, confined to existing trails, logging roads or swamps. An actual drill setup involves a space approximately 10 meters square. One drill hole would normally test each anomaly. Perhaps one anomaly in a hundred would require two or more holes to investigate some evidence of significant mineralization, and one target in 1,000 would require significant detailed drilling. Finally, it is estimated that one in 10,000 targets will become a mine. In addition, since most work is carried out in winter, there is little impact on the land or wildlife, and vegetation rapidly covers any disturbed area.

(2) Mine sites have a much greater impact but are very small. An actual mine site covers an area approximately 200 meters square. Although the area is certainly visibly altered, on abandonment complete rehabilitation is carried out. These sites can be returned to their natural state or turned to other developments such as campsites.

(3) Of even greater impact are mills and their associated tailings ponds. A great deal of research is being done successfully on such areas and their reclamation. Since a mill can serve several mines, it can be located in a more acceptable location than the mine which is governed by the ore body location, the impact is minimized.

(4) Smelters have the greatest impact. There are two such installations in Manitoba and very little chance of developing more since they serve a large number of mines. While the Flin Flon area certainly

shows negative effects from a smelter, this represents the effect of technology dating back 65 years. The Flin Flon facilities are now being upgraded, and the effect of modern smelters is greatly reduced.

With this description of our work and the areas involved, it can be seen that it is inconceivable that large areas of the province would ever be severely impacted by mining.

From an exploration and, hopefully, a mining point of view, the following park or potential park areas would cause the greatest concern.

The Grass River Provincial Park dominates the Flin Flon-Snow Lake greenstone belt. It is known to contain several subeconomic base metal and gold deposits which might be developed given favourable economic circumstances. Mining has gone on in the park or in the area which became a park since the 1930s, with gold production in the Brunne Lake and Elbow Lake areas, and has extended to the 1990s with the recently closed Spruce Point Mine on Reed Lake. During this period the area has undergone intensive exploration, and it still is reportedly a pristine area. This should demonstrate that the effect of mining is minimal.

The William Lake and Little Limestone Lake area covers a significant portion of the southern extension of the nickel belt, and there are indications that significant nickel deposits have been found in these areas. To deprive Manitoba of the potential economic benefits of such deposits, provided they are developed in an environmentally responsible manner, would seem to be an improper use of scarce resources, especially when tax revenues are so desperately required to maintain social programs in the province.

Portions of the Nopiming Provincial Park cover significant greenstone belts where gold and nickel-copper production has taken place in the past and where potential for future production still exists.

Until now the multiuse concept allowed responsible development in park areas. With the increase in single-use park areas, it is critical that these high-potential areas be brought to your attention.

Within these and other areas, a major problem is encountered in defining exact areas of significant mineral potential. Because we cannot see through

the overburden and mapping is not always complete or accurate, favourable areas are often poorly outlined. Changing needs also result in interest in different rock types.

Two years ago, as part of the Endangered Spaces study, the Kisayinew gneiss terrain near Pukatawagan was defined as a low mining priority area, although it was not recommended for Endangered Spaces because of problems due to forestry and aboriginal concerns.

Today five exploration permits are located in the area covering 300,000 acres to allow diamond exploration. These permits would initially generate \$125,000 in cash deposits with a minimum commitment to spend over \$150,000 in exploration work in the first year, a significant and, hopefully, continuing benefit to Manitoba.

From an economic point of view, resource industries are absolutely critical to the North and of great importance to the rest of Manitoba. The only alternative is tourism, which will not serve as a primary industry since work in such industries is seasonal and generally low paying.

To replace the 1,500 to 2,000 resource industry jobs in the Flin Flon area would require at least three times as many tourism jobs because of their seasonal nature. To achieve the same economic impact would require a further doubling of the number of jobs. Since most such jobs are related to hunting and fishing, the impact on the land and wildlife, if it were possible to do it, would be devastating.

In addition, the resource industries take something that previously had no known economic value and convert it into high value products benefiting all of Manitoba.

In the past two years, Manitoba Energy and Mines has done a great deal to make Manitoba an attractive area in which to explore and to mine. Programs have been introduced which make Manitoba the best province in which to work. New firms are coming to the province and hopefully this will result in new mines being discovered and developed. Manitoba is also a leader in environmental responsibility with the new mines act. We would urge you to work with the other departments to ensure that this effort is not wasted.

In summary, we would ask you to consider that land access is critical to the exploration industry, but that the environmental impact is minimal, while

actual mining requires a very small land base with complete rehabilitation already required. The mining industry is of great economic importance to the province, not just to the North but to the south as well in spinoff jobs and in the support of many programs through tax revenue.

To attract exploration and ultimately mining, we need stability of regulation and the guarantee that a discovery may be developed in a responsible manner. The discovery and development of a mine takes a long time to complete, and there must be assurance that the process can be completed. Because of the difficulty of defining low interest areas, a thorough screening process for geologic potential must be part of any selection process.

Last but not least, surprisingly there is life beyond the Perimeter, and our lives out there depend on natural resources. We are willing to operate in an environmentally responsible manner, and we urge you to consider this carefully in your consideration of this act. Thank you.

* (2110)

Mr. Chairperson: Thank you very much. Would you mind taking a few questions?

Mr. Jerry Storie (Flin Flon): Mr. Chairperson, I want to thank Mr. Burbidge for his presentations both from Hudson Bay Mining and Smelting and for the Prospectors Association.

I understand, before I arrived, that a limit was placed. I am wondering if the committee would agree that this was two presentations and that Mr. Burbidge had forty minutes to make his presentations, so we have 15 or 20 minutes to ask questions. Is that a fair assessment?

Mr. Chairperson: Is there leave of the committee at this time then to allow—[agreed]

Mr. Storie: Thank you very much, Mr. Chairperson. I think in fairness to Mr. Burbidge and to the groups that he represents, we give him that opportunity.

Mr. Chairperson: Between the two times, there is still only about eight minutes left, okay.

Mr. Storie: The first question I wanted to ask Mr. Burbidge was with respect to the existing parks act and the existing Grass River Park plan. You talked about the exploration activity and the limitations that that imposed on exploration. I am wondering whether you can outline more precisely how exploration has been limited thus far and whether

you have seen any consequences from that limitation?

Mr. Burbidge: It is basically more expensive to operate. You have to be very careful. You are checked a lot. I would imagine that the average homeowner if he had an inspector come to his house every day would get very annoyed. We, in fact, encourage it, because it means that if we are doing a good job and keep up with what has to be done, we do not have to go back later and clean it up.

Mr. Chairperson: Mr. Burbidge, if you could just wait till the Chair recognizes you. That is just for Hansard behind me to get you recognized on the recorder.

Mr. Storie: Perhaps, Mr. Burbidge, you can give us some sort of overview of the work of your members in the Grass River Park over the last four or five years. My understanding has been that there has been significant exploration activity in the area and that although there are limits, the kind of exploration that prospectors do has not been limited severely by the existing park plan.

Mr. Burbidge: We have not been limited that much by the existing park because the park is a multiuse park. So long as it stays a multiuse park—although, as I said, it is more expensive to operate because you have to be very careful. You try to avoid camps. To operate a mine in the park, there is a lot more treatment of wastewater. It is difficult to get power. The power line is to the north of Reed Lake, and in the Spruce Point case, we had to use generators because you could not economically get a power line across the lake.

In the case of Hudson Bay exploration, I think we have drilled about 300 holes in the Reed Lake area in the last, probably, 20 years. I came up with one orebody, several zones, and I know other firms—probably no one has done as much as we have, but altogether, there is probably another 300 drill holes completed in that park.

Mr. Storie: Mr. Chairperson, I hope Mr. Burbidge will forgive me for jumping around, because we have about eight minutes to cover a bunch of topics. The other area that you commented on and the HBM&S presentation commented on was, I guess, the need for some certainty. I am wondering whether you find generally that the amount of power that is given by regulation in this act, and in these amendments, a concern. Would

you not have rather seen more certainty in the act itself? Is that part of your concern?

Mr. Burbidge: I think Mr. Birak with his background would prefer more in the act. From my background and having dealt with it a lot, I am always wary of getting too much in the act, because if you get something bad in the act it is really hard to change. If you get something bad at regulations, you can usually somehow get it fixed.

Mr. Storie: So the only certainty you would like I guess is in terms of the designation and have that sooner rather than later in the time process.

Mr. Burbidge: The concepts we can live with. We are certainly prepared to do our part in environmental responsibility, but these areas that I have outlined are critical to the mining in this province. It is very unfortunate that that Reed Lake park—so long as it was multiuse it was not a problem. But if that became a single-use wilderness park, it dominates that entire greenstone belt, and it would be a disaster for exploration.

Mr. Storie: I am just wondering whether the government has given you any indication that it is likely to be designated as a single-use park.

Mr. Burbidge: No, there has been nothing like that. In fact, I would assume that because of the amount of development that has taken place in the park in the past, it would hopefully remain a multiuse park. There are areas in the park that are set aside. There are, I think, some pelican roosting places and there is hazel just south of Cranberry, if you have ever seen it.

Mr. Storie: Moving again to another issue, and that was the question of the potential conflict between the Mine Rehabilitation Fund that is set aside in the new Mines Act and the requirements in this act for site rehabilitation. Which in your opinion is the more stringent?

Mr. Burbidge: We have not seen what would be in this act or in the regulations, but The Mines Act is already in effect. There would be input, I would assume, from Parks people in requirements. So I think basically we would rather go with what is already in place. Certainly, everyone would have input into what rehabilitation is going to be required.

Mr. Storie: I guess that is probably a question that would concern a lot of people. The assumption would be obviously that the rehabilitation

requirements under The Mines Act might not be as stringent as those which would cover a park.

Given that we do not have regulations governing the rehabilitation, I guess it is difficult to say this, but is that a fair assumption?

Mr. Burbidge: No, because the Parks Branch is going to have input into that rehabilitation requirement. Like, to do any work in the park, even though it comes under The Mines Act, you have to get your work permits from the Parks people, not from the Mines Branch.

The main concern is the rehabilitation bond. There are going to be large bonds required under The Mines Act. To read this, we may wind up having to put up two bonds for the same operation, which would get very costly. Certainly all the park requirements would go into the rehabilitation requirements under The Mines Act.

Mr. Storie: Could you possibly give the committee an estimate? I know that under The Mines Act that HBM&S is currently obligated to rehabilitate, I believe, four additional mine sites. Can you give us some sort of estimate of what it might cost to rehabilitate one of those sites, perhaps Spruce Point, given that it is in the Grass River Provincial Park.

Mr. Burbidge: That is out of my area. One like that is going to run at least a quarter of a million, I would think. I am just guessing. Similar ones run about a hundred thousand. That one requires a lot more work because it is a park.

Mr. Storie: Mr. Chairperson, I make that point simply because in terms of the rehabilitation costs, although they are significant, in terms of the overall costs of exploration, development of a mine over a period of years is still a relatively small proportion of the total cost to a mining company.

Mr. Burbidge: Relatively speaking, although we could probably have taken that other \$250,000 and maybe gone and found another mine. But that is the requirement, and that is what we live by. I think you will find we are rehabilitating all of the mine sites. You said something about four, I think.

Mr. Storie: Notwithstanding some concerns that you have about the bill, you generally are supportive of the intention behind it. Some of the specifics bother your association.

Mr. Burbidge: Yes, that is right.

Mr. Storie: I guess, for a number of us, the difficulty is that half of this bill deals with a substantive issue dealing with how we are going to handle our parks system in the province, and the other half is being viewed by many, and perhaps including myself, as a tax grab on behalf of the government. So it is an interesting amalgamation.

My other question was with respect to the Canadian prospectors association, or the Prospectors and Developers Association of Canada. I received a letter from Bruce Dunlop, a person I am sure you are quite familiar with, who has expressed, in quite a lengthy presentation, his concerns about Bill 41. I am wondering whether you have had a chance to discuss his concerns with him.

* (2120)

Mr. Burbidge: I read them, but sometimes Mr. Dunlop—his points are mostly valid, but it was more his wording. I know that he has a fair amount of ground in the park, and he is concerned.

Mr. Chairperson: Mr. Storie, we have time for one last question.

Mr. Storie: One of the areas that you did not touch on in your presentation, and HBM&S did not touch on it either, and that was a deal with a section of the bill, Section 92, that deals with equivalent process. The intention here is that where under The Environment Act there are going to be public hearings, the public consultation process that is described in this bill could be waived by the minister. I am wondering if you have any concerns with that, given the focus of the Department of Environment may be entirely different from the consultative process that might take place under this.

Mr. Burbidge: Not really. I would assume the same presenters would show up at both meetings, that the same issues would be discussed. I mean, basically, we are talking about the environment, so you are going to have the same items discussed. I can certainly see the logic of saying that one replaces the other because they are going to be the same issues.

Mr. Chairperson: Thank you very much for your presentation, Mr. Burbidge.

At this time we will call on No. 123, Mr. Jon Phillips.

Mr. Brian Pannell (Canadian Bar Association, Manitoba Branch): Brian Pannell, on a point of procedure. It looks like you are going at about two or three an hour. There are a lot of people in the room who probably do not have to—

Mr. Chalperson: Mr. Pannell, at this time you are out of order.

Mr. Pannell: Well, I was just hoping that you might accommodate the people in the hall who might be able to go home, depending on what time you plan on breaking and the estimated number of people you can get through.

Mr. Chalperson: Mr. Pannell, we have already agreed to hear from the out-of-town presenters prior to moving ahead with the others. The committee will also decide, at a later time, when we will be recessing. So if you will give us the opportunity, Mr. Pannell, we will be getting there.

Mr. Pannell: Thank you for your in-depth consideration.

Mr. Chalperson: Thank you, Mr. Pannell.

We will now move on to Mr. Jon Phillips. We have your presentation, Mr. Phillips, so you can just carry on.

Mr. Jon Phillips (Private Citizen): Okay, it is fairly short. It will not take much time at all.

My name is Jon Phillips. I work at the Abitibi-Price newsprint mill in Pine Falls. I am actively involved in the joint workplace environmental council which was developed to address environmental concerns within the mill and woodlands operation.

I am also involved with the NESDA, the North East Sustainable Development Association, in Pine Falls. Our main claim to fame was the successful lobbying we did to get the first-attack forest fire teams in place in Manitoba. We have also started educational trails in the forest management area. Another thing we have done is bring speakers to Pine Falls to educate us and the general public on environmental issues.

I am here tonight to express my support for The Park Lands Act, Bill 41. An exhaustive process was undertaken through the Round Table on Sustainable Development to develop this act via public consultation. This effort should not be undone.

I have only two concerns regarding the act, first, a better name for multiuse parks should be found.

"Natural" does not, in my mind, properly name this type of park with resource extraction, recreation and other human activities taking place within its boundaries.

My other concern is the public consultation process that is detailed in the act for purposes of classifying existing parks and for creating new parks. I feel that while public consultation is a necessary part, the final decisions must be made by persons knowledgeable in resource management and safe ecological practices. Public opinion is not always aware of all the facts and does not always come up with the right answers.

I would like to thank you for this chance to speak. I would also like to thank you for this act. Except for the two items mentioned, it is a fine document. I sincerely hope that it is enacted soon. Thank you again.

Mr. Chalperson: Thank you very much, Mr. Phillips. Would you mind taking a couple of questions if there are any? Are there any questions?

Mr. Enns: Mr. Phillips, just again, my appreciation for your presentation. You proved a point that often those of us engaged in politics sometimes lose sight of, that a few words can very often carry as strong a message as many.

I want to particularly congratulate you and your organization for participating in the North East Sustainable Development Association. It is my belief that you live and work in an area where so much of the conflicts come together, which will all be sooner or later presented to this committee in terms of the appropriate and responsible land use decisions that we are trying to formulate in this event through this act. It is the kind of work that can come forward, through the North East Sustainable Development Association, in my judgment, the kind of hard-nosed, responsible, grassroots advice that can surface back to government.

I appreciate your participation in that organization. It is in my judgment a most worthwhile organization. It has, of course, also led to the formation of the model forest pilot project that both the federal government, the Manitoba government, along with other stakeholders in the area have engaged in, which over the years will provide future ministers and resource managers some valuable experience as to how to prudently

manage our resources for the benefit of our future generations.

Thank you very much, Mr. Phillips, for your presentation.

Mrs. Louise Dacquay (Seine River): Mr. Phillips, in your presentation you indicated that you feel a better name for a multiuse park should be found, that "natural" does not in your mind properly name this type of park with resource extraction, et cetera.

Can you give us any suggestion in what you feel might be a better term?

Mr. Phillips: The term "multiuse" itself is fine. I think that is what we are using now, and there is no reason to go away from that. That is the designation.

Mrs. Dacquay: So you are quite satisfied with the terminology multiuse. In fact, that would be your preference.

Mr. Phillips: Oh, far superior to natural.

Mrs. Dacquay: Thank you.

Mr. Praznik: Yes, I just wanted to add to something the minister had said. Mr. Phillips, I want to extend a hearty congratulations to you and the members of the North East Sustainable Development Organization for your work with the NESDA trails which I think provide—I have had the opportunity to be there for opening and to tour those trails.

They open up to many in the city of Winnipeg who are very interested in our forests an opportunity to see first-hand sustainable forestry which is not something they often get the opportunity to do, even though I know they are very interested in it. So I want to congratulate your organization for that work because I think it will go a long way to educating many in the public of our province about sustainable forestry and to open up that type of area for the public at large.

So thank you and your organization, and thank you for being here tonight.

Mr. Phillips: Okay.

Mr. Chairperson: Thank you, Mr. Phillips.

Mr. Phillips: Thank you.

Mr. Chairperson: No. 124, Mr. Gary Harbottle. Mr. Harbottle, would you have a written presentation?

Mr. Gary Harbottle (Private Citizen): No, I do not.

Mr. Chairperson: If not, carry on then.

Mr. Harbottle: Okay. Honourable Chairperson and other honourable members of the committee, I was preceded up here by my brother, and I have to echo his concerns about Bill 41 in the Whiteshell. I have lived there for the past 36 years, as he has, and I am a permanent resident there. I work for TransCanada Pipelines.

* (2130)

When my parents first moved to the Whiteshell, it was basically just a park, a forest reserve, I should say. It was not a park per se. Bill 41 is taking that all away from us. I was really concerned with the way we are presented with this here. It cost a lot of allocations. In 18(3)(c), again: to defray other services provided to the park district or to defray the administrative costs of the park district.

(Mrs. Louise Dacquay, Acting Chairperson in the Chair)

There is no detail of what this is really covering, and also, it gives very much authoritative power to one person. The minister may elect to raise the fee, I take it, at any one year, to his liking. As we have known in the past, the Parks Branch has not been really frugal with public funds. Giving the authority to impose a tax without public input or say, I believe they would rise dramatically each year.

If they have endless venues, they will keep on spending, as they have in the past. I think the people or the public have really had enough of the bureaucratic attitude of government by which they control the people, and I think this was last evident with the Senate. Without any public input at all—people are not running this country anymore. They are not even asked what their thoughts are most times. We are very fortunate to have this meeting where we can put forward our presentations, and I do hope you do consider some of the input you have heard here tonight.

That is all I have to say.

The Acting Chairperson (Mrs. Dacquay): Thank you, Mr. Harbottle. Would you be prepared to answer any questions that members of the committee may have?

Mr. Harbottle: Yes, I would.

Mr. Enns: Madam Acting Chairperson, I appreciate the comments from Mr. Harbottle, and I recognize his long tenure in one of our prime provincial parks, the Whiteshell, and the fact that he

reminds us all, as we need to be reminded from time to time, that there was a time before provincial parks were created in this province.

Mr. Harbottle, I am often the recipient of charges that the government, *per se*, is overbureaucratized or that the public service sector is not always working in the best interest of those they serve. I happen to be extremely proud of the people who work for the Department of Natural Resources and the Parks Branch, in particular.

We do not live in a perfect world, but I have attempted to acknowledge some of the concerns that you express, specifically in Section 20 of this bill that is before you that says, for the first time, and I will read Section 20: "Financial statements of the operations of each park district shall be maintained for the review of any owner or occupier of land in the park district."

Now, I appreciate the unique position that the private landowner and a cottage within a provincial park feels in terms of his adequate representation to decision making prior to any user fees or taxation imposed. I have a great deal of empathy for that.

What I have challenged my parks administration to build into this act without becoming overly cumbersome or without overkill, if you like, without imposing a whole set of municipal governance on what I still believe to be people like yourselves who were originally attracted to that area for the enjoyment of the area and not to take all the problems of governance with you perhaps from your city into the park area, but some reasonable half-way measure in approaching that legitimate complaint you and others, I am sure, will present to me with respect to this item on the bill.

But I have challenged, and there are specific sections in the act that say that no longer will it simply be the creed in Winnipeg or in parks districts or at the deputy minister's level as to what user fees and what services will be, but my individual parks managers, the park manager for the Whiteshell, the park manager for Spruce Woods, will have to sit down with the cottaging community prior to fees being set for the coming year and that these fees be reviewed and that our books be opened to you. Your brother or somebody else made the presentation that he has never seen that kind of information, that when information is requested from parks, they get a big document that covers the entire operation of the Parks Branch which makes it

difficult for an individual owner to glean out of that the kind of information you are looking for.

I submit to you, Mr. Harbottle, and I would like you to come halfway with me on this, let us give this a try to see whether or not this is not a significant step forward in bringing about that kind of closer relationship between the residents and cottagers within the park system and the bureaucracy that has the responsibility of running the park.

The Acting Chairperson (Mrs. Dacquay): Mr. Harbottle, did you wish to respond?

Mr. Harbottle: I think he is quite right that I think the people are quite willing to pay for services, but it has to be a reasonable fee. I think it should be decided amongst them and the ministry. That is all right by me. I do not know where you start on this. I think there should be a committee appointed by the district of the Whiteshell to meet with the minister to arrange these fees, but I think it should be a one-to-one basis, not overrun by government personnel.

