



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

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

40 Elizabeth II

*Chairman
Mr. Ben Sveinson
Constituency of La Verendrye*



VOL. XL No. 5 - 8 p.m., THURSDAY, JUNE 13, 1991

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fifth Legislature

LIB - Liberal; ND - New Democrat; PC - Progressive Conservative

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

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

Thursday, June 13, 1991

TIME — 8 p.m.

LOCATION — Winnipeg, Manitoba

CHAIRMAN — Mr. Ben Sveinson (La Verendrye)

ATTENDANCE - 10 — QUORUM - 6

Members of the Committee present:

Hon. Messrs. Cummings, Enns

Ms. Cerilli, Messrs. Cheema, Edwards, Evans
 (Interlake), Helwer, Laurendeau, Rose, Sveinson

WITNESSES:

Jennifer Shay, Private Citizen

Harold Syrett, Private Citizen

Alison Elliott, Manitoba Naturalists Society

Winnifred E. Syrett, Private Citizen

Edward Gaskell, Sierra Club

Hilary Versavel, Friends of Oak Hammock Marsh

Clayton McMurren, R.M. of Rockwood

Written Presentations Submitted:

R. S. "Bud" Oliver, Mayor, Town of Selkirk

Len Morrow, Private Citizen

Art Allan, Private Citizen

Phil MacMillan, Private Citizen

Lawrence King, Private Citizen

MATTERS UNDER DISCUSSION:

Bill 38—The Wildlife Amendment Act.

* * *

Mr. Chairman: Order, please. The Standing Committee on Public Utilities and Natural Resources is called to order to consider Bill 38, The Wildlife Amendment Act.

It is our custom to have the public presentations before clause-by-clause consideration of the bill. What is the will of the committee?

Mr. Paul Edwards (St. James): Mr. Chairperson, certainly, I would suggest, and I think all members would agree, that we do hear public presentations before the clause by clause, which is our custom.

I want to open this committee hearing by noting for all members, as they already will see from the list provided us of speakers, that there are many, many

interested parties seeking to make presentations to us, 35 by the most recent count, although I am sure there will be additions and perhaps some deletions as well. Of those I count at least 13 who have come from out of the city of Winnipeg.

* (2005)

My suggestion is that we not even make an attempt to complete this tonight. From our past experience—I am sure all of us have gone through this—that is simply not manageable and not fair to the presenters nor the committee members. We would be sitting well into the morning hours, I am certain, if we attempted to do that.

My suggestion to the committee and you, Mr. Chairperson, is therefore that we—let me say as well, that it is extremely encouraging to all members, I am sure, to see the democratic process at work, so much interest displayed and so many presenters having come forward. Truly, that is why we have this committee stage, and it is an important one in Manitoba.

My suggestion is therefore as follows: that we impose no time limit on the presenters nor on the questioning afterwards; that again we not try to get through every presenter tonight; that we canvass what out-of-town presenters are here and attempt to hear them first, seeing as they have come from out of town this evening; and that we set aside at least one other night. I would suggest two other nights, given the number of presenters, and ask the remaining presenters from the city of Winnipeg which of those two nights they would prefer and have them make that known to the Clerk of Committees.

I put that to committee members, asking them to—not only in consideration of the presenters who do not probably want to be here until 3 or 4 in the morning and I am sure would be willing to come back on an alternate evening, but also in fairness to committee members. By the time we get to clause by clause we will want to as much as possible be able to contemplate what has been said, digest it and make decisions accordingly.

Ms. Marianne Cerilli (Radisson): I would like to add two things to that, that we discuss the duration of the session tonight at the outset and also that we discuss the next meeting of the committee at the outset as well, because then people who are present who wish to stay for a while and then leave will know when the next meeting of the committee will be.

* (2010)

Mr. Chairman: Just one second. First of all, we are going to be doing the presentations first. We have said that we will look at—or is it the will of the committee to look at possibly two other nights, if necessary?

An Honourable Member: Agreed.

Mr. Chairman: Okay. It is at the discretion, if you will, of the House Leader as far as the other dates are concerned. We can consider or suggest two other dates.

Hon. Harry Enns (Minister of Natural Resources): Mr. Chairman, I believe it is customary that the other dates would likely fall on those dates normally set aside for committee meetings. That would make the next sitting of this committee Tuesday night and the following possibly Thursday.

Mr. Chairman: That is fine then. We will be recommending the next meetings to be starting at eight o'clock on Tuesday and Thursday.