The Acting Chairperson (Mrs. Dacquay): Thank you for your presentation, Mr. Harbottle.

The next out-of-town presenter is Edna Harbottle.

Mrs. Edna Harbottle (Private Citizen): Madam Acting Chairperson—

The Acting Chairperson (Mrs. Dacquay): Thank you, Mrs. Harbottle. You may proceed. Copies of your presentation will be distributed momentarily.

Mr. Enns: Madam Acting Chairperson, I think it would be fair to the committee to establish if there is any relationship between this presenter and the other two presenters that we have heard here by this name. Surely, you must be maybe a sister.

Mrs. Harbottle: No. Thank you. I am the mother.

The Acting Chairperson (Mrs. Dacquay): You may proceed, Mrs. Harbottle.

(Mr. Chairperson in the Chair)

Mrs. Harbottle: Mr. Chairperson and members, my name is Edna Harbottle, and I have been a resident and business owner in the Whiteshell since May 1958. Because this is our chief place of residency, the government is proposing a levy for which we do not have any presentation or say in its administration or assessment. The interest is established by the Lieutenant-Governor who resides away from the area in which we are addressing.

The levy is not related to services. This is like asking for a blank cheque. In the notice to the private landowners in the provincial parks, it would seem the outcome is already a foregone conclusion. You will be billed later this summer. Is this not like putting the cart before the horse? I therefore propose that Bill 41 be withdrawn. Thank you.

Mr. Chairperson: Thank you, Ms. Harbottle. Are there any questions of Ms. Harbottle? If not, thank you very much.

Ms. Harbottle: Thank you, Sir.

Mr. Chairperson: We will now move on to No. 142, Bob Yatkowsky. We have passed out your written presentation, Mr. Yatkowsky. Is that the correct pronunciation?

* (2140)

Mr. Bob Yatkowsky (Canadian Institute of Forestry): Yatkowsky, right. It is very simple. It is three syllables.

I would like to thank the committee here on recognizing people that are from out of town, because not quite like the fellow from Flin Flon, I did not cut myself coming down here as you can see, but I did come from Berens River to make this presentation, and I have to catch a plane tomorrow morning to go back there, so it is quite appreciated.

On behalf of the Manitoba section of the Canadian Institute of Forestry, we would like to thank the legislative committee for this opportunity to comment on Bill 41, the new parks act.

Before we begin our presentation, we would like to take a few minutes to introduce you to the Canadian Institute of Forestry.

The Canadian Institute of Forestry, more commonly known as the CIF, is a national nonprofit voluntary organization. The 2,400 members from across Canada include foresters, four scientists, technicians and others with a professional interest in forestry and related activities. The Manitoba section has a current membership of approximately 50 members, with active representation from the provincial government, federal government, forest industry, universities, resource consulting field and retired individuals.

The Manitoba section commends the Manitoba government for implementing changes to The Provincial Park Lands Act recommended by the people of Manitoba through the public participation

process of the natural lands and special places strategy this past year.

We, as a professional organization, support the initiative taken by the round table to protect approximately 12 percent of representative areas in Manitoba from activities that would significantly affect habitat natural ecosystems.

A very realistic and objective view has been taken regarding the strategies and policies which must be adopted to protect the environment while also permitting sound sustainable development to be carried on. The revisions made in the new act will provide direction for present and future land use.

It is our belief that all Crown lands, be they park or other, should be managed in a manner that will best suit our present needs, both economically and recreationally, without compromising the future of generations to come.

We recognize that there will be pressure from special interests to change the way the new Park Lands Act is written. We, the CIF, feel this document represents the best interests of all Manitobans collectively. It is consistent with the principles of sustainable development. It enables protection of special and unique areas from any form of exploitation, and it permits opportunities for continued forest harvesting in areas where such activities have traditionally occurred.

This is a balanced and fair document. Any significant change dealing with the designation and management of provincial parklands should be resisted. The CIF recommends passage of this bill in its present form. Sincerely yours, R.F. Yatkowsky, Chairperson and G. Ardron, Director.

Mr. Chairperson: Thank you, Mr. Yatkowsky. Would you mind taking a couple of questions?

Mr. Yatkowsky: No.

Mr. Enns: Thank you, Mr. Yatkowsky, I appreciate your presentation.

I want to particularly acknowledge your organization's support, as we heard from others, namely the mining and prospectors community, their support for the announced commitment by this province to achieve the 12 percent goal for land set aside under the Endangered Spaces Program. It is helpful to hear from organizations, particularly organizations such as yours that are active in the forestry industry generally, support these, what you

would call, acknowledgements that some lands, some equitable portions of our ecosystems should indeed be preserved for future generations. It is encouraging to me as a minister to hear that support for this program coming from your organization. I thank you for your presentation.

Mr. Chairperson: Are there any questions of the presenter? If not, thank you very much, sir.

We will now move on to No. 154, Mr. Anthony Hyrorchuk. Is that how we say that?

Mr. Anthony Hyrorchuk (Interlake Quota Holders Association): Hyrorchuk.

Mr. Chairperson: Okay. Is there a written presentation, Mr. Hyrorchuk?

Mr. Hyrorchuk: Just a verbal one.

Mr. Chairperson: Go ahead.

Mr. Hyrorchuk: Hello, my name is Anthony Hyrorchuk. I am chairman of the Interlake Quota Holders Association. I am representing approximately 20 timber quota holders in the Interlake that provide employment for approximately a hundred Manitobans in the forest industry.

We are glad to see that the Manitoba government has revised The Provincial Park Lands Act as Manitobans requested through the hearings of the natural lands and special places strategy last year. With these revised policies, people that normally harvest timber in the traditional areas may continue to do so.

We recognize that protection of special and unique places is required. This has been addressed in the revised act, and we agree with this, as it is in keeping with the round table directive of protecting the 12 percent of representative areas in Manitoba from activities that could change the habitat and natural ecosystems.

We now feel confident that the new act will let us continue to be contributing Manitobans. We feel that the harvesting of natural resource is part of the backbone of the Manitoba economy.

We have one concern. The term "natural park" should be "multiuse park." Other than this, we agree with the passage of this bill. Thank you, from the Interlake Quota Holders.

Mr. Chairperson: Thank you, Mr. Hyrorchuk. Would you mind taking a few questions?

Mr. Hyrorchuk: Sure.

Mr. Chairperson: Are there any questions of the presenter?

Ms. Wowchuk: Mr. Hyrorchuk, you indicated that you support the 12 percent set aside, as outlined in the endangered—the 12 percent set aside, are you saying that you are in support of that, that there should be 12 percent set aside of forests and natural habitat that should not be harvested?

Mr. Hyrorchuk: Yes, but we also say that it should be a multiuse.

Ms. Wowchuk: If you could just clarify, I am not quite sure what you mean by that.

Mr. Hyrorchuk: I have seen in the guidelines, if there is going to be a park started, there will be presentations from different organizations. I think that will work. Right now, in our area, we do not have a park that is going to be put aside strictly for park use.

Ms. Wowchuk: You are saying that there are no areas in your area that are set aside. It is all available for harvest. There is nothing that is being set aside right now.

Mr. Hyrorchuk: As far as I know, it could be made available. I do not think it is designated strictly for parks.

One of the concerns we have is we lost 80 percent of our softwoods to forest fires in the Interlake. This is one thing. We would like to see something open, that if we do need the timber because of forest fires or diseases or insects or whatever, that it will be available. We do not want to see it tied up.

Ms. Wowchuk: In the operations where you work, do many of the operators use clear-cutting in their operations, or do you harvest on a selective basis?

Mr. Hyrorchuk: It would be both. I do not know how to put a percentage, but clear-cut is more or less preferred and replanted right behind us, so you have a young forest coming right behind us.

Ms. Wowchuk: The member for Lac du Bonnet (Mr. Praznik) has just indicated that you are not on the same kind of hills that we are on the Swan River area. You can recognize that our concern in that area is that if there is clear-cutting, then it can lead to problems, particularly on the steep slopes of the mountains.

My question was just what type of harvesting operations you do in your area, whether it is clear-cut and whether there are areas that are

designated for set-aside, and are there any areas that are potential parks that you can identify that could be set aside?

Mr. Hyrorchuk: Our area is getting pretty small. I guess you could have some of the burnt-out areas as parks. But we do selective cutting and we do clear-cutting. Basically, we are in overmature timber most of the time, or else diseased timber, so we are not into young forests.

Mr. Chairperson: If that is all, thank you very much.

Mr. Hyrorchuk: Thank you.

Mr. Chairperson: We will now move on to No. 155, Glenn Hibbert.

Your written presentation is being handed out, Mr. Hibbert. You can just carry forward. We have it.

* (2150)

Mr. Glenn Hibbert (Private Citizen): Good evening, Mr. Chairperson, honoured members, ladies and gentlemen.

My name is Glenn Hibbert. I am a Manitoban, and I want to stay a Manitoban. I am fifty-five years old, and I have worked at the Pine Falls newsprint mill for thirty-eight and a half years.

I will read you a letter that I received a few months ago from a very concerned young lady who now lives in Winnipeg.

To whom it may concern: I would like to tell you a story about a place called Pine Falls. Pine Falls, Manitoba, is the location of the Abitibi-Price mill that has come under public scrutiny lately for its lagging environmental policies. Ironically, the mill has come under the looking glass at the exact time that its employees, management, also the entire community, began fighting for its life since the Abitibi mill is up for sale.

I write this for the group of canoeists who, upon passing through this place, decided the mill was not being kind enough to the waters. They have never set foot in the community so they did not know what the mill did for that sector.

I write this for my father, near retirement but still working his fingers to the bone every day to keep the Pine Falls mill running for his workers who he hopes will continue on long after he is gone.

I write this letter for me and for the fine childhood memories I have of this beloved place. My

memories of Pine Falls are of lazy days living in my parents home surrounded by lush woods and the comforting peace of a happy community where every activity was but a short walk away. Many a summer day was spent splashing in a local swimming hole within sight of the mill, paddling up the river or roaming through the surrounding forest building forts, skiing or just generally doing the things happy kids do.

I was happy because the Pine Falls mill afforded me the luxury of happiness as it did and still does hundreds of other kids like I was. Thanks to the Pine Falls mill, I grew up in a place where there was always enough food on the table, good clothes to wear and plentiful activities for kids growing up, skiing, ringette, hockey, you name it. Abitibi was and is the only major industry of Pine Falls and the surrounding area, and it gave back tenfold to the community for every employee who worked and worked so hard to keep it running.

It gave back security, happiness and a future, a future that now lies threatened by the unsympathetic and tunnel vision of a group of people who know nothing of life in Pine Falls and surrounding towns, yet they believe they have the right to end that life.

With the mill in Pine Falls closed, there will be no life left there. Nobody appreciates the great outdoors more than I, and I have this appreciation because I grew up in a place where wilderness was held sacred, where trees were replanted as quickly as they were felled and where the pristine river was a playground for which we were all thankful. If the Pine Falls mill closes, there will not be anyone left to enjoy these natural wonders.

The environmental group spearheading the closure of the Pine Falls mill have their case and it is a strong one, but the management and people of Pine Falls have committed to clean up the river and continue to replant trees as they have done for decades. They are not making this commitment merely to satisfy demands of this environmental group, but because they, above all, respect and love all that Pine Falls is, its surrounding rivers and lakes, its lush forests and its clear blue skies. All the people of Pine Falls need is time and hopefully the financial support of local, provincial and federal governments, as well as support from the native people who also benefit so tremendously from the Pine Falls mill.

I have lived in Winnipeg for over a decade now. I have volunteered for many charities and worked downtown, and I see every day at least one example of what poverty is. The recession may be over but its effects are still being felt in huge proportions. Manitoba continues to have an unemployment rate of almost 8.9 percent and Winnipeg 12 percent. As welfare cuts continue, more people will go hungry and more children will be forced out into the streets to fend for themselves.

That was never something we had to be afraid of in Pine Falls, but now those remaining there do. What of the \$70 million that Abitibi-Price mill injects into the Manitoba economy each year? Would it not make more sense to help the people of Pine Falls raise the funds that would ensure the Pine Falls mill would remain an important contributor to the Manitoba economy? Can we as a province really afford to let the Pine Falls mill close?

I would like to make this plea for the people of Pine Falls. To the environmentalists, I ask that you open your ears, eyes and most important your hearts to the people of Pine Falls in their plight. They need time to do right and they will. Instead of offering them your condemnation, give them your enterprise to help them right the wrongs you see are so important. Please do not shut them out or down. That would be a crime, a crime against a community and its children, a crime that surely can be prevented with some co-operation, commitment and caring from both sides. Thank you.

Mr. Chairperson: Thank you, Mr. Hibbert. Would you mind taking a couple of questions from the committee?

Mr. Hibbert: Yes, Sir.

Mr. Praznik: Mr. Hibbert, I want to thank you very much tonight, not only on behalf of our community that we share, but on behalf of this committee for coming here and putting it so well, the feelings of so many people in our community and Pine Falls and district. You have done an excellent job in conveying that letter that your daughter has written. My only regret tonight is so many members of the provincial media who were not in the room to hear this, because the case that you make is one that is not often picked up by the provincial media perhaps because it does not fit with other agendas. I want to thank you very, very much tonight for being here. Thank you.

Mr. Hibbert: Thank you.

Mr. Chairperson: Thank you very much, Mr. Hibbert. We will now move on to No. 171, Mr. Peter Thurston. We have just distributed your—please, Mr. Thurston, you can carry on.

Mr. Peter Thurston (North East Sustainable Development Association): My name is Peter Thurston. I am speaking on behalf of the North East Sustainable Development Association. I would like to thank the committee for this opportunity to put forward the views of the North East Sustainable Development Association regarding Bill 41, the provincial parks act.

Our organization is very concerned on how our government manages its land resource. Throughout our area, resource-based industries have developed our communities in and around the provincial parks. Bill 41 now addresses these economic activities in our provincial parks.

In Bill 41 under the classification of provincial parks, a natural park classification allows for resource uses. This type of park allows for the continuation of sustainable development in our parks. Logging, mining, et cetera, have been going on in our parks for some time. This will allow for these activities to continue. The label of natural park though is somewhat ambiguous. Natural and wilderness is viewed by the public to be practically the same thing. Natural should be changed to possibly multiuse to reflect the actual activity allowed in the park.

One concern is the placement of wilderness parks. While being in complete agreement of putting aside areas to be left completely in its natural state, as per the Endangered Spaces Program, having these areas too close to human activity causes concern. An area left to its own self would gradually over time become a fire hazard. As the Endangered Spaces Program realizes this, it does not support fire suppression. An area that would allow a major fire to build would put at risk people's lives and livelihoods if the area was too close to the communities.

Another concern is, while the act has language allowing sustainable development, whether it will be used to allow the current level of development to continue. Existing commitments must be recognized. Communities and industry have made investments for their futures based on philosophy that economic activity is allowed in provincial parks.

A change in this will negatively impact our communities.

Under Bill 41 before a regulation is made regarding park use, the minister shall provide an opportunity for public consultation. This should provide the forum necessary to ensure the proper use of the park. I am glad that if an environmental assessment has been done that it can be used. It does get costly and tiresome to keep repeating this process on the same issue. While public consultation will be done to help determine land use within the provincial parks, it can allow for a change. If economic use is removed from a park, there is nothing in the legislation to compensate for the economic impact on the affected parties.

In conclusion, Bill 41 has our support. It will continue supporting sustainable development in our province. It will allow for public input to help develop the management plans for the provincial parks. While Bill 41 has the components for good legislation, it still must be remembered that a common-sense approach is needed in enacting it.

Mr. Chairperson: Thank you, Mr. Thurston. Would you mind taking some questions?

Mr. Thurston: Sure.

Mr. Enns: Well, Mr. Chairperson, just to acknowledge the opportunity to speak directly to the president of the North East Sustainable Development Association, I complimented a member of your organization earlier in the presentation. I did not realize that we would have the president here as well.

A point that I want to make and raise with you, I appreciate that there are those who look critically at this government's commitment to sustainable development. There are those in our society who object to the word "development" in that concept. Then there are those who simply say that it is a fancy buzzword that governments of the day have now arrived at to placate those who have a very strong and current ongoing interest in the natural environment.

It is my belief, and I really want to make this point, that it is organizations such as yours at the working level, at the grassroots level, at the tree level, within the natural environment level that will make sustainable development a reality for this province. Really, it is a principle that surely captures what all of us want to be able to do, to pass on to future generations an environment, in this case a natural

environment, that enables us to combine the needs of our citizens, both its needs for the enjoyment of a wilderness and protected natural environment, and at the same time, the obvious, from your background, requirements for sustaining some form of development that enables us to pay for some of the things that we want. Thank you, Mr. President.

* (2200)

Mr. Chairperson: At this time, I would just like to advise the committee members that this is a time for questioning the presenters on their presentations that they are putting forward. We do have a number of presenters. Even though I do appreciate the congratulations and the thanks we are giving the members, I would like to get on with hearing the presenters.

Mr. Enns: Mr. Chairperson, am I to take that as a critical comment of—

Mr. Chairperson: Yes, Mr. Minister. Thank you very much, Mr. Thurston.

Mr. Thurston: Thank you.

Mr. Chairperson: I inadvertently missed to call one number of another presentation from the country. It was No. 57, Alice Chambers. I do not know how I missed it. It is No. 57 for the committee members. Did you have a written presentation? [interjection] We have it, and I do not have a Page here. Just give me one minute, please. Carry on, Ms. Chambers.

Ms. Alice Chambers (Private Citizen): Ladies and gentlemen, thank you for the opportunity to express my feelings on Bill 41, the proposed new Provincial Parks and Consequential Amendments Act. I was one of the small percentage of Manitobans who participated in the round table discussions on the Natural Lands and Special Places workbook. The workshop in our region which includes Beausejour, Garson, Whitemouth, Seven Sisters, Pinawa and Lac du Bonnet, as well as the Pine Falls area residents, was held in Great Falls, scarcely the geographic or population centre of the region and sure to draw the bulk of the crowd from the Pine Falls area.

Given that the Manitoba Round Table on Environment and Economy workshop on Forests had been held in Pine Falls, residents in the southern half of the region could begin to believe that a particular type of input was being sought, that is the people who earn their livelihood through

resource extraction. Five of us from Pinawa attended that meeting on September 22 and, apart from the resource people, we seemed to be the only outsiders present. Abitibi-Price had already held the strategy information meeting on September 15 where workbooks were handed out.

It was most disturbing to find out later that Abitibi-Price employees travelled around the province in an attempt to reinforce their particular viewpoints. Indeed, the picture on page 17 of the What you Told Us, Natural Lands and Special Places Parklands Act Review shows Glen Pinnell as the Lands Manager for Abitibi-Price in Pine Falls sitting next to Harvey Williams at the Winnipeg workshop. He certainly attended and gave an Abitibi-Price overview at the Great Falls session.

Since the input from the workshops undoubtedly influenced the proposed Bill 41, how did those who reviewed the input account for the concerted attempt by Abitibi-Price employees to influence the proceedings? The company has a known vested influence in the continuation of logging in provincial parks and could thus afford to have employees spend time on company business.

I did not fill out a questionnaire because I made a presentation and felt it would be unfair to state my case twice. I hope the same can be said for the Abitibi-Price supporters who received booklets on September 15 and 22 and at any other workshops they attended.

A number of the employees also made formal presentations to the round table in Winnipeg in October and again in Great Falls on November 6. In our region, the eastern side of Lake Winnipeg, parklands, Nopiming Park and Whiteshell Park, are being altered on a daily basis by resource extraction, particularly by the logging industry.

For the general public, there was no preliminary information meeting, no efforts made to inform the public about what was or is at stake in these round table discussions.

The supporters of logging certainly had every opportunity to influence the outcome and make the objective of public consultation a farce. The bulk of the general public still has not heard of the round table, let alone knows that it can and should become involved in public reviews.

To have effective public consultation one must first have an informed public, and I do not think any one of you could believe that this is the case. In

most cases, just as I used to, the general public believes that you, the legislators, are looking out for our interests.

Most people still believe that a park is a park in the traditional sense and cannot believe that resource extraction, that is, mining, forestry, gravel pits, hunting, et cetera, is carried out regularly in our provincial parks.

The present proposals in your revised parks act are not surprising, given the strong economic development slant of the definitions and proposals in the Natural Lands and Special Places proposals.

The definition, page 39 of the workbook, of natural lands as lands which include water, that support native plants and animals of a mixture representative of the natural ecology of the area, and such lands may be subject to management, recreational and resource harvesting activities that will not significantly change the ecological characteristics of the land, immediately gave away the government's intentions of furthering resource extraction in our provincial parks.

The Oxford Universal Dictionary, 1955 edition, defines "natural" as "existing in, or formed by nature; not artificial; not cultivated; not disfigured or disguised; present by nature; innate; not acquired or assumed".

None of these definitions would include lands which have been managed or harvested. Management implies manipulation to accomplish some predetermined goals and any land which has been harvested is hardly natural.

I would like you to look at some photographs which I took on Monday, July 12, 1993, in Nopiming Park in an area just south of Shoe Lake off Highway 314. Would anyone really suggest that these clear-cut areas are natural or that they belong in a provincial park?

I had two nieces with me, late teens, early twenties, and they could not believe that these practices were being allowed in a park. We walked down only two of the many, many logging roads which we saw. One road had been recently closed and the other area is still being harvested. Both areas were devastated.

Why is this being allowed to happen now, and why would any government, particularly one which talks so glowingly of its interest in the environment, want to allow this to continue?

The entrenchment of resource extraction, as proposed in Bill 41, is a very sad statement of this government's lack of commitment to the environment and to the Endangered Spaces Campaign. It is most unfortunate that Policy Area 6, parklands acts and administration is the only area of the natural lands and special places initiative which has been reported in a "What You Told Us". Why was there such a rush to report on one section only, especially when the other five areas affect the park issues so greatly?