Mr. Ed Helwer (Gimli): Mr. Chairman, I would agree with Mr. Edwards that we do deal with the rural or the out-of-town presentations first. I also would like to recommend that we have a number of written submissions there, that we leave these until the end and that these be read at the end.

Mr. Chairman: Pardon me, which ones did you say?

Mr. Helwer: Written submissions that we have, we could leave those until the end and read them at the end, but I think it only fair that we deal with the rural presenters first.

Mr. Chairman: Order, please. In the written submissions, there will be one, Mr. Ron Seymour, who has requested that his be moved up into persons wishing to make oral presentations. The others in fact will be distributed in about—or those written submissions will be distributed in the next 15 minutes, so they will not have to be read into the minutes because Hansard will pick them up.

Mr. Marcel Laurendeau (St. Norbert): If I may, Mr. Chairman, as far as the hour that we run till this evening, I think it might be handy if we were to set a limit of, say, eleven o'clock and then canvass the committee at 11 and see how far we have gotten through the presentations that have come forward tonight. If there is only a couple, we might wish to hear the rest of them, or if a number of the out-of-town people would want to come back on Tuesday, if the hour is getting too late, we might, but we should make that decision at eleven o'clock I believe.

Mr. Chairman: So is that agreed?

An Honourable Member: Agreed.

Mr. Chairman: Agreed.

Mr. Edwards: If we could just clarify so that everyone in the audience knows what we are doing, as I understand it, we are going to go through the rural presenters as they appear in order and hope to get through as many of those as possible tonight by eleven o'clock. Others who may or may not want to stay, who are in-the-city presenters tonight, should know that and know that, given that we have 13 out-of-town presenters, they may want to make it known to the Clerk which of the two further nights they would like to present, that is, either next Tuesday or next Thursday.

Is that a process we could go through now, so that if there are those who do not want to stay tonight, they will know that they are on for next week?

* (2015)

Mr. Chairman: Order, please. Okay, so we will be trying to hear the out-of-town presenters tonight as they are listed here in order. The other presenters who are in fact from Winnipeg or close to Winnipeg, if you wish to stay and listen you can do so, or if you wait for about 15 minutes, the Clerk will come back and see you and give you some days or times which you can come and present.

Mr. Laurendeau: On one more point, Mr. Chairman, there might be some of the presentations coming forward from the city of Winnipeg who might not be able to make it for Tuesday or Thursday. As the Clerk is canvassing back there, if she could let us know that after she is done, I would appreciate it.

Mr. Chairman: Is that the will of the committee?

An Honourable Member: Agreed.

Mr. Chairman: I will be reading all the names into the record and anybody whose name is not

mentioned now, if you will wait for a few minutes, be it 10 or 15 minutes, the clerk will, in fact, get your names.

(1) Miss Alison Elliott, Manitoba Naturalists Society; (2) Ms. Jennifer Shay, private citizen. This one is from out of town; (3) Mr. Harold Syrett, from out of town, private citizen; (4) Ms. Winnifred E. Syrett, private citizen, out of town; (5) Mr. Roger Turenne, Canadian Parks and Wilderness Society (Manitoba Chapter); (6) Ms. Margaret Kapinga, private citizen; (7) Mr. Duncan Stewart, Sierra Club, out of town; (8) Mr. Prasad Gowdar, private citizen; (9) Spokesperson to be named—Hilary Versavel—Friends of Oak Hammock Marsh; (10) Ms. Diane Cox, private citizen; (11) Mr. Rob Altemeyer, private citizen; (12) Mr. Ian Greaves, private citizen; (13) Ms. Kim Tyson, private citizen; (14) Ms. Heather Henderson; (15) Mr. Kenneth EMBERLEY, Crossroads Resource Group; (16) Mr. Carl Moroz, private citizen; (17) Mr. Dave Punter, Manitoba Environmental Council; (18) Ms. Mila Oh, U of M Recycling & Environmental Group; (19) Mayor Dave Lethbridge, Town of Stonewall, out of town; (20) Mr. Don Sullivan, Choices; (21) Mr. Neill Adhikari, private citizen; (22) Mr. Clayton McMurren, out of town, R.M. of Rockwood; (23) Mr. Rick Wishart, Ducks Unlimited; (24) Mr. Frank Baldwin, out of town, private citizen; (25) Mr. Robert Wrigley, private citizen; (26) Mr. John Shearer, private citizen; (27) Mr. Brian Lucas, private citizen; (28) Spokesperson to be named, contact Mr. Greg Mickie, Triple S Business Development Corporation, out of town; (29) Mr. Norman Binkley, private citizen, out of town; (30) Mr. Ray Fetterly, out of town, private citizen; (31) Mr. Bob Gooding, private citizen; (32) Mr. Greg Dandewich, out of town, Neicom Developments; (33) Spokesperson to be named, The Interlake Development Corporation, out of town; (34) Mr. Harvey Williams, and that is just TREE; (35) Mr. Brian Pannell, private citizen; and (36) Mr. Ron Seymour, President, out of town, Stonewall and District Chamber of Commerce.

* (2020)

The written submissions are (1) Mayor R. S. "Bud" Oliver, Town of Selkirk; (2) Mr. Len Morrow, private citizen; (3) Mr. Art Allan, private citizen; (4) Mr. Phil MacMillan, private citizen; and (5) Mr. Lawrence King, private citizen.

The first out of town is Ms. Jennifer Shay. Would you come forward please? For the committee

members, the presentation is being circulated now. Ms. Shay, you may begin any time now.

Ms. Jennifer Shay (Private Citizen): Mr. Chairman, members of the committee, ladies and gentlemen. In Manitoba, as elsewhere in North America, lands that once supported wildlife are increasingly being converted to agricultural, industrial, commercial and residential uses. As a result, some vegetation types and their plant and animal populations are rapidly diminishing.

One way the Province of Manitoba has acted to safeguard portions of our remaining wildlife habitat is to establish wildlife management areas. These publicly owned lands are managed for the needs of the wildlife that depend upon them. The intention is to provide an abundance and diversity of wildlife species in perpetuity for the use and enjoyment of Manitobans.

I am here this evening because I view with great dismay the possible repercussions that may follow if Bill 38 is passed without some fundamental changes. Yet, I question whether I or any others who may make presentations to your committee have any role to play, because the Minister of Natural Resources (Mr. Enns) has clearly stated that he will not countenance any amendments to Bill 38.

Despite this, I wish to make a few remarks, hopeful that we have a democratic process that not only allows me to make a presentation but that empowers you to authorize changes to the proposed act.

Bill 38, The Wildlife Amendment Act, in the Designation of areas, Section 2(1), states that "When the Lieutenant Governor in Council is satisfied that the wildlife resource of the province would be better managed, conserved or enhanced, it may, by regulation, designate areas of the province in accordance with this section."

This is followed by a Designation of Crown lands, Section 2.(2), which states that the Lieutenant-Governor-in-Council may designate Crown lands as wildlife management areas, registered trapline districts, special trapping areas, or any other type of area that the Lieutenant-Governor-in-Council may specify.

* (2025)

Surely the intent of the act is that this last clause should be consistent with the previous Section 2(1). It should therefore clearly indicate this, because

without such a statement there will be no restrictions whatsoever regarding the designation that could be applied to Crown lands.

Moving to the regulations respecting designated areas, Section 3(1), we read that, and I quote, the designation of an area for the better management, conservation and enhancement of the wildlife resource of the province in accordance with Section 2 does not limit or affect the uses and activities that might be undertaken in the area. I repeat, it does not limit or affect the uses and activities that might be undertaken in the area, and the minister may make such regulations as the minister considers appropriate, (a) respecting the use, control and management of an area; (b) authorizing, regulating or prohibiting any use, activity or thing in an area; (c) authorizing the construction, operation and maintenance of any building, structure or thing in a wildlife management area. Regulations are made for the purpose of carrying out the act. They are ancillary thereto, and are not inconsistent therewith. How should we then view Section 3(1)?

Members of the committee, I ask you, is Bill 38 a capricious act? We may at this time have a highly respected, honourable minister whose intentions should never be questioned, but can we be assured that in the future a minister may not in his or her view consider appropriate totally unsuitable things to the detriment of a wildlife management area?

My concern is that the original intent of The Wildlife Act should remain unimpaired. I therefore suggest that this clause could be extremely dangerous if passed into law. It seems particularly strange that Bill 38 has been brought forward when a mere 15 months ago Regulation 46/90 of The Wildlife Act was registered on February 23, 1990.

In this regulation, wildlife management areas mean wildlife management areas designated by regulation under The Wildlife Act, Section 2(1). Prohibition reads: Except as otherwise provided by this regulation, that no person shall in a wildlife management area grade, gravel or clear a road or trail; install or modify a stream crossing; drain, dike or block a man-made or natural waterway or wetland; engage in haying, grazing, clearing, bulldozing, burning, fencing, logging, cultivation; apply insecticides or herbicides; or construct, place or occupy or use a building, structure or tent. What, I might ask, has happened to this regulation?