Surely when one thinks of parks, one thinks of Policy Area 1-Protection and Allocation, and a commitment by the province to fulfill its obligations under the Endangered Spaces, i.e., Policy 1.1.

By the year 2000, at least 12 percent of Manitoba that is representative of its natural lands and special places will be protected from commercial logging, mining, hydro development and other activities which adversely affect habitat.

If we allow commercial activity to continue at the present rate on Crown lands and in parklands, where is the 12 percent going to be found?

According to the Abitibi-Price Mill manager, Fern Pitre, in his presentation to the Round Table on Natural Lands and Special Places, in Manitoba we are blessed with natural resources of enormous proportions and are already underdeveloped. Our landscape is dotted by two small operations, Repap in The Pas and Abitibi-Price in Pine Falls.

The map of Manitoba showing the forest management licences of these two companies shows that most of the "productive" forest lands in Manitoba are contained in these two FMLs. I used productive in quotations because in actual fact, according to the Land Capability for Forestry, Canada Land Inventory or Lands Directorate maps of areas in Manitoba that are presently committed to logging, there are very few areas which qualify for commercial forests.

Most of the land either has severe limitations to the growth of commercial forests or has severe limitations which preclude the growth of commercial forests.

I would also like to pass around these, and you can see how much dark pink there is in those, there are very few green areas in any of them. We should not even be harvesting in these areas, let alone harvesting in parks.

As the proponents of sustainable development, the government should be withdrawing logging from many areas, not furthering the destruction of our natural resources and particularly not in the only areas which have some measure of protection.

In his presentation, Mr. Pitre went on to say that the 12 percent Bruntland Commission recommendation should be applied to the zones and in areas that have not been developed. In particular, further north where all sorts of pristine, undisturbed ecological areas exist.

I hope that this committee will not take Mr. Pitre's advice and will ensure that the spirit of the Bruntland recommendations is entrenched and that that will ensure that we have the ability, as far as is now possible, to allocate lands that are representative of Manitoba's 12 natural regions.

Manitoba has the least land area protected of any of the provinces, approximately one-quarter of the national average. This is on page 68 of the State of the Environment Report for British Columbia, 1993.

The page that it is on is attached to your report. Yet, the proposed act under Bill 41 will make it more and more difficult, if not impossible, to find representative areas to set aside for protection.

* (2210)

The State of Canada's Forests, 1991, states that Manitoba has 1.3 percent of its forest resource as highly protected; federal 0.3 percent; provincial 1.0 percent, on page 17. Finding means of protecting forest areas should be an immediate priority.

Policy Area 6, as the last area to be covered in the round table discussions, was probably the area which received the least attention. Many groups would not have reached area 6 in their evening, and there were not copies of the present act available for participants to make judgments regarding its contents.

Input was not based on knowledge of the present act. It was a given in the workbook that there would be sustainable development in provincial parks and the other recommendations stemmed from that declaration. I strongly disagree with the assumption that there should be sustainable development in provincial parks.

Bill 41, the provincial government's proposal for a new provincial parks act is open to criticism right

from the Whereas section. Sustainable development and economic opportunities are mentioned right away. This is completely inappropriate in a parks act. As the only possible areas for most people to get away from development and regain a sense of humility at the vast diversity of life in all forms and the healing and life that nature gives, it is unforgivable to entrench economic development in provincial parks.

There was nothing wrong with the Dedication of provincial parklands, 2(2) under the old act: "Provincial park lands are dedicated to the people of Manitoba and visitors to Manitoba, and may be used by them for healthful enjoyment and for the cultural, educational and social benefits that may be derived therefrom." I believe this represents most ideas of what parks are about.

Proposed dedication of provincial parks, 4: "Provincial parks are dedicated to the people of Manitoba and visitors to Manitoba, and shall be maintained for the benefit of future generations in accordance with this Act and the regulations." It does not have the same tone at all. We are to maintain what for future generations? Logged areas, mined areas? Why was it felt necessary to change the dedication?

The same criticism is obvious for the purposes of parks. Under the old act, "Development of provincial park lands, 2(3)", the purposes of parks would fit most people's description. Under the Bill 41 proposal, the first three purposes listed are much the same as in the old act, but the (d) "to provide economic opportunities in accordance with park classifications and land use categories" is completely out of place as one of the purposes of having provincial parks. This may very well suit the Polo Park image but should never be included in a provincial parks purpose. There should be development in parks only to the extent that it enables the traditional goals of parks to occur.

How the minister develops a system plan for the management of provincial parks, under System Plan 6(1): Many years have been spent already in trying to develop system plans for provincial parks, and yet we still do not have plans for all of the parks. How will 6(1) and 6(2) be fulfilled and within what time lines? System plans could be worthwhile for the long term provided they were done carefully and with respect for the ecosystems involved.

Under the old act there were 12 categories of provincial parklands in Section 13(1), while under Bill 41 there were four main categories and then an "other" type of park. The other presumably would cover trailways, parkways, marine parks, wayside parks, et cetera. It would appear to be more straightforward to simply list the present categories and then leave room for other.

The definition for the wilderness category is somewhat vague. I would hope that the guiding principles of the Wildlife Policy for Canada, page 9, would be adhered to and that the maintenance of viable natural populations of wildlife always takes precedence over their use by people.

Resource management category, 7(3), does not belong in a park. Logged or mined areas cannot possibly be classified as natural and in no way belong in a natural park. I find it completely embarrassing that in 1993 we have a provincial government who even contemplates resource extraction in parks.

In Lester R. Brown's State of the World 1992 he states on page 16: In addition many parks encourage destructive or profitable activities. Logging, for example, occurs with government blessing in parks in Canada, Czechoslovakia and Indonesia.

To be lumped with these countries in this manner in 1992 was bad enough, but to contemplate having an act which will most likely be enforced for many years, actually entrench resource extraction so strongly, is unforgivable.

The new act must restrict resource extraction in such parks as Whiteshell, Nopiming, Grass River and Duck Mountain. The province has set aside huge areas of land for provincial forest. These areas appear to be have been set aside for resource extraction, be it logging, peat farms, gravel pits, et cetera. Since all of this land, provincial parks and provincial forests, is Crown land, that is publicly owned, why does the province wish to have resource extraction occur in both areas for the short-term benefit of a small percentage of the population?

The access category, 7(3)(f) is a concern. It does not specify which classification of parks one would find this in. Are we going to have access parks within wilderness parks so that people could drive to lodges? Since this would be allowed under 7(4), I would like to express my disappointment that

such a concept would be allowed. It would defeat the purpose of a wilderness park. Motorized vehicles do not belong in areas which are primarily for the preservation of a wilderness environment and ecology. Access roads through wilderness areas would open them up to hunting and all of the motorized vehicles. There is no way that the distant roads could be supervised.

There also would be an additional and completely unnecessary road construction and upkeep cost. There is already more development in Atikaki Park, Manitoba's only wilderness park, than many of us would like to see. Access roads would only speed up the process of development.

The restrictions on use, as stated in 7(5), are good. Too bad they did not apply to all parks.

The clause "Park reserves" 8(1), may be used for good purposes, as the minister did when he recently set aside the area for the national park on Hudson Bay. It may also be used to redraw park boundaries since areas presently within parks are not excluded from the designation.

Since it was mentioned under the natural lands and special places discussion of areas that are presently being used for resource extraction being taken out of parks, I am naturally suspicious of the intent of this clause. I would be very much against taking land out of existing parks. Manitoba desperately needs more land set aside for protection, not less.

The public consultation mentioned in 9(1) would need to be much refined in order to truly be a public consultation and not a business one. An assessment under The Environment Act is not a substitute for public consultation, it is an adjunct to it. Consultation under The Environment Act is not necessary unless a sufficient public concern is shown, and proposals can easily go through without public knowledge. If you miss the one advertisement in the newspaper, which many people do not receive, you miss your chance of even knowing that there is an environmental proposal. There should not be duplication of the consultation process, but there should be a means of ensuring that real public consultation does occur.

There should be more specifics regarding the management plans, 11, as the formation of management plans has not been entirely successful to date. How would this be enforced

and what length of time would be given for the development of these plans?

Since parklands are almost exclusively Crown lands, 17(2), "No compensation," should apply if lands are taken out of quotas for timber rights. There should not be any question regarding compensation for quotas. The land was always owned by the public not by the forest industry.

Establishment of park districts and the chief place of residence levy seem to make good sense to me.

Under 24(1)(c), "Powers of officers," the phrase, "detrimental to the use and enjoyment of the provincial park by other persons" is interesting. A person such as myself would certainly find the practice of clear-cutting areas within provincial parks to be detrimental to my enjoyment of them.

Similarly, under 28, "Action for damage to property," would logging or mining fall under "wilfully or negligently destroys or damages Crown property or land in a provincial park, and the Crown may recover damages from the person for any costs that the government expends to repair or replace the property or to rehabilitate the land to a condition acceptable to the minister"? If resource extraction and other economic activities occur within our parks, will there be one standard for industry and another one for private citizens?

Under Clause 29(1), advisory committees may be appointed but there is no direction as to how these committees would be chosen, the size of the committees or what attention the minister would pay to the recommendations. Given the lack of authority of the Clean Environment Commission, one wonders what purpose the advisory committees would serve.

I note that there is no inclusion of 12(2) from the present act, "Conditions and restrictions on use of natural resources." This related to conditions and restrictions of the use or removal of the resources within provincial parklands that are in addition to the provisions of The Forest Act, The Wildlife Act and The Mines Act and those acts. The provisions thereof are subject to the conditions and restrictions prescribed by the minister under this section. This important section is missing from the proposal for the new act. I would like to know why it was excluded. This will mean that these acts are no longer subject to conditions under the parks act,

and consequently there is a loss of protection and jurisdiction for parks.

There is nothing in the proposal to indicate that there is a plan to set up a system of parks representing the natural regions in Manitoba or even a plan to set up additional parks. Since Manitoba has the lowest percentage of protected land of any of the provinces, a plan to set up parks for protection as the intent must be included.

There is no reference to native land claim issues in provincial parks and nothing special to indicate that their sacred areas and special places will be protected.

* (2220)

Bill 41, the government proposal for a new Park Lands Act, seemed to be a rush job. Since input was collected on the whole range of natural lands and special places issues, why has the parks act review been pushed before the reporting on the whole workbook, i.e., the What You Told Us . . . Natural Lands and Special Places. The public has not had a chance to react to the policy changes, if there are any, as a result of the deliberations of the round table. Why is there such a rush to get this legislation passed, especially when it is a particularly important piece of legislation and will most certainly affect the quality of life of future generations, these same generations which the Premier is so concerned about in his sustainable development plans.

The most important issue in the proposal for a new Parks Act and the one which will certainly have long-term effects is that of resource extraction in provincial parks. Logging, mining, gravel pits, peat farms, et cetera, do not belong in provincial parks. Where are we going to find places for protection anywhere near the level of 12 percent if it is not in provincial parks?

On page 3 of the What You Told Us . . . Forests, it states, protecting the integrity of the forest ecosystem was the major concern of workshop participants. The need to preserve areas which represent the various ecosystems found in the province was a common theme. Why in the world is there now a parks proposal which gives economic opportunities as one of the purposes of provincial parks, and why would there be a diversity of resource uses in a natural park? What about a diversity of wildlife in the broadest sense and as defined in the Wildlife Policy for Canada? The goal

of the policy is to maintain and enhance the health and diversity of Canada's wildlife for its own sake and for the benefit of present and future generations of Canadians.

The government of Manitoba has jumped on the Brundtland commission report and used the sustainable development idea to justify development or management of every corner of the province. This was not the intent of the report. Conservation and preservation were the means to sustainable development, but this has been totally ignored. We need to value other forms of life in terms other than in a short-term monetary sense if mankind is going to survive. We need to consider our land, water and air as precious gifts not as resources which we must plunder. Where better to start than in a new parks act which truly will preserve ecosystems for future generations.

I have other concerns with the proposed act which I have noted in the preceding pages, but the issue of resource extraction and the need for preservation is my utmost concern.

I would like to close with a quotation from an article written in 1968 by John I. Nicol:

i) Firstly, the public now recognizes more clearly a collective responsibility for the management of our environment and preservation of its values.

ii) Secondly, the power of man and machines to alter the landscape is now so great, and change so rapid, that few opportunities to preserve large areas of natural beauty will be available 50 or even 30 years from now. Reservation and preservation of the larger resource-based parks, whether national or provincial should be done soon, before the opportunities disappear or become prohibitively expensive.

iii) Our objective is the best possible living standard for every individual. In relation to this objective there is a growing realization that nature sanctuaries of solitude and repose where people can find re-creation of body and spirit are essential to provide a change from the pace and demands of modern civilization. Therefore, provisions of suitable land for outdoor living space now deserve a high priority in considering potential land uses.

If this was an urgent message in 1968, it is even more so in 1993, and I ask you as the legislators responsible for recommending changes to Bill 41, the proposal for a new parks act, to act on behalf of future generations and recommend that there be no

expansion of resource extraction in provincial parks, that present extraction industries be phased out of parks as quickly as possible, the disturbed areas rehabilitated, and that new parks be set up with no resource extraction and with as little economic development as possible. In this way our provincial park system would be something of which present Manitobans could be truly proud and for which present and future generations would receive the benefits of parks in which ecosystems and biodiversity have been preserved. Thank you.

Mr. Chairperson: Thank you, Mrs. Chambers. We allowed just a little bit of extra time for Mrs. Chambers on that presentation.

There is one more out-of-town presenter who has notified us that they are here. If there are any other out-of-town presenters, could you please let the staff know at the rear of the Chamber, because this will be the last one that I will be the last one that I will be calling from the out-of-town presenters.

Mr. Brian LePoudre? LePoudre? It is close, I guess.

Mr. Brian LePoudre (Manitoba Parks and Recreation Association): That is close.

Mr. Chairperson: Is there a written presentation, Mr. LePoudre?

Mr. LePoudre: Yes, there is a presentation. Hopefully, it is being handed around.

Mr. Chairperson: We now have it, so you can just start up.

Mr. LePoudre: Thank you very much for allowing me to make my presentation.

I am a member of the Manitoba Parks and Recreation Association, and I just want to touch on what that association does. The Manitoba Parks and Recreation Association is a nonprofit, volunteer organization which exists to support individuals and organizations committed to the value of leisure and for the provision of quality recreation and parks services in both rural and urban settings throughout the province of Manitoba.

Our purpose is to provide leadership by ensuring that park and recreation services are delivered to Manitobans by qualified professionals through promoting communication among park and recreation professionals, providing opportunities for continuing education, training and development, establishing a certification program for

membership, including standards of practices and a code of professional conduct, advocating, lobbying and speaking out on issues of importance to the profession, including the benefits of recreation and parks to society and supporting research in parks and recreation.

The Manitoba Parks and Recreation Association is concerned with the direction that the provincial government has chosen in the development of The Provincial Parks and Consequential Amendments Act, Bill 41. The concern is specific to a portion of the act which now legally allows commercial uses of logging or mining within our provincial park systems. We are totally opposed to these commercial activities happening within the park settings. Other than this portion, the Manitoba Parks and Recreation Association has no other concerns with the proposed act.

The emphasis of the remainder of our presentation will be to convince the committee and the government of the benefits of our numerous park settings within the province of Manitoba, so you will better understand that these industries, although they are very important industries to the economy of our province and our country, lead to the destruction of the personal, economic, social and environmental benefits, which I will further detail in this report.

Personal Benefits: Parks play an essential role in contributing to individual health and well-being through improving physical and mental health, helping with stress management, improving self-esteem and self-image, helping people grow and learn and providing positive, active lifestyle choices. The introduction of this bill which will allow logging, mining or any other commercial venture that destroys our natural settings takes away from the mental development of our population.

I just want to comment on some support documentation. Ulrich and Simons, from 1986, found that the recuperation from stress, using both verbal and psychological measures, was faster and more complete when individuals were exposed to nature rather than urban environments. A study done by Godbey and Blazey found that when individuals used our parks, it contributed positively to their mental health. They were found to have a positive state of mind when dealing with day-to-day activities.

Lastly, nature and water are environmental features which evoke pleasure and relaxation responses in most persons. Natural settings with natural sources of water can benefit people while being virtually untouched.

The Economic Benefits: Parks strengthen the local economy and attract tourists through providing a quality local environment that encourages a civic pride, offering attractions for tourists, reducing health care by promoting active lifestyles, providing quality amenities that motivate business relocation and expansion in our province.

It notes in the bill that one of the purposes of a provincial park is to provide economic opportunities by permitting the commercial resource development or extraction of our resources within the park setting leads to the degradation of that park and reduces the economic benefit of that area.

Support documentation on this area: Human well-being is tied into the condition of natural things. When resources are used for human benefit, it often follows that wildlife, forests, species and ecosystems suffer.

A study by Goaltech Management Ltd., done in 1990 for the Saskatchewan Parks and Recreation Association Incorporated, showed conclusively that the three types of parks studied, national, provincial, urban-regional, have significant impact on the Saskatchewan economy.

In the social benefits, parks strengthen the development of healthy, active and vibrant areas within the province of Manitoba through providing leadership opportunities, reducing antisocial behaviour, promoting cultural harmony, providing opportunities for family recreation, promoting involvement and partnerships, helping build strong families, the foundation of a strong society.

Our provincial parks provide an atmosphere for social interaction between friends, family and new acquaintances. If our parks are mismanaged and are allowed to be harvested, we not only are destroying the aesthetic appearances of our parks but are eroding the social advantages of these settings.

Again, on support documentation in this area, the report of the advisory committee on children's services indicates that promotion of the well-being of children and defending their entitlements must become society's highest priority. It is critical that promotion of increased physical, mental and social

well-being for children occur through a system of interconnected and mutually supportive services working together. These services include parks and recreation, the education and medical systems, public health and child care services.

Another point, outdoor adventure activities for people with limited physical ability give participants feelings of success and improved feelings of confidence, a report done by Searle in 1989.

* (2230)

A very important part is our environmental benefits. The provision of parks, open spaces and protected natural environments contribute to the environmental health of our province and communities through providing essential green space, maintaining trees and grass that alleviate noise and absorb pollutants, act as an environmental advocate to help protect future generations, provide environmental programs that augment the understanding and commitment to sustainable development.

The environment is continually being attacked by pollutants, degradation or total destruction of our forests, the depletion of the ozone, et cetera. The proposed bill only adds to this destruction by the inclusion of allowing logging or any other industry that destroys the natural settings of our parks.

In support documentation to this, green areas which help conserve plants and trees provide a valuable contribution toward pollution control because they mitigate water, air and noise pollution.

Watershed, which was a report put together for the future of the Toronto Waterfront, outlines in detail our human dependency on the environment and the connections we have to the ecosystem. It identifies the limitations placed on the population through misdirected policies and the mismanagement of the environment.

Also, in a report done by Harper and Balmer in 1989, a national panel of experts assessed the degree to which traditional parks and recreation services help to respond to perceived benefits. Neighbourhood miniparks, community parks, regional parks and all natural areas were emphasized as an area to be protected and fostered.

Lastly, an environment benefit, before it can accrue to persons, it must first maintain, improve or prevent degradation of the natural world. The

immediate beneficiary is not human. They are the secondary beneficiary. The environment is the direct beneficiary.

In my conclusion, if we can imagine that these benefits that have been identified in this report were transformed into goals for the future of parks development within the province, we would hope to see the following: helping children, youth and adults develop a better understanding of the environment as it exists and not as we cosmetically develop it; providing opportunities for families of all kinds to grow together building stronger relationships, creating understanding, support and commitment through our park systems.

Pay now or pay later. Invest in the park system as a preventative health service. Creating leisure opportunities in a quality environment leads to a strong foundation of provincial pride. Maintaining the natural settings leads to increased tourism and an increase in our economy.

Throughout this presentation, we have tried to emphasize the benefits of our park systems as they stand now. Our parks provide personal, economic, social and environmental benefits that need to be managed carefully so that we as a province continue to develop and flourish. We owe this to our children who will be the future recipients and users of these provincial parks. The continued degradation of our parks due to logging and any other industry that reaps the benefits of these areas will only lead to the depletion of this resource and benefit.

I thank you for this opportunity to make this presentation on behalf of the Manitoba Parks and Recreation Association. We hope our efforts have made an impact on you and you will reconsider The Provincial Parks and Consequential Amendments Act, Bill 41, as it now stands. Thank you.

Mr. Enns: Mr. Chairperson, I thank the Manitoba Parks and Recreation Association for this presentation. You bring to our attention the diverse values of our overall system in our everyday lives for so many Manitobans and indeed visitors who come to our province.

One of the problems that I have and that answers the reason that the previous presenter indicated, why the rush for this act. There is no rush for the act, it took a long time in developing, but under the current legislation there is, as our critics both within the province and outside the province often point

out, very little protection for some of the issues that you raise in your brief about unrestricted commercial activity taking place throughout the park system that could degrade some of the values that you express.

(Mrs. Louise Dacquay, Acting Chairperson, in the Chair)

See, the present act is silent. Bill 41 is a protectionist act. It is my intention to put 90 percent or 85 percent or 95 percent of the three and a half million acres under legislative protection that would qualify, for instance, for inclusion in the Endangered Spaces Program. For some reason, there are those who fail to have that confidence in doing it as it has been done for the last 30 years by ministers or by parks directors simply as departmental policy.

The criteria that we are judged by is to in fact have it done legislatively. Bill 41 has the potential for doing that, and I simply ask you would that not be a plus in your opinion in protecting and preserving the values that you have just presented to this committee.

Mr. LePoudre: I agree that it is a plus, but maybe we have not gone far enough. You were saying that we are going to protect a percentage of it. Maybe we should go to the point where we protect 100 percent of it so that we have that park setting for parks in the future.