Apparently the present Minister of Natural Resources (Mr. Enns) confirmed in an interview in

early May that Bill 38 was designated to thwart legal challenges for his plans to allow Ducks Unlimited to build an office complex in Oak Hammock Marsh, which to date has been protected from development as a wildlife management area under The Wildlife Act. Bill 38 would not only permit Ducks Unlimited office complex to be built, it would make development possible in every other wildlife management area in the province. Some may say that this is not the intention, but the opportunity to construct, operate and maintain any building, structure or thing in a wildlife management area will be enshrined in law.

Indeed, I have a letter that was recently written to a number of Ducks Unlimited volunteers that urges their support for Bill 38 which will permit work on the office complex and other future conservation work to proceed. It seems to imply that other things are already planned for wildlife management areas.

* (2030)

The government of Manitoba's 1990 publication on wildlife management areas states, and I quote: Although wildlife management areas are a relatively new concept in Manitoba, we are already reaping benefits from their existence. In the short term, these benefits are difficult to define, especially in purely economic terms. However, the establishment of wildlife management areas is not a short-term concept. With each passing year, these areas become increasingly significant when measured against the demands of modern society.

This publication goes on to say: We need the tonic of the wilderness, as Thoreau put it. How right he was. We have a duty to ensure that future generations will be able to experience wildlife and learn from all of nature.

That is the end of the quote, and I say, hence the need to protect wildlife management areas through The Wildlife Act.

In a submission last March, I expressed the view that the construction of an office complex in a wildlife management area violates the very tenets of wildlife management areas, and it establishes the precedent for using a wildlife management area for commercial purposes. This seems to be the reason we have Bill 38. The introduction of Bill 38 confirms and deepens this concern. I believe Bill 38 should be rejected.

Thank you for your attention.

Mr. Chairman: We thank you, Ms. Shay. Members of the committee, are there any questions? I think Ms. Cerilli was first.

Ms. Cerilli: Dr. Shay, the regulation that you referred to that was brought in about 15 months ago, what led up to that regulation being brought in?

Ms. Shay: I think the legislators probably know more about why the regulation was enacted than I do.

Ms. Cerilli: Could the minister answer the question?

Mr. Enns: The practice is that this is an opportunity to hear members of the public and other members to make presentations to make their views known on a particular legislative matter and the subject that is being introduced and for members of the committee to ask further questions of clarification from those making presentations. The honourable member has ample opportunity for me to debate with her the merits of any particular legislative matter from time to time in the House.

We have a full gallery of presenters eager and willing to make public presentations at this moment, and I would not want to take away from their time.

Mr. Chairman: Order, please.

For the committee members and the presenters and the people listening here now, the presenters are making their presentations. We will have the opportunity of questioning them. During the clause by clause, the minister will, in fact, answer any questions the committee might have. Right now, if you have questions for the presenter, please go ahead.

Ms. Shay: It would seem to me to be fairly obvious that this regulation was enacted to place very specific constraints upon the actions that could take place in a wildlife management area.

Ms. Cerilli: It is obvious that it is incompatible with the amendment to the act?

Ms. Shay: I would say so, yes.

Ms. Cerilli: With respect to the Ducks Unlimited building, I want to ask you some questions based on arguments from people who are in favour of the building. One of the arguments is that the building is only going to be in a very small percentage of the marsh. From your experience in research and working in wetlands, can you have a response to that argument in favour of the development in the marsh?

Ms. Shay: The building, I agree, occupies a relatively small part of the area. The principle at stake I think is that wildlife management areas were never intended to have constructed in them large office complexes, and it is for that particular reason that I am very concerned about the precedent that will be established should this development take place.

There is perhaps some provision for research establishments being placed near the resource that they are to undertake research in, but when at a previous hearing Ducks Unlimited was asked whether they were going to undertake research in the Oak Hammock Marsh, the answer was in the negative. They said they were not going to undertake research in the marsh, and there seemed to be no particular reason why the office complex should be placed in that particular site.

Mr. Edwards: Mr. Chairperson, your indication that the Minister of Natural Resources (Mr. Enns) has clearly stated that he will not countenance any amendments to Bill 38, I had not heard that. Can you give us a source for that?

I have hopes that he would countenance amendments. I know he is a long-term parliamentarian, and I would assume believes fervently, as we all say we do, in the committee process and the democratic process listening to representations. I would be interested to know what your source for that comment was.

Ms. Shay: The source was a reported interview in the Free Press and I have the clipping at my seat—I can give you the date, but it was a reporting interview in the Free Press.

Mr. Edwards: I would appreciate it if you would even perhaps let us take a copy for at least my view. As it is referred to in your presentation, I think that would be in order.