Mr. Enns: Madam Acting Chairperson, I am always pleased with some progress. To have an acknowledgement, that is a plus, but in your opinion, not far enough. That is fair comment, and that of course makes for the ongoing debate that we have. But I do appreciate and acknowledge with some appreciation your acknowledgement on behalf of the Manitoba Parks and Recreation Association that Bill 41 is a plus.

Mr. LePoudre: Thank you.

The Acting Chairperson (Mrs. Dacquay): Thank you, Mr. LePoudre.

Mr. LePoudre: Thank you very much, Mr. Minister.

The Acting Chairperson (Mrs. Dacquay): Is there a Mr. or Ms. C.K. Brook? Mr. John McFarland.

Mr. John McFarland (Private Citizen): Thank you very much, Madam Acting Chairperson.

My name is John McFarland, and until August 19, '91, I was head of the heritage properties unit with the provincial Parks Branch. I have a 22-year career with the provincial government, most of which was involved in the management of historic resources in this province.

My presentation focuses mainly on the issues this legislation could raise for the cultural and historic, mainly human heritage resources in our provincial parks.

In summary, I contend that No. 1, government can no longer be the only source to preserve, manage, interpret, operate, and maintain the heritage resources of this province. It is essential to establish appropriate measures that allow for more involvement by nongovernmental heritage organizations.

My second contention is that regardless of who does what project, there must be an insistence on integrity, competence and thoroughness in every aspect of every heritage project from research, to management, to building, to interpretation, to maintenance and marketing.

The field of human heritage resource management is not among the higher priorities of a varied and stretched department like Natural Resources. Our culture and heritage are of interest, importance and concern, and in some cases, a consuming passion to our aboriginal community, museums, historical societies, and individuals like myself who see the heartbeat of a province in these resources.

But this legislation raises some things and issues that need to be presented, both to this government in general and the Department of Natural Resources in particular.

At the outset, let me say that there are some really good initiatives in this legislation, especially where it binds the Crown and establishes things like a system plan with designations and classifications of provincial parks, land use categories, management plans, temporary park reserves, public consultations on a number of issues, and advisory committees.

I have broken my presentation down into three major areas after this. The first one deals with additional legislative provisions; the second deals with the relationships between Section 35, Section 7, and perhaps Section 8; and finally some comments on implementation.

First, I would like to look at additional legislative provisions. There has to be a much clearer and better interface with the 1985 Heritage Resources Act, in particular, Part II, Protection of Sites, and Part IV, Heritage Objects and Human Remains.

It is well and good to say this act will be observed, but what happens when no one is aware of this act, or worse still, this act is ignored. At present, no clear path is outlined to ultimately resolve any jurisdictional conflict over heritage resources.

My second point, the proposed legislation ought to use definitions from Parts II and Parts IV of The Heritage Resources Act to define things such as heritage resource, heritage object, archaeological object, paleontological object and human remains.

* (2240)

Secondly, use the intent of the phrase, cultural resource, from The Heritage Resources Act. In that act, heritage resource includes cultural resource, although it relates specifically to aboriginal resources.

Thirdly, insert more references to The Heritage Resources Act into this proposal; for example, in Sections 32(g) and 33(d) and (t). It seems that two sets of legislation now apply to one set of resources.

Number 4, provide for bona fide nongovernmental heritage groups to own or at least lease provincially held sites on a long-term basis. This would enhance foundation funding opportunities for such groups. With the current and likely long-term government funding situation, it makes some sense to have bona fide heritage groups own or at least lease these sites, but then subject to provincial government legislation.

My second point has to do with the relationship among Sections 35, Section 7 and Section 8.

In my reading of Section 35, the designations of provincial parks made by the Provincial Park Lands Designation in Manitoba Regulation 30/91 continue in force under this act and are deemed to meet all of the requirements of the enactment under this act until repealed or replaced by regulations under Section 7.

If you turn back then to Section 7: The Lieutenant-Governor-in-Council may, by regulation, designate land as provincial parks. He

may also classify parklands and park use and land use categories.

Manitoba Regulation 30/91 presents a provincial park system of seven heritage parks, nine natural parks, 43 recreation parks, 80 wayside parks, one wilderness park, one special use park, one information centre and one seasonal dwelling park.

Sections 35, 7 and perhaps 8, appear to provide the mechanisms for the department to offload any number of these parks to redefine and restructure the provincial park system. Is it the intent to use these sections to divest and thus reduce the size of the current park system?

If I am even remotely correct in this assumption, here are just a few of the many questions to consider. Several of these parks are human heritage parks on their own merit, example, Camp Hughes, Grand Valley, St. Norbert, the River Road Parkway. Nearly every other park has known heritage elements within their boundaries and certainly some as yet undefined sites. Over the next several decades these sites will take on added significance.

(Mr. Chairperson in the Chair)

What is to happen now especially to archeological sites that are unknown or known to but a few? What happens to those parks that are cut adrift? What are the criteria to cutting a park adrift? Will nongovernment organizations be given the opportunity to acquire these parks, and if so, under what conditions, especially financial? What inputs will other government departments have? What of the 1993 Manitoba tourism promotional literature that places a heavy emphasis on our human heritage? Are we saying one thing in our tourist promotion and then doing another with our land base of parks? The question of sound economic decisions or our heritage will arise sooner or later. If common sense is to prevail, who will define the elusive meaning of this term?

My third section has to do with implementation. Lack of any legislation is the issue of implementation and how, in this case, will it impact the cultural and heritage resources of our provincial parks. There seems to be such a wide gulf between the present day reality and the apparent spirit of this legislation that bridging this gulf will be a major task. In short, how does the department propose to handle its role in heritage resources

management, and what kind of staffing and funding will be dedicated to that role?

At present, Natural Resources has almost an insurmountable challenge posed by its diverse mandates of natural resource management, enforcement, resources harvesting, recreation and preservation, plus increased and at times dangerous workloads and by the ever-present do more with less and find it within your own budget attitude. Given the cuts in provincial welfare, hospital bed closings, reduced services for home care, a never-ending recession, layoffs, health care reform, et cetera, the future for additional resources for heritage resource management, be they financial or staff, seem remote at best and almost foolish to ask for.

The role of a natural resources officer is also difficult, if not impossible, what with budget challenges, rowdy campers, gun-toting hunters, et cetera, and yet we expect these people to be aware of the subtleties of archaeological, architectural and historical heritage preservation and site management. One cannot expect the undivided attention of an NRO to heritage matters under these circumstances. Work on and at any historic site is exacting and precise. It requires patience, skilled people in a variety of disciplines and leadership from people who really want to work in these areas.

It really concerns me that since August 1991 there has been no professional heritage advice or competence within Parks Branch to respond to, evaluate or input into decisions impacting on the human heritage for which parks still seem responsible.

Government can no longer be the only source to preserve, manage, interpret, operate and maintain the heritage resources of this province. Ways must be found to access outside assistance to develop these properties so that our human heritage can be protected, enhanced, interpreted and marketed. It is essential to put appropriate measures in place to allow for more involvement by nongovernmental organizations in this work.

So having said all that, can I propose any solutions? Well, I can give you four. Transfer the actual site ownership back to the Historic Resources Branch, provide that branch with resources to operate, interpret and manage these operations. In the process establish agreements

with Natural Resources to do the things that department does best, that is, site maintenance, enforcement and certain types of infrastructure repair with other work under the direction of Historic Resources.

Remember that Parks and Historic Resources have different mandates, resources, issues and problems. These will be solved only by integrity, accountability and with competent management by professionals from the heritage resource field.

Secondly, seriously consider and investigate turning over sites to bona fide nongovernment organizations. The Historic Resources Branch would still hold the controlling interest in the property through The Heritage Resources Act.

A third possibility is, establish an at arm's-length, nonprofit corporation to develop and manage heritage parks and sites. The Heritage Resources Act would be the governing factor, but the corporation would have access to both government and outside funding resources.

My fourth possibility is, establish a heritage trust fund. At one time legislation had established a Manitoba heritage trust foundation. As this legislation is still on the books, now might be an opportune time to revive and implement its provisions.

I want to take a look now 15 years into the future. We have decided to preserve, manage and interpret our heritage resources, and we have found that these have contributed mightily to Manitoba's tourism opportunities and our overall well-being. If today we undertake our responsibilities with principle, integrity, honesty and compassion, we will have the beginnings of a major economic generator for this province.

This future might include changed tourism patterns, bringing new visitors into areas without strong traditional tourism industries. Associated visitor spending now provides millions of dollars annually to many local economies as well as to overall provincial revenues. We wind up attracting more discriminating visitors through more quality experiences and opportunities for them to explore our heritage.

Our museums, historic sites and interpretive centres are no longer viewed as simply entertainment, but are rather places that instill a better understanding of Manitoba's unique environment and people. For us these tangible

links to our heritage build pride, well-being and enhance a sense of community and province.

What I have just said, I have paraphrased from a report that the Province of Alberta put out in March 1992 on the impact that such a program had on their heritage properties. They invested \$50 million into a variety of sites throughout the province, and they have reaped incredible benefits. Not only is their province now well known for their heritage resource preservation and protection programs, but they are drawing people to these sites like Head Smashed-In, the Tyrrell Museum, the Dinosaur Provincial Park outside Drumheller—just absolutely amazing statistics, and amazing revenues.

* (2250)

Now I realize that this is Manitoba, but we can, and I know we can, undertake a dedicated effort to accomplish a far more enhanced heritage program than we have at present. Can you imagine what Alberta, Minnesota or North Dakota would do with an area where, for centuries, a river and a trail were the major travel routes between now what is Manitoba, Minnesota and North Dakota; where the North West Mounted Police first gathered in preparation for their march west; where from 1872 to 1874 the International Boundary Commission was headquartered; where early Mennonite settlers landed; where a designated political leader was denied entry to his post; where one of the earliest rail lines in the province was established; where the Red River cart was originated? Well, Manitoba has just such a site.

I conclude with a couple of recommendations that I repeated at the start. Government can no longer be the only source to preserve, manage, interpret, operate and maintain the heritage resources of this province. It is essential to establish appropriate measures that allow for more involvement by nongovernmental heritage organizations.

Regardless of who does what project, integrity, competence and thoroughness in every aspect of every heritage project from research to management to building to interpretation to maintenance and marketing, that is the key.

Final words, the proposed Provincial Parks Act must be motivated by the desire to be good stewards of this province; and, in being good stewards, we must not lose sight of the fact that one

day we will all stand before the Creator of the entire universe and give an accounting to Him of our corporate and our personal stewardship and actions. Like it or not, we are all ultimately responsible to Him. Respectfully submitted, John McFarland.

Mr. Chairperson: Thank you, Mr. McFarland. Would you mind taking some questions?

Mr. Enns: Mr. John McFarland, I want to express my appreciation for your presentation. Evidenced throughout it is somebody who has spent a good part of his lifetime in this kind of work. I want to take this opportunity with you because you draw to our attention on page 4 of your brief the near insurmountable challenge of the Department of Natural Resources in facing up to its mandate.

At a time that I would really like to forget, but that happened to be prior to your service, beginning of the service with the Department of Natural Resources in 1969, when I first had the privilege of being the Minister of Natural Resources, this department, the Department of Natural Resources, commanded the respect and got the fiscal resources that totalled 7 percent of the total provincial revenues. Today, as evidenced by the interest shown in all matters relating to the natural environment and the things that this department is responsible for, this department commands the respect and receives less than 1 percent of the total provincial revenues, and so I understand, as you understand, the high impossibility of trying to carry out this mandate.

That is just a comment. It may be taken as critical of my Premier or my government; that is not the case. It is what has happened over the past four preceding governments which included different political persuasions. You, sir, I am sure with your background within the department have experienced it.

Mr. McFarland: I certainly have, Mr. Enns.

Mr. Enns: So I want to particularly direct my Parks officials to the recommendations that you have made because I happen to believe that does not mean that we just throw up our hands and not try to do a job and a better job of what we have to do. Your specific interest is directed to the heritage thing. You are suggesting, too, and this is a specific question that we consider intergovernmentally about a transfer of responsibilities with respect to the heritage questions, perhaps the

tourism more heavily moved to the heritage and tourism functions of government or to the consideration of looking to and actively searching out appropriate private nongovernmental agencies that may assist us in the kind of further development of these important heritage resources. Would it be a combination of both that you are recommending to us?

Mr. McFarland: I think it can be a combination of both. Actually I think any one of the four of them would work reasonably well. My concern is that with the decreasing availability of government revenue in this field and with outside funding organizations prepared to look at taking on some fairly major heritage projects, there has to be a mechanism in place whereby a nonprofit group either owns the land outright or else has a relatively long-term lease. By relatively long term, I am talking something 20 to 30 years.

If that comes about, there are organizations, outside foundations, that will fund, but if these properties remain in the control of the provincial government, they will not fund these types of projects. When that happens, we can just start to watch what is left of our very valuable human heritage just continue to deteriorate.

I am saying, if I had a preference, it would be that these kinds of parks, these kinds of sites be turned over to Historic Resources, that Historic Resources could then control how these sites were either leased on a long-term basis or sold to nongovernment organizations, and they could carry out these plans. Whatever these plans are, they have to conform to The Heritage Resources Act because there are good, good criteria inside that act for how you develop, how you go about developing a site right from your research and archeological investigations, right through to your interpretative program and your site operations and your site management. That is my preference.

Mr. Enns: Thank you, Mr. McFarland.

Mr. Chairperson: Thank you, Mr. McFarland. We will now move on to No. 2—oh, we are going right down the list. Margaret Kapinga.

Point of Order

Mrs. Dacquay: Yes, on a point of order, I think the honourable member for Thompson (Mr. Ashton) had indicated that at eleven o'clock we should

revisit the decision of the committee as to what time we would consider having committee rise tonight.

I would like to make a motion that committee rise at midnight.

Mr. Storie: I would like to second that motion. I think midnight would be a legitimate time. I think perhaps if we could identify five or six people that could present, that are here and on the list, we could relieve everyone of having to remain. Certainly there will not be any more than five people before midnight. Then we could have everyone else go home and perhaps get a night's sleep.

Mrs. Dacquay: Well, just for clarification. The procedure is normally that we call the next five people on the list. If that is the will of the committee, I do not think any of us have any problem with that.

Mrs. Carstairs: I think perhaps what we could do is to see if the next five people are in fact here, and if not, then go down to sixth, seventh and eighth and so we have our five people and then the rest can go.

Mr. Chairperson: At this time I am going to find out if the next five people are here, and then we will—

Mr. Hendrik Herfst (Defending of Noplmng): Mr. Chairperson, may I raise a point of privilege on the proceedings? There were a number of people from—

Mr. Chairperson: At this time, Mr. Herfst, I am afraid you cannot. The committee is dealing with the issue, and the committee will make the decision on how the rules are being handled. The committee has decided that we will rise at midnight, and that we will carry on and choose the next five.

I am about to ask the committee another question, though, if you could just give me a few minutes to get something out of the way.

So is it the committee's will then that we just choose the next five, or is it the committee's will that we ask if there are five presenters to come forward?

Mrs. Dacquay: Call the next—

Mr. Chairperson: The next five?

* (2300)

Mrs. Dacquay: Call the next five names and see if they are present and we will deal with those.

Mr. Chairperson: Is Margaret Kapinga here? Okay. Is Hendrik Herfst here? Yes, I saw Hendrik. Donna Derenchuk. Yes, Donna is here. Harvey is here. Dr. Freda Rajotte. That is it. That is five. So we will be going down to Dr. Rajotte.

Floor Comment: What kind of a Frenchman is he?

Mr. Chairperson: Well, excuse me—a tired Frenchman, and the committee will meet tomorrow morning at 9 a.m. and at 7 p.m. tomorrow evening in this room. Same time, same place, same channel.

So at this time we are going to go back to Margaret, and the committee will rise after Dr. Freda Rajotte has been heard. Is that better?

Mr. Chairperson: Margaret if you could—Mr. McFarland was the last person.

Now let us get going. Margaret Kapinga. Do you have a written presentation?

Ms. Margaret Kapinga (Friends of Oak Hammock Marsh): No, I just have the one copy.

Mr. Chairperson: Then just go ahead.

Ms. Kapinga: My name is Margaret Kapinga, and I am here as a representative of the Friends of Oak Hammock Marsh.

Aside from the National Parks Act and the legislation under consideration today, Manitoba's ecological integrity is protected by The Ecological Reserves Act, The Endangered Species Act and The Wildlife Act. On paper, this appears to be an impressive list of laws and regulations, but what degree of protection is actually provided by these laws?

There are 13 ecological reserves in Manitoba established under The Ecological Reserves Act. Research, recreational access and subsistence are the only activities allowed in these reserves. In terms of protection, this is not bad. However, the total area covered by these reserves—are people paying attention?

Mr. Chairperson: Go ahead.

Ms. Kapinga: Thank you. In terms of protection, this is not bad. However, the total area covered by these reserves is less than 0.1 percent of Manitoba. In comparison, the size of area set aside for logging is enormous. One company alone, Repap, has the harvesting rights to over 20 percent of Manitoba.

Unless there is a drastic change in the number and size of ecological reserves, we cannot expect The Ecological Reserves Act to contribute significantly to the protection of Manitoba's ecological integrity.

(Mrs. Louise Dacquay, Acting Chairperson, in the Chair)

The Endangered Species Act currently makes provisions for the protection of six species of wildlife in Manitoba. While the act represents an important step in promoting the continued survival of these six species, it does nothing to ensure that populations of other species will not experience a similar decline.

The Wildlife Act allows certain lands to be set aside as wildlife management areas. Currently these areas cover over 3 million hectares, but the act also allows such activities as mining, logging, hydroelectric development, haying, grazing, farming, trapping, hunting and commercial fishing to occur in these areas.

A bad situation was made worse when in 1991 the Manitoba government passed amendments which allowed the construction, operation and maintenance of any building, structure or thing in a wildlife management area.

Manitoba's Wildlife Act became an embarrassment across Canada and internationally when it was realized that the act was not only incapable of protecting Oak Hammock Marsh, one of North America's most important staging and breeding areas for migratory birds, but that it actually aided in its degradation.

Manitobans have no assurance that decisions pertaining to wildlife management areas will consider the importance of ecological integrity. In reality there is very little protection for Manitoba's ecosystems, and this will continue to be the case if Bill 41 is allowed to become law. This bill should proceed no further than these public hearings.

The preamble of Bill 41 suggests that sustainable development is the guiding principle for park management, but the principle of sustainable development is being applied to parks as if logging, mining and hydroelectric development do not occur in any other part of the province, and we know that this is not the case.

If the government insists on adhering to their principles of sustainable development, why does it not apply them to the province as a whole? If this is done, it becomes clear that in order to conserve

ecosystems and maintain biological diversity it is absolutely necessary to set aside areas of a reasonable size that allow no resource extraction.

In Manitoba, there is no other alternative but to set aside our provincial parks as such areas. Our protected areas are not immune to the effects of activities in surrounding regions. Ground water contamination, ozone depletion and the redirection of water-flow patterns are just a few examples of external threats to parks.

It is difficult to control these external pressures, but we can have control over the internal pressures. The prohibition of logging, mining and similar activities in parks will contribute significantly to the protection of their ecological integrity.

Economic opportunity is being used as a justification for resource extraction in parks. It is hoped that this economic growth will secure our future, but this approach fails to consider the environmental debt.

* (2310)

As Sean McDanagh says in his book *To Care for the Earth*: In an extensive way the damage to our air, sunlight, soil, forest, various life forms in water is the fruit of our modern industrial, commercial culture which is not establishing any sustainable relationship with a natural world.

This comes as a shock to us. We feel that our technologies which give us roads, houses, modern diet, factories, space shuttle and computers are becoming more and more sophisticated. Individual items might decay, but our technologies have the stamp of permanence about them. The message of the ecological movement is that there is another, more accurate story. Our foul air, polluted waters and oceans, shrinking croplands, creeping deserts and extinguished species tell the true story. They bear the hidden costs of our increasingly powerful technologies, costs which are often left out of the economist's calculations.

The Earth's ledger, which, in the final analysis, is the only real one, tells us that the Earth is finite and vulnerable and that natural systems will be seriously depleted and possibly collapse unless human beings begin to shape their lives in the light of this reality of ecological accounting.

I believe that what government, industry and private citizens ultimately desire is not sustainable development but a sustainable future. A sustainable future cannot be achieved through the

mining and logging of the only areas in Manitoba set aside for the protection of ecosystems and biological diversity. Thank you.

The Acting Chairperson (Mrs. Dacquay): Thank you for your presentation, Ms. Kapinga. Hendrik Herfst. Hendrik Herfst. Donna Derenchuk.

Ms. Donna Derenchuk (Canadian Parks and Wilderness Society (CPAWS)): Hello, my name is Donna Derenchuk. I am the secretary of the board of the Canadian Parks and Wilderness Society, Manitoba Chapter. I am presenting this brief on behalf of the society.

Over four decades ago, Aldo Leopold, the father of the modern conservation movement, stated: The first step in intelligent tinkering is to save all the parts.

(Mr. Chairperson in the Chair)

In Manitoba, we have been tinkering with our lands for over a century. Before it is too late, we must ensure that we are saving all of the parts; that is, adequate representation from each of Manitoba's 12 natural regions. In fact, the Premier has publicly endorsed the goal that would see, by the year 2000, at least 12 percent of Manitoba's land base protected in its natural state, free of major resource extraction including logging, mining, hydro development. We have a long way to go from the less than 2 percent that is currently protected. What more obvious a vehicle to use in meeting this goal than the parks act? What better places could be added to this protected land base than our parks, which should be the best examples of our natural regions, not the leftovers?

Currently, Manitoba has one of the most permissive parks acts in all of Canada, allowing all types of nonconforming activities, and assuring little in the way of ecosystem protection and preservation of biological diversity in our parks. Rather than correct this situation, Bill 41 would make it worse.

You have before you, we sincerely believe, one of the most fatally flawed documents in the history of Manitoba parks. Some of the provisions of this bill are unenlightened and retrograde. When the provision of economic opportunity is added as a purpose for parks, when resource extraction is incorporated in the definition of a natural park, when the definition of a wilderness park is watered down so as to become almost meaningless, we are moving backward, not forward.

On the other hand, some portions of the bill do constitute a move forward and are welcomed by CPAWS. For example, we fully support Section 6 on the designation and management of provincial parks and Section 8 on park reserves, but instead of being the tool the government could and should use to guarantee protection of our parks, this bill, as it stands, is explicitly recognizing as legitimate activities the current nonconforming uses, such as logging and mining, within our park boundaries. However, the opportunity still exists to rewrite portions of this act and make it a strong and proactive piece of legislation that would strengthen the government's commitment to setting aside a representative portion of Manitoba's natural regions in a protected state, free of major resource extraction.

Therefore, CPAWS—that is short for Canadian Parks and Wilderness Society—proposes the following amendments to Bill 41:

1. In Section 5, remove the fourth purpose, (d) "to provide economic opportunity in accordance with park classifications and land use categories."

This would ensure that economic development in the form of major resource extraction, such as logging, condemned by the Clean Environment Commission, would not be legitimized in parks. Economic development in the form of services and tourism, i.e., grocery stores, service stations, guiding, lodges, et cetera, should be considered as an incidental side benefit of some parks, not a purpose.

Acts such as the education act and health care act both generate an enormous amount of economic development for Manitoba, but the purpose of these acts is not to create economic opportunities for Manitobans, nor should this be a purpose of the parks act. The purpose of parks should be as outlined in Section 5(a), (b) and (c), for this is where the value of parks lies, not in economics. The fourth purpose must be deleted.

2. In Section 7(2)(a), redefine wilderness park. The definition as it stands does not adequately define a wilderness park. It says only that wilderness is a large area of a natural region. In fact, this definition is a step backward from that in the current regulations. We propose the following definition which incorporates the best features of the current regulations and the proposed new definition: (a) a wilderness park, if the purpose of

the designation is to preserve large areas of a natural region in an undisturbed state, free of development, and accessible only by nonmechanical means.

Proposed amendment No. 3. In Section 7(2)(b), redefine natural park. The words "and resource uses" should be removed from the definition of a natural park. Parks represent only 2 percent of Manitoba's forested lands, and we believe the majority of Manitobans want these areas to be free of major resource extraction, such as logging, mining and hydro development. Calling them natural in the context of this definition is a perversion of the term and is dishonest. If resource extraction is to remain a feature of these areas, and is in fact entrenched in the definition, then at least be honest enough to call them resource reserves or some similar term so that the people of Manitoba understand that this type of activity is allowed in these areas.

Proposed amendment No. 4, Section 7(3)(a): redefine "wilderness category." This definition should be in keeping with our proposed classification in 7(2)(a) and also incorporate the best features of the current regulations and Bill 41: A wilderness category, if the main purpose of the categorization is to protect representative or unique natural landscapes in an undisturbed state, free of development, and accessible only by nonmechanical means.

Proposed amendment No. 5, Section 7(3)(c): remove "resource management category." This category should be removed from the proposed act. Its removal would not mean the immediate cessation of logging and mining in parks, as these activities would continue as nonconforming uses subject to further debate, but they would also not legitimize these activities for all time in all parks, whether natural, heritage or recreational, whether existing or proposed.

Proposed amendment No. 6, Section 7(4): redefine "land use categories in wilderness parks." The access land use category must be much more restrictive in a wilderness park, as there should normally be no motorized access allowed. Not only is motorized access contrary to the spirit of a true wilderness recreational experience, but there are species within our parks that depend on large areas of unfragmented, undisturbed habitat. By allowing access roads and motorized vehicles,

habitat is easily disturbed, fragmented and opened up to predators, including poachers.

* (2320)

We also depend on large areas of undisturbed wilderness to serve as benchmark sites against which to measure the effects of our actions on the rest of the landscape. The current act is clear in not allowing motorized access in a wilderness area, so why should this be weakened in the proposed act? This is a definite step backwards. Existing access points to legitimate tourist operations, such as via float plane, should be strictly defined in the context of park management plans rather than allowing a whole area to be lumped in an access category as defined in 7(3)(f).

It is important that we do not let this bill pass unamended. With these changes, not only would CPAWS support this act, but we would applaud the government for implementing a progressive act that would ensure that future generations will enjoy and benefit from the undisturbed biodiversity protected within Manitoba's park boundaries. Thank you.

Mr. Chairperson: Thank you, Ms. Derenchuk. Would you mind taking some questions?

Ms. Derenchuk: Sure.

Mr. Enns: Ms. Derenchuk, I agree with the comment you made in your presentation about the description of our current legislation as being perhaps one of the most permissive in the country with respect to protection and your comment on developmental activity taking place in our park system. I agree with that statement. That is, of course, part of the reason why Bill 41 is before us.

Ms. Derenchuk, I do not expect that you and I will agree in total on the direction of this government, but certainly, representation from your organization—I believe, Mr. Turenne was present on another occasion when action was taken by this administration with respect to the set-aside for the Endangered Spaces Program, and in the course of the discussion, the question of the proposed bill arose.

Do you not see in Bill 41, providing that there is the political will, providing, if you like, there is the appropriate minister or the appropriate administration from your point of view, that the measures of protection that CPAWS is concerned about could not be implemented in the manner and in the way land categorizations are made, in the way of the systems plans, if the political will of the

government of the day or the minister of the day wishes to exclude and wishes to designate as provided in Bill 41? My question simply is the mechanics of Bill 41. Do you not see in Bill 41 the availability of doing, in substantive measure, what you have suggested to this committee?

Ms. Derenchuk: I guess I feel that we do not want to leave our endangered spaces up to the whims of political will. As long as the statement about economic development being a purpose of parks remains in the act, I do not see that we can agree with that part.

Mr. Enns: You see, Ms. Derenchuk, would you not agree right at the moment, for instance, the designation of Atikaki, for instance, as one major wilderness park that we have, is precisely just that, a political whim of a particular minister or an administrative policy decision by the Department of Natural Resources? It has no protection under legislation which Bill 41 would give it.

Of course, it is my intention to put the vast majority of the three and a half million acres of our provincial parklands and provide it with that kind of—not just a whimsy of a political minister or of a particular government, but under the legislative protection that is contained in Bill 41.

As I read the concerns that are expressed by, whether it is people like Mr. Monte Hummel from the World Wildlife Fund and others, it is precisely that kind of legislative designation that is being requested by organizations such as yours.

Ms. Derenchuk: I guess we feel this act could have a lot of potential, but we do not have the faith that the political will will make the decisions we feel are right.

Mr. Enns: Mr. Chairperson, I appreciate that. That is a fair comment, and that is always a fair comment. That is the business that I and my colleagues are in. People are forever making judgmental decisions as to their direction and as to their will on matters, and we, of course, periodically have to consult with Manitobans about their views about what we are doing, and I accept that statement from CPAWS.

I have a great deal of respect for your organization, and look forward to work with your organization as we try to develop, in fact, as we try to specifically use the provisions of this bill to so designate and so protect those areas of our 3.5 million acres of parkland and other areas. I

certainly accept when we are talking about providing protection for important ecological and natural areas, parks constitute about 2.2 percent of our land mass, and we need to look, if we are to fulfill our obligations under the Wildlife Fund or the Endangered Spaces program, to all areas of the province, but I certainly look forward to parks.

We should not overstate it. If we were to accept all of your recommendations and put the entire provincial park system beyond any and all commercial extraction of resources, logging, mining or potential hydro development, in other words, to meet the criteria of the World Wildlife Fund, that would contribute 1.3, 1.5 percent to the attainable goal of 12 percent. Not insignificant, one percent is a lot of land, but it is very obvious to me and to my government that if we are to achieve that 12 percent set-aside to which we have committed ourselves, then we have to look at places that are not now parklands, such as the 2.5 million acres up in the Port of Churchill area.

We look to areas which we know are going to be much more difficult to meet our obligation in the southern settled portion of the province, the southwest. That is why I need to be able to designate places like Turtle Mountain, Spruce Woods Parks, under this Parks Land Act, to meet the criteria of the World Wildlife Fund

I look forward to working with your organization as we both try to achieve, I think, come-and-gos in this area. We will disagree from time to time but I did want to take this opportunity to thank you for your presentation.

Ms. Derenchuk: Thank you for your comments.

Ms. Cerilli: I just have one quick question. A number of people have raised the concern about the name of the natural park, and I am wondering if over the evening you have had the chance to consider having that called a multiuse park?

Ms. Derenchuk: I personally have a lot of trouble with this whole area because, while I agree that the name is misleading as it stands, I also fear that that is the one change that might be made, because it seems a lot of people here agree on that, and so what is going to happen to what should be natural parks? Multiuse to me is just another euphemism. What does it really mean? One of the persons who contributed to this brief coined the term "resource reserves" which I guess I would prefer, but like I

said, personally I would prefer that we have natural parks that are just that.

Mr. Chairperson: Thank you very much.

At this time I would like to ask leave of the committee to understand that Mr. Hendrik Herfst's name has not been read the first time. Mr. Herfst was in a hallway discussing a matter with me at the time when his name was called, so I ask the committee's leave that Mr. Herfst's name not be called at this time, for the first time.

An Honourable Member: Agreed.

Mr. Chairperson: It is agreed?

An Honourable Member: Call him now.

Mr. Chairperson: We will now revert back to Mr. Herfst as No. 3, and we will call his name for the first time. Mr. Hendrik Herfst.

Mr. Herfst: What does that change? The point is that as I discussed with you, it was the evening which was significant to me.

* (2330)

Mr. Chairperson: Mr. Herfst, I will explain to you how it works. What has happened is, your name can be read one time tonight, and if you choose not to speak, your name would be dropped to the bottom of the list and then you could speak tomorrow. The rules state exactly that. That is what I was attempting to explain to you in the hall, that if you did want to speak tomorrow you could allow your name to be dropped to the bottom of the list, but there is no way that I could retain your name with two spots with the rules that are established by the committee.

Mr. Herfst: On principle that this registers a privilege to people from out of town who choose not to speak this evening to either be present or to withdraw, I will not be speaking tonight.

Mr. Chairperson: That is fine. Then we will call the next presenter.

Mr. Herfst: I would like to register my objection on that.

Mr. Chairperson: That is fine, Mr. Herfst, your complaint is registered. Thank you very much. [interjection] No, his name will be dropped to the bottom of the list.

We will now call on Mr. Harvey Williams.

Madam Clerk: Mr. Chairperson, he anticipated that Mr. Herfst's presentation would take long enough for him to escape to the washroom.

Mr. Chairperson: Okay, I can understand that. I will not have Mr. Williams' name called either because of that.

Dr. Freda Rajotte.

Dr. Freda Rajotte (Private Citizen): Mr. Minister, members of the—I handed in 15 copies of my text.

Mr. Chairperson: Okay, I will just be one minute then. I am sorry. We were expecting—we are one flow ahead. You can just carry on.

Ms. Rajotte: Mr. Minister and members of the committee, I want to thank you for this opportunity to express some of my concerns on reading the Bill 41.

One of my concerns is because I am aware that all the decisions we make now are going to have implications and effects that will restrict the options available for future generations, and I do feel that we have to take into account not only the concerns of the present electorate but the many generations that we hope will follow and live in this province.

Now, we have been discussing the U.N. requirements to set aside a minimum of 12 percent of the area for the primary purpose of conservation. These provincial conservation areas ideally should protect the full range of biodiversity in the province with special care, I feel, being taken for the protection of fragile and endangered environments such as wetlands, key breeding areas for migratory birds and animal species, old growth forest regions, which are areas of maximum ecological diversity, and key migratory corridors and breeding areas. Upon this the conservation and economic health and perhaps the very survival of future generations may well depend, yet I see no mention of these specific concerns in the bill at all.

We are aware that the province already has very poor provision for the protection of species as species diversity. I feel that in the present Bill 41, if it is passed as it stands now, there will be no effective protection at all assured for any regions designated as parklands.

Bill 41 seems to change the definition and the purpose of provincial parks in Section 5(d), which I would like to suggest be dropped. It states that one of the purposes of a park is to provide economic opportunities in accordance with park classification. I submit I know no other area in the world which designates a purpose of its parks as that of economic development.

This would in fact mean that there would be no difference that I can perceive between areas designated as parks and areas which are designated as Crown land, because the same economic development, the same logging, the same potential for mining, for road construction, lodges, hunting, fishing would exist in all areas of the province.

I feel that as it now stands Bill 41 is very disappointing in stating that a primary purpose of all parks is that of economic development. The only possible interpretation that I can have for Section 5(d) and 6(c) and so on is that the main purpose of the bill is effectively to entrench logging in parks in the legislation. If economic development is accepted as being a designated purpose of Manitoba parks, then obviously this activity will dictate land use in these parks, and I see no justification then for calling them parks at all.

Other specific problems I have lie in Section 6 with the systems plan. While it is obviously necessary to have an overall systems plan for parks as for all other economic uses of land in the province—ideally this, of course, should be long range and take into account present and future needs of the different generations—there is no requirement for public consultation or input into the systems plan.

The proposed classification of provincial parks, Section 7(2), provides only four classifications which do not seem to be nearly as adequate as in the older designation, in the older provincial parks act where you had 12.

Coming specifically to the wording of these clauses, it states that the main purpose of a wilderness park should be that of preservation. This leaves open the possibility of their being other purposes of a wilderness park such as, I presume, logging, cattle grazing, mining, hydro generation, hunting, fishing, lodge development and so on. In fact, I lose track of what is meant by wilderness park.

We do in fact have one wilderness park where, I presume, biodiversity should be the only major function of the park and its preservation. Then other parks are designated as (b) a natural park, and it has dual and conflicting purposes of preserving natural regions and accommodating a diversity of resource uses such as logging, mining, hunting, fishing, hydro, et cetera. It is difficult to

see what the purpose is of designating as a park, because I feel then that effectively this act removes protection from all provincial parks and it mandates logging in all of our major parks such as Nopiming, Duck Mountain, Whiteshell and Grass River.

For logging companies to say that they are replanting does not answer the problem of diversity conservation or conservation of species because a tree plantation is no more like a forest than a section of monoculture of sunflowers is like a tall grass prairie. If we were to try to regenerate forests, we would have to leave it for a minimum of at least 500 to 1,000 years to regenerate anything like an adequate diversity.

I feel then that in the light of these problems this bill is not acting in good faith for the citizens of Manitoba. It also fails to mention aboriginal rights and the protection of their sacred ceremonial areas and burial grounds.

Under the section on consultations, as all the existing provincial parklands would be opened to resort uses, the seeds will have been sown that will ensure long-term bitter conflict between different interest groups, between those who would like to use the areas for logging, mining, for hydro development and those who want to keep them for conservation, for cottage use or for public recreation.

The public are effectively excluded from making any input into, first of all, the systems plan, Section 6; into the land use regulation, Section 10; and into the management plans, Section 11. In fact, as the bill is worded now public consultation is called for only in the case of regulations made under Section 7, land use categories; and Section 8(2), which empowers the Lieutenant-Governor-in-Council to renew areas designated as parks for a further five years.

* (2340)

Public consultation then is virtually meaningless as the decisions have already been pre-empted by the use designation and the systems plan, by the land use regulations and by the management plans that have already stated that the purpose of parks is economic development. While public input, albeit limited in scope and restricted to these two sections of the act, should be applauded, they do not allow any area for appeals.

There is no place, no guarantees, that the concerns or the inputs of environmentalists which

have routinely been ignored in this province were going to be given any weight or consideration. We only have to look at the situation of logging in Nopiming without any adequate environmental assessment or the permission to build a corporate headquarters of an NGO in the designated ecologic marsh land of Oak Hammock Marsh. Of course, we have no confidence in the public concerns being addressed at all or listened to.

I see Bill 41 as a recipe for future conflict where logging and mining corporations can look forward to public protests, to blockades, to adverse publicity, where they may in fact be reluctant to invest capital in long-term sustainable development options because they may fear that they are later going to be threatened by a public protest and by demands for the redesignation of land use.

In June of this year, the National Advisory Board on Science and Technology made this statement. The management of Canada's resource industries points out that the uncertainty and the economic risk associated with inconsistent application of environmental assessment processes are discouraging investment and are impediments to competitiveness.

I feel that Bill 41, as it reads now, guarantees an increase in the frustration of just about anyone who is concerned with the long-range welfare of the province whether they are environmentalists or industrialists or investors.

In fairness to all those engaged in serious long-term economic development activities and those concerned with wilderness protection and the maintaining of species diversity, the well-being of basic ecologic systems, the province would do better to have an unambiguous land-use plan that would serve the welfare of all Manitobans far more satisfactorily.

It is not an issue of people's needs being sacrificed to protect nature, but rather one of protecting the long-term capacity of the province to meet the future needs of its citizens by preserving biodiversity, by ensuring that our ecologic systems can function, that water tables are not destroyed, that our rivers continue to flow, that migratory wildlife can survive and breed for the delight and use of future generations.

It should be a prime consideration of any provincial parks act that the park system should be expanded to ensure that it includes adequate areas

of land large enough to prevent species erosion in all of Manitoba's 12 natural regions. It should also ensure the protection of areas and corridors used by wildlife, migratory routes, ensure that important nesting and courting grounds are designated for conservation and perpetuity.

It should move immediately to protect the areas where endangered and rare species exist and should set aside the 12 percent or more of the land surface for these purposes so that the other 88 percent of the provincial land surface can be clearly defined as available for sustainable development. Corporations may come in and put investment into an area for mining or for logging, knowing that there will not be any question of their future viability. No one is going to come along and then try to take back the land which is already being used because it is of ecological importance. We should set aside those areas of prime ecological importance now before corporations seek to invest money in other operations.

I feel then that we would be better served if we dropped Section 5(d) from the wording of this bill because it calls for economic opportunities as one of the purposes of parks; and from Section 7, if we omitted subsection (a), the words that read "the main purpose"—the only purpose of a wilderness park should be that of conservation; and, in the same Section 7, in part (b), omit the words "and resource uses." When we are referring to a wilderness park, there should be no resource uses. The other 88 percent of the province is resource use, and it should all be in sustainable use, I submit.

I want to thank you for your time.

Mr. Chairperson: Thank you, Dr. Rajotte. Are there any questions of the presenter?

Ms. Wowchuk: I would like to thank Dr. Rajotte for her presentation, and I just have a couple of questions.

You indicated in your presentation that through this bill we are going to see more confrontation between those who use the resources and those who want to protect and keep the resources and the areas as they are now. In your opinion, do you think that we would be better off with the parks act that we have now, and leave it as it is and work on that, or would we be better off to have the Bill 41 that is before us now? Do you feel that there is less confrontation under the existing parks act?

Ms. Rajotte: I feel the existing parks act is probably better in its wording but not in its implementation because we, in fact, do permit all kinds of uses of our parks, all except for our one wilderness park of Atikaki. So we do not have the required protection that we need now.

With the slight changing of the wording in this bill—I would like to see the clauses that I mentioned omitted so that the only purpose of parkland is that of protection, protection of biodiversity, protection of species; and in the case of wilderness, not even encouraging access by motorized vehicles and not permitting hunting and fishing or recreation, only access by nonmotorized vehicles and encouraging a very careful selection of these lands so that those of primary interests for conservation should be selected for parks. They should not include areas of prime mineral deposits. They should not include areas that have already been cut over and logged because those are not forest; those are now tree plantations and secondary growth.

So of prime concern to us is the conservation of those small areas which still are of primary forest and are still a prime ecological value.

Ms. Wowchuk: I agree with what you are saying about protecting some of those areas that are our primary resources. In fact, we have had a discussion. The area that I am most interested in is the Duck Mountain area. That is in my part of the province.

Of course, I think, you recognize that there is a large amount of logging activity in the area. It has been very important to the economy of the area, but the people in the area do recognize the importance of protecting some of the areas and, in fact, have identified many areas. I think of the Roaring River area and the Bell River area where the local people have said that they do not want to see logging in those areas; they want those areas designated as areas to be protected, and I think that can happen.

The previous presenter talked about natural parks and said that in areas where there is logging activity or harvesting of the resources that they should not be called natural parks, but that perhaps they should be called resource reserves, and that we should look for other areas for parks, as you have indicated. Do you think that it is possible to move the parks areas out of those areas where we have economic activity, logging—as you say, they

are not natural sites anymore; they have been replanted—whether we could move these areas out and classify them as resource areas and have parks established in areas where there is no logging or economic development yet?

Ms. Rajotte: Yes, I think ideally we should preserve for the purpose of ecologic diversity the areas untouched by economic development so far. We should try to preserve the last remaining fragments of tall grass and short grass prairie, and the limestone caverns; the areas that are very precious, we should absolutely set aside. There is no reason why areas which are being run as tree plantations for the purpose of harvesting for the forest companies should not be extremely well run on a sustainable-yield basis and also used for recreational purposes, for camping, for hunting and fishing, for trap lines—I am sure there are aboriginal rights on some of these lands—and so on. I mean, we do not have to limit or restrict recreational purposes of the public to parks.

Mr. Chairperson: Thank you, Doctor. We will now call on Harvey Williams.

Mr. Harvey Williams (Time to Respect Earth's Ecosystems (TREE)): I am here this time.

Mr. Chairperson: Well, it is the second time we called your name, Harvey.

* (2350)

Mr. Williams: Thank you.

Mr. Chairperson: Have you got a written presentation? Yes.

Mr. Williams: Yes, you should have before you a presentation. The first page that you are looking at just has some background on TREE, the organization of which I am president, which is a coalition of 14 different organizations. I will begin on the back side of that page.

TREE commends the staff of the parks and special places branch—have I got the name right, Gord, parks and special places—for having undertaken the difficult and controversial task of updating the legislation that governs Manitoba's provincial parklands. While Bill 41 corrects some deficiencies in the present acts, this brief will argue that, as drafted, Bill 41 significantly weakens park protection in Manitoba, and is contrary to the principles of sustainable development. The brief will propose changes to Bill 41.

To the early settlers in Canada, the new world seemed boundless. Only in the 20th Century have we come to realize that our lands, forests, prairies and waters are finite. Still, it was not until 1960 that Manitoba passed its first Provincial Park Lands Act. Our new parks were superimposed over established recreation areas and carved out of provincial forest lands. Cottage subdivisions were encouraged; all forms of resource extraction, including timber harvesting, were allowed.

In the 30 years since the first parks act was passed we have become more conscious of ourselves as a nation with a unique and precious cultural and natural heritage. While we have invested large sums in the protection, commemoration and interpretation of our cultural heritage—and I guess one of our earlier speakers would dispute that—because of its vastness and apparent limitlessness, we have allowed our natural heritage to slip away.

When the first Red River carts with European settlers creaked into the Red River basin in the early 1800s, over 63 percent of the land mass of what is now Manitoba was forested. Stands of red pine interspersed with jack pine and white spruce blanketed the southeastern part of the province. A broad band of boreal forest stretched diagonally across the province in a northwesterly direction forming the northern boundary of the prairie. What is now agro-Manitoba was a mosaic of marshes, parkland and prairie, the breeding grounds of countless waterfowl.

By the 1870s the railroads reached Winnipeg and Manitoba's prairie and its southern forests began to disappear: the prairie turned over by the plough, the wetlands destined for drainage, and the red pine forest exported for lumber. By the 1920s the prairie and its wetlands and the red pine forest were history. The plains grizzly and the bison herds were gone and the mule deer was vanishing.

In 1987, Our Common Future, the report of the United Nations-sponsored World Commission on Environment and Development, often referred to as the Brundtland commission, sounded a new alarm. There was a more compelling reason to protect natural areas than for the healthful enjoyment, cultural, educational and social benefits listed in our present parks act. The impact of inconsiderate development and expanding human population is threatening the stability of the Earth's biological support systems.

To respond to this threat, Our Common Future proposed a strategy to make development sustainable for the year 2000 and beyond. The report describes what it means by sustainable development, a description, as we shall soon see, is turned upside down in Bill 41.

Our Common Future identified six major policy areas that must be addressed in order to achieve sustainable development. Now one of those six policy areas is a worldwide loss of biodiversity. The report states: The diversity of species is necessary for the normal functioning of ecosystems and the biosphere as a whole.

It goes on to describe the effects of development on biodiversity:

Development tends to simplify ecosystems and to reduce their diversity of species. And species, once extinct, are not renewable. The loss of plant and animal species can greatly limit the options of future generations, so sustainable development requires the conservation of plant and animal species.

Our Common Future further details the importance of biodiversity to sustainable development:

The genetic material in wild species contributes billions of dollars yearly to the world economy in the form of improved crop species, new drugs and medicines, and raw materials for industry. But utility aside, there are also moral, ethical, cultural, aesthetic and purely scientific reasons for conserving wild beings. The first priority is to establish the problem of disappearing species and threatened ecosystems on political agendas as a major economic and resource issue.

The issue is not one of people's needs being sacrificed in order to protect nature. Our Common Future makes it clear that by preserving biodiversity, we are meeting people's needs. The sacrifices called for to protect biodiversity are a matter of enlightened self-interest.

To its credit, Manitoba's government has attempted to respond to the Report of the World Commission on Environment and Development in many ways. It established the Round Table on Environment and Economy and endorsed significant measures aimed at preserving Manitoba's biodiversity, among them the World Wildlife Fund's Endangered Spaces Campaign. It

participated in the drafting of A Wildlife Policy for Canada which was adopted by the Wildlife Ministers' Council of Canada in September, 1990, which included the Honourable Harry Enns, Minister of Natural Resources for Manitoba. Mr. Enns is also a member of the Federal Provincial Parks Council of Ministers that approved the document, Sustainable Development, A Special Role for National, Provincial and Territorial Parks in September, 1990.

A Wildlife Policy for Canada is perhaps one of the most enlightened public documents on wildlife ever produced. Instead of limiting the concept of wildlife to mean huntable species, as has traditionally been done, A Wildlife Policy for Canada defines wildlife to include all wild organisms and their habitats—including wild plants, invertebrates and microorganisms, as well as fishes, amphibians, reptiles, and the birds and mammals traditionally regarded as wildlife.

The preface to A Wildlife Policy for Canada begins with the following: A Wildlife Policy for Canada is a national policy providing a framework for federal, provincial, territorial, and nongovernmental policies and programs that affect wildlife.

TREE congratulates the government for having subscribed to such an enlightened policy. We hope they read it first.

The document calls on provincial and territorial governments to complete and maintain comprehensive systems of protected areas through legislation and/or policy that include representative ecological types and give priority to the protection of endangered or limited habitats. To allow species to change their local and regional distributions in response to climate change and other factors, the protected area systems must be designed to protect the diversity of Canada's physical environments, contain a range of environments within each protected area, link protected areas by corridors of suitable habitat.

The Principles to Guide Park Management contained in the second document subscribed to by the Minister of Natural Resources, Our Parks—Showcases for Sustainable Development, contains the following:

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Preservation. Parklands have an essential role to play in the establishment of a comprehensive

network of protected areas. As part of a nationwide family of protected lands, parks complement and enhance efforts to protect unique sites of cultural and natural significance and to preserve representative samples of ecosystems, conservation. Parklands will be managed to maintain and restore essential ecological processes to conserve biological diversity and to ensure that all park uses are sustainable.

I want to call your attention to the next one, economic development. Parklands provide an economic benefit by encouraging tourism and meeting demand of outdoor recreation. It does not say resource extraction. Appropriate economic opportunities will be explored wherever possible as a means of incorporating parks in the regional economic diversification initiatives.

A new parks act should be a strong and effective response to the biodiversity concerns raised by our common future and give substance to the enlightened policy positions to which the provincial government has subscribed over the past three years. Bill 41 does just the opposite. It makes economic opportunity a purpose of parks and entrenches resource extraction in natural parks in the law, thereby establishing a legal mandate to allow logging in Manitoba's major parks: Nopiming, Duck Mountain, Whiteshell and Grass River. The last named is the only remaining natural park with a significant population of woodland caribou. The woodland caribou is listed as a vulnerable species on Canada's list of endangered species.

The second WHEREAS clause in Bill 41 is neither logically nor environmentally sustainable. It states: "And WHEREAS existing and future provincial parks should be managed in a manner consistent with the principles of sustainable development so that representative examples of diverse natural and cultural heritage are conserved and appropriate economic opportunities are provided."

Sustainable development implies that areas should be protected in order to provide a preserved biodiversity, not to provide economic opportunities. While economic opportunities might be incidental to protected areas, they are clearly not, nor should they be, a purpose of protected areas.

It is impossible to conceive of any principle of sustainable development that would decree the

pursuit of economic opportunity as a purpose of parks. Parks are symbolic of nature. The very word "park" conjures up images, visions of green space with plants and animals, places where people go to satisfy their primal need to renew their connection with nature. While the public mind often associates recreation with parks, there is no such association with industrial activities such as logging.

What more appropriate and convenient means are at hand for the preservation of biodiversity than placing 12 percent of our land mass under the protection of a strong parklands act administered by a parks and natural places branch with independent jurisdiction? I want to underscore "independent jurisdiction." Unfortunately, as presently drafted, Bill 41 would not be that act.

Contrary to the provisions of Bill 41, the most effective way that parks can serve the cause of sustainable development is not by providing economic opportunities, but by being increased in number, expanse and level of protection. Instead of clearly assigning parks the mission of protecting biodiversity and providing the legislative tools with which to accomplish that mission, Bill 41 assigns provincial parks the added burden of providing economic opportunities, something the present Park Lands Act does not do.

Manitoba has already been embarrassed by being ranked with Saskatchewan as one of the two provinces with the lowest level of protection of their provincial parks. Bill 41 will further embarrass us by placing our province tenth among the 10 provinces in the level of protection of our parks.

TREE strongly supports Section 6 of Bill 41 which requires a system plan for Manitoba's parks and Section 11 which provides management plans for all provincial parks. The needs served by a provincial park system are diverse and complex requiring planning on a park system-wide scale. The parks and special places branch has distributed for public discussion an excellent system plan for Manitoba's parks in the form of a colourful brochure, a copy of which I believe I gave to your Chairperson, entitled Heritage for Today and Tomorrow.

This draft plan contains two central messages: (1) that Manitoba's parks are overbalanced toward resource extraction and that preservation needs to be increased to achieve a better balance; (2) new

parks should be established until all 12 of Manitoba's natural regions are represented in the park system. Implementation of this system plan could begin tomorrow by action of the Lieutenant-Governor-in-Council if not by the Minister of Natural Resources under the present law.

Similarly, the development of management plans for individual parks begun and then discontinued more than 10 years ago could be resumed under the guidelines of the proposed system plan without new legislation. In view of the province's flouting of its own Environment Act by allowing Repap to log without an environmental licence, a law requiring system and management planning for parks is no guarantee that it will take place.

TREE urges that Bill 41 be set aside until a strategy for the protection of biodiversity in Manitoba has been developed and a firm commitment made to its implementation. The strategy for biodiversity should be based on sound biological principles, including protection of areas large enough to prevent the loss of species as has been shown to occur when isolated ecosystems are too small; representation of each of Manitoba's natural regions with areas of sufficient size to maintain ecological integrity; consideration of the distinctive biogeographical characteristics of Manitoba's boreal forests, prairies and wetlands and the possible effects of fire and/or climate change that may occur in the future, requiring protection of substantially larger areas with special north-south configuration; and connecting of protected areas in such a way as to prevent reproductive isolation of life forms and to protect gene pools.

If the round table had brought people together to develop such a strategy, the present confrontational situation might have been avoided and the briefs presented tonight would be celebration of a job well done. Thank you.

Mr. Chairperson: Thank you, Harvey. Would you mind taking a couple of questions?

Mr. Williams: Gladly.

Mr. Enns: Thank you, Mr. Harvey, it is always a delight to hear you. Mr. Chairperson, to Mr. Harvey—

Mr. Williams: Mr. Williams.

Mr. Chairperson: Mr. Williams. The first name is Harvey.

Mr. Enns: It is getting on.

Mr. Williams: Yes, I know it is. I appreciate it.

Mr. Enns: Just the one question. You make a rather strong presentation, Mr. Williams, that in fact the entire 12 percent set aside as hoped for under the Endangered Spaces Program should in fact come under parks designation or parks administration. The present view of the administration is that we use the different tools available to us. Certainly, The Ecological Reserves Act is one method that offers a high level of legislative protection that has and can be used in this area.

Indeed other pieces of legislation which it could include, I hesitate to mention, because I know that there are those in the audience who feel that I have been too free in the use of changes to the wildlife management act, but certainly in the upwards to 7 million acres of land that we set aside for wildlife management, and that is what the act said. It is not to protect it from all explorative action; it is simply to enable our wildlife managers to better manage wildlife, while other activity took place on that land, which included ranching, which included gravel extraction, which could include mining or indeed logging.

Now if we were to want to revisit the wildlife management act and look at some of those 7.5 million acres that are already under some form of government control or protection, if you like, or direction, my question to you is: Do you not envisage the possibility of the government achieving its 12 percent in a variety of legislative tools available to us, such as The Ecological Reserves Act, the wildlife management act and the park lands act?

Mr. Williams: I am afraid that the notion of fiddling with these acts is a little bit like arranging the deck chairs on the Titanic. I think that what has been brought to our attention by the government report is that we have a major problem on our hands—the loss of biodiversity.

What we need is a top-down strategy. Now I am not saying we go out in that strategy and say this place and that place, but we set out on a road toward consensus building, toward a strategy that can bring everyone together. We have got a big province, and we have a lot of opportunity now to do something, but it has to be done, I think, in a comprehensive way. The round table would be the

logical leadership in this, except they have got themselves dug into this parks act business and brought everyone in from all over with small vested interest.

* (0010)

We are really looking at the welfare of our species over time, and we need a strategic plan for that. We are not going to do it by amending this act and protecting a little bit here under The Wildlife Act, you know, this kind of stuff. That is not the way it is going to happen, and the 12 percent is pretty arbitrary I think in light of this. It is a scientific issue.

Mr. Enns: Thank you, Mr. Chairperson.

Mr. Chairperson: Thank you, Mr. Williams.

Okay, we have got two more presenters, I believe, that we are going to be hearing tonight. Can you just correct me if I am wrong? Lindy Clubb and a Mr. Batchelor. Is that correct? There are no further presenters after that. Right. Okay.

Lindy Clubb at this time. Do you have a written presentation, Lindy, for us?

Ms. Lindy Clubb (Sierra Club of Western Canada): Yes, if you can assure me that they will be recycled, content and the paper to have it distributed, I would be happy to let you have my hard copy.

Mr. Chairperson: We do not need it anyway, Lindy. It is okay, carry on.

Ms. Clubb: Is that an admission that every piece of paper that was used here tonight to distribute to the committee came from our forests, perhaps even from Nopiming?

Mr. Chairperson: Carry on, Lindy. I am not aware. I have noticed a number of the briefs here, but I do not know where they came from.

Ms. Clubb: Well, I am just saying I would have appreciated being able to make sure that everyone at this committee had a copy of my brief. I would just appreciate having it done on recycled paper. Perhaps I am a little more principled than most people.

I would like to endorse, first of all, the marvellous presentation that was made by our Pinawa representative, Alice Chambers. She did a wonderful job, and I think she has covered adequately the portions of the bill that need to be taken to task.

I am the Winnipeg representative for the Sierra Club of Western Canada, the Manitoba chapter. We have about 100 members in province. It is an international organization that is very interested in preserving what little land we have left to preserve.

It seems that everything within reach exists for man to take advantage of, and we have reduced our parks to places of commercial, not communal, values. This bill attempts to justify the losses instead of reinforcing the gains for natural area protection.

Our province's landscape now brackets the results of so-called beneficial development allowed in areas that were once pristine, reclaimed or uninhabited. I would ask now, beneficial to whom? Naturalists fight to halt office buildings and ski resorts on nesting sites. Recreational canoe enthusiasts are ringing alarm bells at proposed access and structures to and over wild river routes. Increased road and rail traffic kills more mammals than provincial hunting licences, and land and water quality has declined and is continuing to decline. Biologists seek and are denied the opportunity to co-ordinate databases on unique areas like our northern boreal forests so we can educate the public before these forests disappear.

European visitors, I just learned, are very shocked at our lack of pride in our natural heritage. We are ignoring the potential for eco-tourism and proper resource management. Things are done differently elsewhere, committee members. I cannot believe we are doing what we are doing here in the province. It is a very shameful record.

We are having immediate and shortsighted economic gains at promoting our park policy, and it obscures and discounts and distorts the true value of what we have. In the words of Herman Daly [phonetic], there is something fundamentally wrong in treating the Earth as if it was a business in liquidation. Unfortunately, changes in this park act undermine the premise of parks as protected space and substitutes the browning of our environment through licensed polluting and not-so-profitable activities. We do not have a whole lot left to lose.

We have a terminology that talks about competition, stewardship, species and harvest control targets, plantations. These are thinly disguised terms to imply man's need to eradicate species and spaces and natural systems. Natural places have their own order, and most of what we

do disturbs rather than preserves this state. There is a strong irony to me in our turning to the courts and to man-made laws to allow this order to exist or to permit its destruction within one generation.

Like all shelters, parks should provide a safe place for a power struggle. It is far more of a struggle to protect an area right now than it is to get a licence or a chance to devastate, and allowing industrial activities such as logging on our Crown lands and using communally owned resources for the benefit of privately owned companies amounts to a social subsidy of the worst sort. Although the public is clamouring for more parks and environmentalists are asking for more wilderness protection, commercial interests continue to set the tone for future use and are entrenched within this bill.

Resource extraction is good for one species only, consumers, and they are quite vocal about their perceived rights, but the people who are living in Pine Falls right now have recurring bad dreams that have more to do with out-of-town owners, market supply, modernization of mills and lack of subsidies than new parks. Pine Falls residents are telling us that there is going to be a mass exodus from their town and from Abitibi-Price's mill if we have new parks imposed on their cutting areas.

What are we telling the people who come after us by draining our watersheds and leaving our garbage on land and poisoning our river and hacking down our trees? Can we assume a full complement of genes, species and natural functions safeguarded within the parks we claim are a resource? Some of our parks have degenerated to the level of a public beach; Grand would be a very good example of that. Compare the amounts that we have set aside as wilderness to the zones advocating multiple use. It is ludicrous and it is embarrassing. We protect our residences with more enthusiasm than we do our parks.

Buffer zones are a very contentious argument. We do not even offer the same protection to our provincial parks that our national parks are given, and they safeguard at least some of their riches up to the border where people then capitalize on the bears and elk with barrels of rotting meat and lure crops. It is a lot like having your dog shot by a neighbour or someone sticking your child's nose in a vat of PCBs. I mean, right now I can go out to any

lake in this province that has motorized travel and see a skin of oil on it.

Manitoba permits far too many numbers of income-generating activities in provincial parks. We are denying natural systems in wildlife a chance to define land use, and we make a parody of the term "multiple use." I would suggest "multiple abuse" would be a better term to use. It is a little closer to the truth.

We have to stop. Less than 2 percent of Manitoba's lands and waters are protected in their natural state. The new parks policy establishes a free-for-all of resource use and development in Atikaki, Asessippi, Nopiming, Grass River and every other remote and what used to be splendid location.

As well, we do not give much credence to native people who have long maintained that all things exist as they should in places they were meant to be and that we show respect for living systems by walking softly across the land. We are just beginning to alter our list of park priorities, and we can see where it is going to lead, more resource extraction and more development. We all know where that has gotten us as far as nature is concerned.

The Department of Natural Resources and Manitoba Environment have suffered major financial cutbacks in the last few years, and although violations are common, park officials complain they have inadequate staffing and regulations to halt poaching, mitigate commercial activities or enforce current safeguards.

Dr. Diane Malley, who is a limnologist, favours volunteer and paid teams acting like crisis interveners to monitor parks. No such project is in place after 10 years of advocacy through the Manitoba Environmental Council. I have spoken to people just earlier this evening who were talking about turning in disease samples of wildlife taken from areas around our parks, a tremendous concern to them, and there are rules and restrictions within our Natural Resources Branch that do not allow the public to properly air their concerns when they do have them. Bill Pruitt, a zoologist from the University of Manitoba, criticizes the amount of leverage in current policy guidelines.

In 1985, Atikaki Wilderness Park was established to protect an outstanding natural space and one of Canada's 10 heritage rivers. However,

since it was established, the rate of pillage of the environment has actually increased: mineral prospecting, fly-in fishing camps, leasing of lakes for single-use commercial exploitation, such as wild rice growing, with accompanying use of chemical fertilizers and herbicides, as well as ditching and damming to change water levels.

The rape of Atikaki shows that the classification of provincial wilderness park no longer has any meaning in practice. Atikaki, by virtue of its wilderness label, barely escaped the march of hydro lines with the proposed and now deferred Conawapa dam project. That is what we have to look forward to.

* (0020)

Adulteration of land and water is the matrix for arguments to restrict park use. New parks designation may include a nod in the direction of community-based consultation and environmental review processes, but the results fall in the policy firmness of a feather mattress. One minister has all the discretion and none of the accountability.

I once heard testimony from a Split Lake resident. It was a woman advocating that decision makers spend a few days in the bush without food or shelter or water to give them some respect for what land and lakes can provide, not only to us but to coming generations. How about trying that in a clear-cut? Would anyone like to take up that offer, anyone who is going to sit and listen to us pour our hearts and souls out to you so you can go away and think about what you are doing here?

Floor Comment: The minister did last year.

Ms. Clubb: No food, no water, no tent, nothing, just went out for three or four days and lived off the land? [inaudible] Where?

Mr. Enns: I came close to it on the Seal River for 13 days.

Ms. Clubb: Did you go to the Seal River? That is fantastic. Did you go alone? Did you go with other people? How did you manage it?

Floor Comment: He took Marianne Cerilli with him.

Floor Comment: He wished.

Ms. Clubb: We all want to take Marianne Cerilli with us. Marianne, you never told me about that. So he lived off you for a couple of days.

This woman from Split Lake had suffered greatly from the dams that were built by our Crown

corporation. It was interesting that she said her first trip out she thought a couple of comic books were the requisite thing to take along. Her father took nothing, and they did live off the land on berries and fish and this and that, and she said, I will never feel the same way about the wilderness again. So I thought it might be interesting to try it, and I congratulate our minister for having taken that step.

But I am still mad. Vice-President Gore writes: By excluding most environmental costs and benefits from our methods of assessing the productive potential changes in policy, we severely distort our assessments. Nature does not waste anything. As the ultimate recycler, nature can teach us a lesson.

The amount of newsprint in landfills and cardboard in overflowing BFI bins would lead any outside observer to conclude we have plenty of pulp. Not so, says industry. We need more and we need it from parks. We compromised our present system of park protection to the hilt, and we have wiped out meaningful preservation.

We have avoided the price of environmental externalities such as our water, air and earth quality, and it has not given us a chance for an accurate definition of true gains and losses.

Natural areas do have value. It seems we are bent on a cynical path led by people who shape our policies to reflect the cost of everything and the value of nothing. Natural areas have value, and further compromising our policies to allow for resource extraction and degradation from human activity and industrial activity is unacceptable. It is a shameful and wasteful practice for our elected and appointed officials to propose. The Sierra Club of Western Canada is strongly opposed to anything less than full and complete support for the integrity of natural places within parks. Thank you, gentlemen and ladies, for staying up so late.

Mr. Chairperson: Thank you, Ms. Clubb.

Ms. Clubb: Were there any questions?

Mr. Chairperson: No, that will be fine. Thank you.

We will now hear from Mr. Batchelor, and we have got your written presentation. We will just distribute it. You can start anytime, Mr. Batchelor.

Mr. Ted Batchelor (Cominco Ltd.): Mr. Chairperson and committee members, I just want

to make one thing clear. I am representing Cominco Ltd. tonight. The paper that I am presenting was prepared by Mr. John Pearson. He is Cominco's exploration geologist. He is resident in Flin Flon.

In my presentation today, I hope to convey the attractiveness of Manitoba's potential from the perspective of a mining company which does not currently have active mining operations in the province and how we see Bill 41's impact on this potential. Our industry represents a part of the job and wealth creating a portion of society upon which our society and service programs are financed and maintained.

There is an adage within exploration that you will find new mines by applying old techniques to new areas or by applying new techniques to old areas, but you will not find new mines by applying old techniques to old areas. Within this adage lies Cominco's philosophy for exploring in Manitoba in the 1990s.

Base and precious metal deposits are found in greenstone belts such as the Flin Flon and Lynn Lake greenstone belts or in the Thompson nickel belt. Within these areas I believe that exploration is in a mature stage, and to be successful one must look in old areas with new techniques. The province has been geologically mapped by the Manitoba Geological Survey, and the potential for finding new greenstone belts is remote. That is not to discount the search for new commodities such as diamonds or other commodities which do not occur in traditional areas of exploration. In this presentation, I will confine myself to base and precious metals.

During the last 10 years, new techniques and technologies have been and are being developed which enable exploration to carry on at greater and greater depths. Cominco has actively funded this research and our approach has been to look at the extensions of greenstone belts under increasing depths, using this new technology. The risk factor in such areas is very high. The cost is also very high, but we believe the potential rewards to be high as well.

With this philosophy and technology, plus a supportive regulatory infrastructure, Cominco began looking at Manitoba in the mid-1980s, opened a small office in Flin Flon in 1989, and over the past five years has spent in excess of \$5

million, which I believe demonstrates our commitment to the province.

Those of us actively engaged in exploration in Manitoba are in competition for exploration dollars within our own companies for money to be spent first in Manitoba, then in Canada, and finally offshore as well as being in competition with other mining companies.

In order to compete for this money, we have to convince our management that the potential for a successful discovery in Manitoba is as good or better than in other parts of Canada and the world, and that once a discovery is made, the regulatory agencies will allow for the successful exploitation of the deposit.

The factors which influence an area's exploration climate are: first, good geology—and for base metals and in precious metals, that is greenstone belts; the presence of existing mines which indicate the ore-forming processes were active; the presence of good industrial infrastructure, that is, the presence of hydroelectric power, roads, railroads and the skill of labour force; fourth, a stable and supportive regulatory infrastructure; and finally, access and availability to land with good geology to explore.

For exploration to be successful and mining to be sustainable, it has to have access to a very large land base. But Manitoba has good geology as a given, that the ore-forming processes were active within these greenstone belts is also evident. Manitoba hosts world-class copper, zinc and nickel deposits.

In the places that Cominco has chosen to explore, the areas are criss-crossed with power lines, roads, railroads so that industrial infrastructure is also present. Manitoba has a skilled and experienced workforce.

However, many provinces and countries boast both good geology, good mineral deposits and skilled labour. What is it about Manitoba that is more attractive for exploration and mine development than other jurisdictions?

The regulatory infrastructure in Manitoba is highly supportive. The new incentives for mineral exploration and mine development enacted in the past two years are viewed within Cominco to be highly supportive, and with these, Manitoba begins to stand out amongst the provinces. In fact, we

believe that Manitoba and Quebec are the most favourable areas within Canada to explore.

Access to the land is also an area in which Manitoba is currently favourably viewed within the exploration community. Bill 41, in conjunction with the Endangered Spaces initiatives that the province is currently undertaking, addresses this subject of access to the land.

At the present time, there are eight provincial parks which host good geology and/or ore deposits. These are the Grass River, Bakers Narrows, Clearwater, Paint Lake, Nopiming and Whiteshell Provincial Parks and possibly Hecla. I am only familiar with the first three of these, so I will confine my comments to them.

The Flin Flon greenstone belt has been a hub of mineral exploration activity since the turn of the century, including the area currently within the Grass River and Bakers Narrows parks.

* (0030)

Mineral exploration has taken place before and since these parks were established. I do not think anyone who has traversed through these parks, either canoeing its water routes, fishing its lakes, swimming along its beaches or camping in its campgrounds, has witnessed any detrimental effect of this exploration.

Within Clearwater park, Cominco has undertaken an exploration program which included both geophysics and diamond drilling. In this instance, the exploration was under daily scrutiny from both those living in the area and by resource officers. Any concerns were addressed immediately, and the impact of this work was minimal.

Also within these parts and adjacent to the park boundaries, Hudson Bay Mining and Smelting has developed, mined, and decommissioned two mines in the past 15 years. Since the ore from both mines was trucked to the Flin Flon mill, the total park area directly affected by these two shafts was less than 500 square metres, and this is the mine shafts and the access roads. The Centennial mine has been completely rehabilitated and there is little evidence that any industrial activity took place at this site. Spruce Point Mine on Reed Lake is currently undergoing similar decommissioning.

I believe that the efforts of Hudson Bay Mining and Smelting, in conjunction with the Manitoba government agencies involved, demonstrates that

mines can be successfully developed within environmentally sensitive areas.

Now commenting specifically on Bill 41, the classification of parks into four categories under Section 7(2) of the act is, to my mind, a realistic understanding of the types of parks present in the province and that the activities allowed within each type are unique. That one of the park categories, natural parks—reference here Section 7(2), subsection (a)—is able to accommodate a variety of recreational and resource uses is also a reflection of the best use of land within the province and is fair to all which would use such parks.

The geological data base provided by the Manitoba geological survey and by exploration companies will, for the most part, provide a sound base on which to judge the mineral potential of any particular geological region within the park. We should, therefore, be able to plan new parks in areas with little mineral potential, thus minimizing potential conflicts and maximizing the economic benefits of both the parks and mine development to the provinces. That parks were created in these areas in the past certainly demonstrates a lack of planning and a lack of communication.

Cominco is concerned about the proposal to create new parks in an area under current exploration. An example of this is in the southern extension of the Thompson nickel belt where Cominco has spent nearly \$3 million in the past three years. This is a very high-risk, very expensive area to explore. This money has been spent in good faith with the expectation that any discoveries will be allowed to proceed, within appropriate regulations. We have made several representations to Manitoba Energy and Mines and Manitoba Natural Resources, both directly and through the Manitoba mining association, expressing our concern.

Immediately to the north of us, Falconbridge is undertaking similar exploration, and if anything, I believe, Falconbridge has spent more money there. Despite this, and the fact that these areas have been the focus of active exploration for over 25 years, this area continues to be proposed as a possible provincial or national park. Similar habitats and natural areas abound along the entire western shore of Lake Winnipeg. Why does the only part of this area with mineral resource potential continue to be the focus of these park proposals?

Less than 8 percent of the area of Manitoba has potential for base metals and precious metal deposits. I guess we are somewhat bigger in our estimate than one of the earlier speakers and maybe have more optimism concerning the province's potential, but that is a relatively small proportion anyway. Surely some accommodation can be made to allow this exploration and associated development for the benefit of all Manitobans.

This leads to an area of concern about a lack of communication between the various government agencies involved in administering land. These agencies involved in setting up and administering parks do not seem to be in communication with the agencies involved with exploration and mining. The effect is that parks are proposed in areas with high mining potential. Manitoba Energy and Mines have several excellent reports and maps outlining the mineral potential of all of Manitoba. Exploration companies utilize them in planning exploration strategies. Surely the agencies involved with land use can use the same maps when outlining their policies in order to avoid areas with high mineral potential.

Another area of concern is Section 17(2) which indicates there will be no compensation for the appropriation of land within an existing park or for the purpose of creating a new park. In many exploration projects millions of dollars are spent in evaluating large tracts of land in order to focus on a particular area. It is of concern to us that the government retains the right not to compensate the mineral disposition holder for this work which was carried out in good faith.

The act calls for the development of new systems and management plans for existing parks in Sections 6(1) and 6(11) respectively. It also allows for both the Lieutenant-Governor-in-Council in Section 32 and for ministerial regulations in Section 33 which, depending on the political agenda of any particular group, could retroactively affect mineral exploration and development.

It is important that the public be part of the process which develops new system and management plans for existing and new parks and the regulations which govern them. It does concern me, however, that the concerns of people with the most to lose in the establishment of new parks have no more input than those who will never visit the area or whose livelihood is not immediately

affected, although we will all be detrimentally affected as our resource base is continually eroded.

In conclusion, I want to make the following points. Those of us working within the exploration community in Manitoba and Canada are in competition for exploration and development money within our companies, between our companies and in competition for this money to be spent within our own country. In order for us to win this competition, management must see the following four things: that the geological environment is favourable for the discovery of ore deposits; the regulatory and industrial infrastructure is favourable for the development of ore deposits into mines; that there is access to large tracts of land to explore; and finally, exploration of money spent in good faith will be rewarded.

We have just witnessed a major setback to exploration in Canada in the designation of the Tatshenshini area of British Columbia as a provincial park. An exploration company has spent in excess of \$48 million in good faith in exploring this remote high-risk area to discover and begin to develop the huge Windy Craggy copper deposit. Now, this is a copper deposit which is the best undeveloped one in North America. It is also the only significant source of cobalt outside of the Zaire and Russia. This is now part of a proposed park, and it has a current in-the-ground value of in excess of \$8.5 billion.

That British Columbia has decided to prevent development of this deposit will sour many potential investors on exploration and investment in Canada. The government of Manitoba through Bill 41 and the Endangered Spaces initiative is attempting to promote economic development while protecting the environment and should be commended for this effort.

With the reservations we have mentioned above, Cominco Limited supports the initiative undertaken in Bill 41. Thank you.

Mr. Chairperson: Thank you, Mr. Batchelor. Would you mind taking a few questions?

Mr. Batchelor: Sure.

Mr. Storie: Thanks to Mr. Batchelor for his presentation. Mr. Batchelor, you noted that Cominco opened a small office in Flin Flon some years ago and that you have done some \$5 million in exploration work since that time.

Mr. Batchelor: In one area.

* (0040)

Mr. Chairperson: Mr. Batchelor, could you wait until Mr. Storie is finished, and then I will recognize you.

Mr. Storie: To Mr. Batchelor, I am wondering then whether Cominco had requested any of the changes that we see as part of Bill 41, or are you here reacting to the government's proposal?

Mr. Batchelor: I am not currently employed by Cominco. I am just a representative here tonight. I have worked for them in the past for 20-odd years, but it is not my understanding that they made any requests. At least, I was not made aware of it, and I had quite extensive conversations to get some of the background on their position. No, I am just responding to the government.

Mr. Storie: Well, Mr. Chairperson, I make the point only that I have asked this question of others, including somebody from the Prospectors Association of Canada, as well as representatives from HBM&S who have indicated that they did not ask for any changes, that in fact the status quo was quite satisfactory, particularly when it comes to the multiuse provisions in the Grass River Provincial Park. Given the fact that there are others here who see this as a step backwards in terms of the province's ability to protect parks, I am wondering whether you in fact or Cominco, through you to them, would be satisfied if Bill 41 were not to pass, if the status quo were to be maintained?

Mr. Batchelor: I guess in an ideal world where we all had the wisdom of Solomon, I think most people today would like to see the Endangered Spaces initiative go ahead and see the 12 percent set aside with certain provisions. A lot of exploration discoveries are made by people coming out of left field, not in the mainstream of thought. You know, the Hemlo deposits which were mentioned earlier tonight in Ontario, the new diamond discoveries in the Northwest Territories, these are individual thinkers working outside the mainstream, and this often occurs.

I think what I would like to see in the Endangered Spaces initiative is that it go ahead with two important provisos that would allow exploration to continue. I was involved in exploration for 15 years before moving over to mine management, and I am convinced that there is not a large impact on the environment from exploration activities. I think

there should be a land swap sort of provision in the Endangered Spaces Program whereby if a discovery is made and it has to be isolated to allow for significant development, then additional adjoining land of comparable quality to meet the original designation of that particular habitat be made. I do not think we can see far enough into the future as humans. We cannot foresee everything, and it is a mistake, I think, to tie things up ironclad forever.

Mr. Storie: I guess the point I was making or attempting to make is that in fact there has been, as you have mentioned, exploration in the Grass River Park. There was before the designation of the park and there has been since. There have been mines opened and decommissioned in the Grass River Provincial Park, and I have probably travelled the Grass River Provincial Park and know it as well as certainly any of the presenters who were not prospectors here tonight, and I agree with you. I think mining is certainly a less intrusive form, not milling, not smelting, but mine exploration.

My problem is that there are some flaws in the bill. You have pointed them out. Others here have raised genuine concerns about, I guess, the undermining of the intent of the existing provincial parks act, and the question is whether in fact the status quo would not be an acceptable alternative for, particularly, exploration companies and mining companies while we straighten out some of the other problems that are apparent in the act.

Mr. Batchelor: I think everybody wants to strengthen their rights and their position, and no one is going to get their way completely. I think the mining companies want to make sure that those who would like to see mining and forestry excluded completely will not get their position entirely, and they would like to see this middle-of-the-road approach which the government seems to be advocating and maintaining.

Also, we would not like to see new parks developed in areas where there is obvious potential. Coming back to this—I believe it was the limestone point park proposal. Is that the proper name for the one there on the west shore of Lake Winnipeg?

Mr. Storie: Grindstone.

Mr. Batchelor: These companies are obviously not spending millions of dollars for nothing. It is not a pleasant place to work particularly, but they are

finding enough encouragement that they are carrying on, and it is a real mistake, another Grass River situation in the making to consider a park when that sort of success is being encountered. So they want to prevent that type of thing, a status quo, I guess, would not be acceptable in that regard.

Mr. Chairperson: Thank you very much for your presentation, Mr. Batchelor.

The hour being after 12 a.m., committee rise.

COMMITTEE ROSE AT: 00:46 a.m.

WRITTEN SUBMISSIONS PRESENTED BUT NOT READ

Submission to Manitoba legislative review committee on Bill 41—amending the provincial lands act.

We are retired senior citizens who have lived within the boundaries of Clearwater provincial park since 1963, before it was designated as a provincial park.

Why we oppose Bill 41:

(1) The fees are a form of taxation. We must not have taxation without representation. We have a democratic right to have taxation with representation.

(2) Service fees charged since 1984 have been collected illegally and should be refunded. We should not pay service fees retroactive to 1984 for services we did not get.

(3) The courts have declared the collection of fees illegal; therefore, it is illegal to file a lien against our property.

Bill 41 must be defeated.

Robin E. Carpenter
Mrs. Mary Carpenter
Clearwater Lake, Manitoba

* * *

My submission to Manitoba legislative review committee on Bill 41—amending the provincial lands act.

I am a retired senior citizen. I have lived on Clearwater Lake shore since 1949, long before it was designated as a provincial park.

I oppose Bill 41 because:

(1) Canada has always been a democratic country; therefore, we have taxation with

representation. Bill 41 will take this right away from us. We must not have taxation without representation.

(2) The courts have declared that service fees were charged illegally and that the money collected should be refunded.

It is just as illegal to charge service fees retroactively, especially for services not provided.

(3) Since it is illegal to collect fees, it is just as illegal to file a lien against my property.

Bill 41 must be withdrawn.

Elen M. Carpenter
The Pas, Manitoba

* * *

A Brief to the Legislative Committee on Bill 41

I am a prospector who operates primarily in Manitoba. Over the past five years, approximately \$1.2 million has been spent in Manitoba by mining companies exploring for metallic ore bodies on lands on which I have identified mineral targets. I am concerned that Bill 41 will detrimentally affect my livelihood.

Bill 41 proposes that mining will be banned in wilderness parks and sections of other parks. I am opposed to this proposition, and request that the reference to mining in Clause 7(5)(a) be removed. Further, I propose that a new clause should be added that states explicitly that mining exploration and development shall be allowed in all provincial parks of all categories. Please consider the following points when you are preparing your recommendations.

(1) Mines produce primary money. The value of mineral production in 1991 from the Province of Manitoba was \$1.1 billion. Tourism in Manitoba's provincial parks yields primary income that is insignificant in comparison.

(2) The land area required by mines is small. The combined land area of all mines in Manitoba is currently 34 km², which is equivalent only to approximately 6 percent of the land now occupied by the city of Winnipeg.

(3) Mining operations and mineral exploration are governed by environmental laws and regulations designed to minimize any impact on the environment. Exploration that is properly supervised does virtually no environmental

damage. We do not need more parks to ensure environmental protection.

(4) Orebodies (and therefore, mines) occur where Mother Nature put them, not where people decide to put them. An orebody located within a park boundary may never produce an economic benefit to the people of Manitoba under the unamended Bill 41.

(5) These new categories of parks and new parks created in the last five years will require a new army of bureaucrats and uneducated field supervisors to administer. Can the Province of Manitoba afford new financial burdens to benefit these new bureaucrats, while mining, which creates primary money, is discouraged? I do not think so.

In closing, if Clause 7(5) is not amended, then I will expect financial compensation for lands that I have previously staked in good faith in these areas. I will expect compensation for costs of staking the ground, work done on the ground, research that led to the determination of that ground's potential, and for lost opportunities. Many other prospectors and mining companies will likely pursue the same option, and the settlements will only place a further burden on our government's debt, with no return.

Sincerely,

William S. Ferreira
Winnipeg, Manitoba

* * *

Submission to Manitoba Legislative Review Committee on Bill 41, amending The Manitoba Provincial Park Lands Act.

I am the registered owner, at Mile 25, Clearwater Lake, Manitoba, of a vacant back lot since 17/9/69. I am a senior citizen and have lived in Vancouver since 1953.

I oppose Bill 41, which is dictatorial in the extreme, for the following reasons:

(1) Service fees are in fact a tax on property. We have a right to elect our own council to assess fees and provide required services.

(2) Service fees since 1984 have been charged illegally and should be refunded. Services have been refused to private land owners.

(3) The bill provides the minister with unlimited powers, even to the extent of by-passing the courts, by allowing the minister to sign a certificate to

support a lien against property for fees which the court declared illegal.

This offensive bill must be defeated.

Mary T. Carpenter,
Vancouver, B.C.

* * *

A Brief to the Legislative Committee on Bill 41

Having travelled through, lived in, and walked across much of the so-called "pristine" wilderness for 45 years, I believe I can offer some useful input into the deliberations of this committee.

Firstly, I can say with absolute certainty that as long as there are thunderstorms and the resulting fires and beavers and their appetite for food and reproduction, there is not today, never has been, and never will be a "pristine" wilderness, unless we classify "pristine" in a hundred years or less.

Let us now deal with the specific activities that are to be excluded in the parks.

Hydro: Not being completely familiar with Hydro developments I will not comment on the subject except to say that it seems to me that the amount of land area required is relatively small compared to the vast wilderness.

Exploration and Mining: This being my occupation, I can speak with some authority on the subject.

(1) Exploration leaves no visible evidence 10 years after exploration has taken place.

(2) Mining, if and when it does take place, takes up such a small land area and is therefore insignificant.

Forestry and Logging: On this subject I would like to tell you of an incident which I believe tells it all.

In the fall of 1991, on a trip to Bissett, I had the occasion to have with me a learned homonid "environmentalist" friend. After having an environmentally destructive lunch in an environmentally destructive restaurant at Clarks Corner, we proceeded north in my environmentally destructive car on an environmentally destructive paved road, PR304.

We both marvelled at the beautiful scenery of golden tamarack against the dark green spruce, at which point my learned homonid "environmentalist" friend commented how dreadful it was to allow Abitibi to destroy such beauty, maintaining that

what we were looking at was just a buffer zone extending but a couple of hundred yards on each side of the road.

At this point, I stopped my environmentally destructive automobile and suggested we investigate the extent of this buffer zone. After travelling about 500 yards into the forest and my pointing out the stumps which represented the harvesting of the trees, my homonid "environmentalist" friend had enough and insisted we return to my environmentally destructive car. The beauty we were looking at was, in fact, a harvested and replanted area. I witnessed both.

In concluding, let me say this. There is today, there always has been, and there always will be vast areas of wilderness far greater than the podium homonid "environmentalists" will ever need. There is no need to designate them or draw boundaries; they are there for anyone who may wish to venture into the fly- and mosquito-infested swamps and travel the windfall clogged rivers.

Steve J. Lesavage

* * *

Submission by Bruce Dunlop representing The Prospectors Association of Canada to public hearings for Bill 41, Provincial Parks and Consequential Amendment Act.

The mining, oil and gas sectors are important contributors to the Manitoba economy. These sectors represent many jobs for Manitobans. This does not include those jobs created by the spin-off industries, such as manufacturing, food and beverage, education, et cetera. In addition, mining exploration and mineral production have been valuable contributors to the Manitoba economy throughout Manitoba's history.

Beginning in the early 1800s salt was mined by the Hudson's Bay Company and the North West Company to supply the Red River settlement and trading posts in western Canada. Tyndall stone was used as early as 1830 to construct Lower Fort Garry.

Gold exploration in Manitoba began shortly after the Black Hills discovery in South Dakota in 1879. Gold was first discovered at Rice Lake, near Bissett in 1911. The prosperous San Antonio Mine was first staked in 1932.

Prospectors began working the area north of The Pas as early as 1886. Systematic exploration

began in this area in 1907. The first gold shipment from Manitoba was shipped to the smelter at Trail, B.C., in 1917—28.5 tons of gold-quartz ore at \$81 a ton came from the Moose Horn claims at Herb Lake near Snow Lake. These claims produced a total of \$1.8 million of gold and silver between 1936 and 1940.

Manitoba has also had quite a history with base metals. In 1914, David Collins showed a mineralized outcrop near Flin Flon to Thomas Creighton which led to 16 claims being staked the following year. The first copper deposit was discovered in 1915. Diamond drilling began in 1916, which outlined a 22,675 ton orebody with 20 percent copper. Mining began soon after with the first shipment arriving in Trail, B.C., after the spring breakup in 1917.

In 1927 Hudson Bay Mining and Smelting Company Limited established a mill near the Creighton discovery, which later became the Flin Flon Mine. This is the largest copper-zinc deposit in Manitoba and is mined on both sides of the Manitoba-Saskatchewan border. Mining activities continued in Manitoba throughout the 30s and 40s. During the Second World War, output at Flin Flon reached a peak of 5,400 tons per day.

The International Nickel Company of Canada (Inco) initiated a 10-year exploration program in the Mystery Moak Lakes area of north-central Manitoba. In 1956 Inco announced the discovery of the major Thompson nickel-copper deposit. Eleven months later the Manitoba government and Inco entered into an agreement that led to a \$400 million complex designed for 10,800 tons per day. Thompson became the second largest nickel producing centre in what was known as the noncommunist world.

The Snow Lake area mines, 120 miles east of Flin Flon, were opened in 1960. Activity continued in this region throughout the 70s with deposits going into production in the 80s.

Base metal exploration also occurred in the southeast part of the province. Small copper and nickel deposits were discovered in the Maskwa Lake and Bird River areas. Drilling took place sporadically throughout the 30s, 40s and 50s in this area.

North America's first tantalum mine was opened at Bernic Lake in the Lac du Bonnet area in 1969. Following a \$6.4 million plant extension in 1986,

The Tantalum Mining Corporation of Canada Limited (Tanco) reopened as a producer of spodumene concentrate. Spodumene is a lithium mineral used in the production of ceramic cookware. Tanco produced over 300 tonnes of lithium ore per day in 1988.

Production of tantalum is dependent on world prices. Tanco recommenced production of tantalum in 1988. Tanco is also conducting exploration drilling for pegmatites in the Bird River area.

Manitoba's mining industry has gone through many changes in the past 200 years and has developed extensively. The mining and mineral industry has become one of Manitoba's major industries and main contributors to Manitoba's diverse economy.

The Province of Manitoba collected over \$25 million in mining, oil and natural gas taxes in 1992. (This does not include personal income tax from those employed in these industries.) The province also collected over \$5 million in fees and other revenues from minerals, petroleum and other energy and mines activities in 1992.

Mineral production represented 4.8 percent of Manitoba's total GDP in 1992, making it almost as important to Manitoba's economy as agriculture—9.28 percent—and more important than tourism and electricity at 3.5 percent each. Over \$1 billion of minerals were produced in Manitoba in 1992, and mineral production has exceeded \$1 billion in each of the last five years. In 1988 and 1989 (when mineral prices were higher) mineral production was in excess of \$1.6 billion in each year.

Preliminary estimates indicate that \$27 million of exploration expenses were incurred in Manitoba in 1992. From 1984 to 1986 this figure exceeded \$30 million annually, and exploration expenditures were \$50 million in 1987 and \$40 million in 1988 (also when prices were higher). Exploration expenditures for 1993 are estimated at \$26 million.

Nickel alone is Manitoba's second largest foreign export—over \$500 million in 1992. Only cereal grains at \$900 million is larger. The third largest export, machinery and appliances at \$200 million, is less than half the value of nickel exports.

Mining activities are a major contributor to Manitoba's regional economies as well.

1991 Regional Mineral Production:

Thompson	\$617.9 million.
Flin Flon, Lynn Lake and Leaf Rapids	\$293.5 million.
Eastern Manitoba	\$ 9.9 million.

All of this has occurred while many mining companies are still under the impression that Manitoba has the same policies that existed in the 70s and early 80s, policies that forced many mining companies to operate elsewhere. A new mining act and new incentive programs should make Manitoba a more attractive place for mining companies and mining activities and make this industry an even greater contributor to the Manitoba economy.

Clearly, mining and mineral exploration represent a major component of Manitoba's economy, even in years of depressed metal prices. Recent developments in geophysics and enhanced electromagnetic analysis makes exploration and mining less costly and more efficient.

Many areas that were nonproductive in the past are considered to be productive and economically viable with these new techniques. In addition, many mining analysts at investment firms and mining companies are forecasting higher metal prices. This can only mean that the mining and mineral industries will become more significant to Manitoba's economy.

It is also very important to recognize that some of the operations of these industries have negative effects on the Manitoba environment. As a result, the operations of those engaged in resource industries should be closely monitored and regulated to ensure that they are conducted in an environmentally responsible manner.

Over the past few decades Manitobans, Canadians and people around the world have become increasingly aware of the problems that we face due to the misuse and abuse of our natural resources and our environment. This has become one of the major issues facing us today. Environmental awareness and respect for the environment should not only be encouraged but it should also be actively promoted, especially by those businesses that rely on natural resources for a livelihood.

At the same time, it should be noted that it takes financial resources to conduct such programs. If companies are not allowed to operate or face too

much restriction, not only will a valuable portion of our economy be lost, but it will also impair the opportunity to continue to support environmental awareness and research. There must be a trade-off.

Many mining companies already consider Canada and its provinces too restrictive. As a result, our major companies are looking elsewhere to conduct their operations. Indeed an article published in the *Globe and Mail* June 29, 1993, *How Canada has dug itself into a miner role*, indicates that, "The country's five biggest gold producers now earn more than half their revenues from foreign operations . . . American Barrick is not spending a cent on exploration in Canada this year. Falconbridge, a nickel producer, has closed its office in Vancouver."

The same thing is happening here in Manitoba. Noranda has closed its Winnipeg office and moved to Thunder Bay.

With companies already conducting a large portion of their operations outside of Canada it is clear that the decision of the British Columbia government on June 22, 1993, to turn the rich Windy Craggy copper deposit area into a wildlife sanctuary where no mining activity can take place is not only detrimental to the province of B.C. but also to the economy of the other provinces and Canada as a whole. As a result of current environmental policies and other restrictions, many companies simply do not want to conduct operations in Canada and are moving to less restrictive areas such as Bolivia, Chile, Mexico, et cetera.

Not only is the mining and mineral industry a valuable contributor to Manitoba's economy, it is also a part of our heritage. Under current economic conditions this represents a major issue. With many Manitobans unemployed and unable to find work, we must promote the Manitoba economy and not turn away potential business activity.

The condition of our environment is very important. We must, however, keep the doors open for environmentally responsible companies and encourage them to establish and continue operations in Manitoba. To restrict mining operations in provincial parks and to create new restricted areas would increase economic hardship for Manitobans, many who have suffered enough already. This would be a step backward for the

mining industry just when substantial efforts, i.e., incentive programs and the new mining act are making Manitoba more attractive to mining companies.

With environmentally responsible corporations, mining activities can continue in Manitoba and in these choice areas. We must not restrict the mining and minerals industries from operating and force them to discontinue operation and move out of the province. We must allow and encourage environmentally responsible entities to continue to conduct operations in Manitoba for the well-being of all Manitobans.

Respectfully presented,

B. Dunlop
P.D.A.C. Regional Vice-President

* * *

Dear Sir,

The Manitoba Association of Rights and Liberties (MARL) has a number of concerns over Section 24 of Bill 41, The Provincial Parks and Consequential Amendments Act.

Certain powers given to appointed officers under this section are excessively broad and may contravene the Charter of Rights.

The approach taken by the drafter of this section appears to have been to give officers all the powers they could possibly need and to trust to the officer's own good judgement to avoid abuse. MARL believes that public officers should only be given the powers they might reasonably need and empowering legislation should contain built-in protections against abuse. If the powers prove inadequate, they can be extended in the future.

Paragraph 24(1)(a) provides that an officer may enter and inspect any land, road, work or structure, other than a dwelling, in a provincial park. This broad power of search may contravene Section 8 of the Charter of Rights. There should be a requirement that, before searching any privately occupied premises, an officer have reasonable grounds for the search and obtain prior authorization of a justice.

Paragraph 24(1)(c) gives an officer a broad discretion to control the conduct of persons in a provincial park. It appears that an officer has the power to order another person to cease certain conduct solely on the basis of the officer's opinion that this conduct is detrimental. This paragraph

violates one of the fundamental elements of the rule of law, namely, the principle that prohibited conduct should be defined in advance by law and not determined on a case-by-case basis by public officials.

A broad power of this sort is unnecessary. Any form of conduct which an officer could reasonably object to is, or should be, covered by the laws of general application or specific regulations which the government can enact under Section 32. The power to remove persons from the park which is granted under paragraph 24(1)(e) already gives officers adequate authority to protect persons and property in the park.

Paragraph 24(1)(d) gives an officer the power to signal or request any person driving a vehicle to stop. Subsection 24(4) provides that a person driving a vehicle who is directed to stop shall not proceed until permitted to do so by the officer. This broad power to detain people and vehicles should be qualified by a requirement that the officer must have reasonable grounds to believe that an occupant of the vehicle has committed, is committing, or is about to commit an offence.

The goals of protecting the park environment and the comfort of park users can better be achieved through specific regulations than through discretionary action by public officers.

Sincerely,

Elizabeth R. Sellick
President
Board of Directors
Manitoba Association of Rights and Liberties.

* * *

Dear Honourable Members:

Although I currently live in Saskatchewan, I was born in Flin Flon. My grandparents first moved to The Pas in 1912 and my family has maintained ties with northern Manitoba since that time. All four of my grandparents are buried in The Pas. I am proud to be the third generation of my family who owns or has owned a cottage at Clearwater Lake, one of the most beautiful natural resources in the world. Because of our affection for Clearwater Lake my wife and I ask you to consider the following views as they pertain to Bill 41 which is soon to be before you.

On reviewing the proposed Bill 41, we have concluded that Bill 41, as it stands, is a bad piece of

legislation, however well intended it might be. The following points come immediately to mind.

Firstly, power seems to be given to the Department of Natural Resources to permit logging, mining and/or the harvesting of other resources within the boundaries of a provincial park. Surely we are simply custodians of this planet's fragile ecosystems. Under the proposed legislation it appears that only areas designated as wilderness parks are to be provided with complete protection from exploitation. The designation of any geographical area as a provincial park implies that its resources are valuable to this and future generations of our people and need to be protected for all time from exploitation. "Sustainable development" is a dangerous concept and should not be applied to provincial parks. As elected representatives of the people, your mandate should be to assure protection and not exploitation of park lands.

Secondly is the issuer of taxation. We read Section 21(3) to say that a levy (or tax) may be prescribed by regulation and need not be related to the costs to the government of providing services or defraying expenses. With respect to taxation, it seems an inherent part of our democratic process that taxation should not be imposed without representation. While Bill 41 does in fact compel the Parks Branch to submit operating costs for scrutiny, it in no way allows the consuming public the power of altering or effecting the Parks Branch's decisions. This is undemocratic and as such is completely unacceptable. As our elected representatives, you must not permit legislation to be passed that would put such broad powers into the hands of the bureaucrats of the Parks Branch without proper accountability.

We understand further that levies may be imposed retroactively. As we read the legislation, there are absolutely no guidelines for the imposition of such retroactive assessments. While we agree that residents must contribute to the support of the parks which they use, we do think that legislation must clearly define the power given to officials to levy assessments. In addition, we strongly urge you to put into place a mechanism for a challenge process. The legislation, as currently proposed, allows neither input nor challenge from the cottage owners.

In closing, we wish it understood that we support any fair and reasonable legislation designed to

protect and manage Manitoba's parks. Properly constructed legislation must enable the cottage owners as well as the Parks Branch's needs to be satisfied. As part-time summer residents, we are more than willing to pay reasonable amounts to assure the ongoing management of these parks. We have appreciated the opportunity for consultation. However, the bill is still not right. We ask you therefore to scrap Bill 41 as it now reads, and return it for enlightened redevelopment so that our wonderful yet fragile resources might be protected forever.

We thank you sincerely for considering these views at such a late date.

Yours truly,

Judith and Claude Hutton

* * *

To: Committee Clerk for Bill 41

Re: Public hearing scheduled for July 20, 1993—
7 p.m.

Please tender my submission sent this day by FAX to the above hearing. I would also request that a copy of this FAX be placed in the hands of Oscar Lathlin, NDP critic; Gary Doer, Leader of the Opposition; Norman Prouse, Director of Parks; Paul Edwards, Leader of the Liberal Party; and Premier Gary Filmon.

The government of Manitoba has again failed to consider and acknowledge the residents of this province who live beyond the concrete pad known as the "Perimeter Highway."

The government of Manitoba has again failed to listen to the people that have placed them in the hallowed chairs they sit in and dictate from.

The government of Manitoba has again failed to abide by the promises made to the people that the people who live in the entire province of Manitoba, that is between the 49th parallel and 60th parallel, shall have involvement in the decisions of this government.

How does the government of Manitoba expect people to attend a meeting 500 miles away with 22 hours notice, especially when the notice is received in the evening. The government of Manitoba has already cut our wages as employees of that government and expects us to take another day "unpaid holiday" to attend a very urgent and important meeting in Winnipeg. There was absolutely no time allowed to make arrangements

to leave jobs and families and travel to attend this meeting.

Has the government consulted the taxpayers and the people who use, live in, work in the provincial parks about Bill 41 or was it constructed by someone sitting at a desk? The closest some of that personnel probably were to a provincial park was to fly over them in a government jet.

I agree with Bill 41, but not in its entirety. A new parks act is required, and the usage of each park would have to differ, but these decisions should not only be made by the government of Manitoba, with offices in Winnipeg, of course, but also by the taxpayers of Manitoba and especially the people that use the park and neighbours living around the park.

A park cannot be expected to pay for itself. It would appear that the government of Manitoba, by allowing itself to be the sole judge on what a park will be used for, seems to think that by allowing certain industry, exploration, mining and logging, it may accomplish this. Funds from other departments of government, such as Tourism, should be allocated to the budget of provincial parks.

As a member of an association we have continually asked for a breakdown of the provincial parks income and expenditures but to no avail. It has been very frustrating dealing with the Parks department and Natural Resources with the government of Manitoba. But I must compliment the employees dealing with Clearwater Lake Provincial Park. I do believe that most of them have the park in their best interest.

Thank you for accepting my written submission. I would very much like to have made this submission in person and listened to my fellow park residents and given them my support.

Doreen Ander
The Pas, Manitoba

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To Whom It May Concern:

We, Gerald and Marlene Johnson, protest Bill 41 on the grounds that it is a form of taxation without representation. It also gives the Minister of Natural Resources and Parks department too much power.

We feel that meetings should be called in the areas concerned so that the people who own or

lease land in provincial parks can have some input into what is proposed in these areas.

Sincerely,

Gerald and Marlene Johnson
Clearwater Lake, Manitoba

* * *

To Whom It May Concern:

We, Gordon and Donalda Gale, protest Bill 41 on the grounds that it is a form of taxation without representation. It also gives the Minister of Natural Resources and Parks department too much power.

We feel that meetings should be called in the areas concerned so that the people who own or lease land in provincial parks can have some input into what is proposed in these areas.

Please stop this dictatorial bill before our and future generations are submitted to rule by force rather than democratic policies that all of Canada can benefit from.

Sincerely,

Gordon Gale
Clearwater Lake, Manitoba

Donalda Gale
Clearwater Lake, Manitoba

* * *

Re: Bill 41

Bill 41, Section 21(1) states that a levy shall be prescribed for land that is occupied by a person as a chief place of residence. However, the bill does not address the following concerns pertaining to this levy:

(1) How will the amount of the levy be determined?

(2) If the owner of the aforementioned land does not agree with the amount of the levy, what process will be in place to dispute same?

These two items must be addressed in this bill in order for it to be democratic.

Of further concern: It is beyond belief in this democratic country that a service fee could be collected retroactively. We do not believe this could stand up in a court of law under our constitution.

Kathy Sangster
The Pas, Manitoba

Susan Lorden
The Pas, Manitoba

* * *

To Whom It May Concern:

I, Wes Jones, protest Bill 41 on the grounds that it is a form of taxation without representation. It also gives the Minister of Natural Resources and Parks department unlimited power to implement policies without local consultation.

We feel that meetings should be called in the areas concerned so that the people who own or lease land in provincial parks can have some input into what is proposed in these areas.

Please stop this dictatorial bill before our and future generations are submitted to rule by force rather than democratic policies that all of Canada can benefit from.

Sincerely,

W.A. Jones
Clearwater Lake, Manitoba

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I wish to strongly oppose Bill 41 on several points. While the bill contains a few worthwhile clauses, for the most part it does not accomplish what I believe it was intended to do.

1. My first and strongest objections is that it leaves far too many decisions "at the minister's discretion." A minister should not have the sweeping powers this bill gives him/her.

2. Section 21(3) states that the levy in lieu of taxes need not be related to the cost of providing services. This is totally undemocratic and unfair. No one objects to paying directly for services received, but this bill clearly states that is not the case. Personally, the services that are required directly by cottagers are presently being paid for individually, e.g., winter snow plowing, garbage removal; and other services required by seasonal cottagers are already a requirement for access for tourism (summer road grading). This is and always has been in this area very minimal at best and I do not believe a levy would improve the situation. Personally, I do not need any services not already provided under existing laws for forest fire and police protection and see no reason to justify cottagers bearing the cost of such established necessities.

3. While it is suggested that a municipal administrative body be set up to collect and disburse the arbitrarily set fees charged to cottagers, I question whether or not yet another costly administrative body is required. In my opinion we already have too many levels of governments overlapping services and costing not only cottagers but Manitobans too much for duplicated services. The Parks Branch of the Manitoba government should be able to do their job properly and intelligently, otherwise perhaps they are then not needed.

4. Fees collected are, as I understand it, now going into general revenues and would continue to do so. This gives cottagers no guarantee that their money is or would be spent in any way for which they would receive a benefit. As a Manitoban with a cottage as a summer-only residence, I pay taxes to all other levels of government and feel I have paid into the general revenues enough funds to cover parks administration. I know of no other province in Canada that requires individual cottagers to pay to have their provincial parks department financially self-sufficient.

The costs of such a reorganization to individual cottagers would be astronomical and out of everyone's reach. It appears to me that the Manitoba government is just trying to shirk their responsibility in financing provincial parks services, and I have a severe problem accepting this. Government advertises for tourists to come to Manitoba, but now it appears they want the cottagers to pay for the parks for them to enjoy. I personally do not see any benefit from the tourists that use our campgrounds nor would I care if they were eliminated.

5. I strongly object to the powers given the minister to place liens against individual property owners who are currently in arrears for the fees previously illegally billed or, for that matter, current charges. There is no provision such as a court of revision for us to turn to for recourse in the event of any unfairness. As I understand it, these service fees would apply under Bill 41 to all cottagers. If unpaid, landowners get a lien against their property because they own it. What does the government propose to do to the people who lease? Pull the lease out from under some \$70,000 to \$120,000 summer homes? This will certainly buy a lot of votes but not for the government that implements it.

6. Under any bill there are regulations. Who is going to make up the regulations under Bill 41 if it is passed?

7. Regarding the power of expropriation, if one has been left their cottage in a will or obtained it under other such ways and is unable financially to afford to pay the discretionary fee proposed because of their station in life, is it fair that the government can expropriate it? Most cottages require a fair amount of maintenance and upkeep which is usually done if one wants to enjoy it. In fact, heart and soul goes into most cottages including any spare monies one may or may not have. The burden Bill 41 would put on such already overtaxed people is totally unrealistic and to suggest expropriation as an alternative is dictatorial. I thought things like that only happened in countries living under a dictatorship. I suggest that such action might just be the spark to trigger a tax revolt in Manitoba which could have far-reaching effects throughout Canada. Manitobans are taxed as far as they can be.

8. Governments are elected to collect taxes and administer their expenditure for the benefit of the people—all three levels. What representation do the cottagers have when it comes to how and where the proposed levies in lieu of taxes will be spent? Presently none. If special fees are collected from cottagers I demand to have an elected local representative to oversee such expenditures. Anything else is totally undemocratic.

9. In reviewing Bill 41 the phrase "at the minister's discretion" jumps out at me on almost every page. I strongly object to this form of government since it leaves strong lobbying groups

lots of room to act on the opinions of just a few and not for the benefit of the general public including cottagers and park users. Bill 41 leaves too much power in the hands of the minister.

10. While some industry is currently taking place in northern Manitoba, mainly logging and mining, no one objects to a reasonable amount of this necessary commerce for obvious reasons, jobs, money circulation, et cetera, as well as the benefits of such resource industries to all of Manitoba and Canada, provided they are conducted under very strict environmentally safe regulations. This appears to be the case now and, at least in the Clearwater Lake area, could continue as currently run. Should cottagers have to pay for the roads they use and other services they need I would suggest that no resource industry be allowed whatsoever. I am sure you can understand why. How would this restriction benefit Manitoba?

11. While to criticize Bill 41 is my privilege, to do so without an alternative is not productive. Therefore, I suggest that this bill be defeated and more study and input from those it affects be solicited. Change for the sake of change accomplishes nothing. Making a bill of this magnitude is a binding process and, while I know it is a continuation of the previous Bill 21 which was withdrawn because of public outcry, input from the objectors has not been solicited. Give more time and consideration to a restructuring of this bill before any further action is taken which should include direct input from those concerned, namely cottagers.

Signed,

Margaret A. Reid and R.O. Hayes