The only other question I have—you appear quite knowledgeable about the legislative regime and the proposal, you certainly go through the sections and I congratulate you for that. Were you aware, or have you been aware that in fact in the last decade in this province, successive governments have put this type of carte blanche into legislation?—although in the 1982 regulation signed by Mr. Mackling, the 1983 regulation signed by Mr. Evans, and the 1988 regulation signed by Mr. Plohman, all dealing with activities in wildlife areas, the same carte blanche was put in regulation. True, it did not appear in the

act itself, but it was rather part of the wildlife activity regulations.

Were you aware that this same carte blanche had in fact been put in place by the prior administration three successive times in the last decade?

Ms. Shay: I was not aware of that.

Mr. Edwards: Would that give you—I am not suggesting that would give you any comfort, because I want to indicate that I agree entirely with your comments about the danger of that section. I guess my only, and it is not so much a question, but I would ask you to comment on whether or not you think it is not time that we in Manitoba dealt with this and made wildlife management protection areas just that, and made sure that the act means something beyond nice thoughts and nice words, but actually has some security for the people of this province.

Ms. Shay: I think it is absolutely essential that The Wildlife Act has a great deal of strength for preservation as I indicated at the beginning of my comments. Natural areas are rapidly disappearing, and it is becoming more and more imperative that they have some absolute protection.

* (2040)

I think if this has been introduced as you suggested on a number of previous occasions, hopefully we are becoming more enlightened and more aware of the need to preserve natural areas and endangered spaces. Indeed, our own Premier has indicated that 12 percent of our province should be set aside in this endangered spaces category, and wildlife management areas are part of this real need for absolute protection.

Mr. Chairman: Are there any other questions for Ms. Shay? Thank you very much, Ms. Shay.

I would just like to take a moment here to welcome everybody, which I did not do earlier, just to welcome you here tonight. I apologize for that, and to ask Mr. Harold Syrett, would you please come to the podium. Mr. Syrett, you can proceed.

Mr. Harold Syrett (Private Citizen): Mr. Chairman, committee members, ladies and gentlemen, before presenting the body of this paper in opposition to the major intent of Bill 38, The Wildlife Amendment Act, I want to comment on the proceedings here as I perceive them. Last January 16 and 17, 1991, I attended this Chamber for the purpose of speaking on Bill 24, The Environment Amendment Act. What transpired gave me great

concern and prompted the following letter to Mr. Filmon:

Mr. Premier: I want to put on record my strongest objection to the Conservative Party representative's conduct at the Standing Committee on Law Amendment hearings on January 16-17, 1991, Bill 24.

As one making a presentation I found the conduct of your party most inattentive, rude and an affront to the democratic process. They read magazines, absented themselves for lengthy periods, (missing presentations) and by turning their backs on presenters insulted them.

Your Minister of Environment made it abundantly clear that he was there to once again orchestrate proceedings to your desired result irrespective of the potential damage it will do to our environment. Your member of the committee obliged the Minister of Environment and its members by leaving him to his orchestration while they conducted their farcical comedy on the side.

One member of your party, Mr. Harry Enns, a substitute on the 17th, absented himself for three and one-half presentations and spoke but once, and that was to insult the final presenter, Dennis Breed.

What I assumed I would be attending would be a democratic process whereby the standing committee on law would be learned representative members of your party who would consider all aspects presented and arrive at a joint decision on the facts presented. Instead I found yet another situation where you are playing at politics with our environment.

I can draw no other conclusion than that your government is incapable of handling our environment and its concerns in a just and equitable manner and are incapable of arriving at an objective decision, one that is not tainted with political considerations.

The Premier's reply came back and I want to read just part of it to you: Thank you for your letter of January 22, 1991, regarding the passage of Bill 24. I appreciate you having taken the time to share your concerns. I trust that with the help of written materials from presenters, as well as the opportunity to discuss matters with fellow committee members, their ability to make informed decisions is not hindered by occasional absences.

You have the rest of the letter there; you can read it at your leisure. The validity of the Premier's

remark, "I trust that with the help of written materials from presenters, as well as the opportunity to discuss matters with fellow committee members, their ability to make informed decisions is not hindered by occasional absences," is belied by certain statements that this government has made and by certain actions that they have done. I will comment on some of these.

On May 22 of this year, it was reported in the *Stonewall Argus/Teulon Times*, page one, I quote: Natural Resources minister, Harry Enns, said public hearings will be held to allow people to appear before a legislative committee to raise their concerns about Bill 38. However, the minister does not expect to make any amendments to the act.

That, ladies and gentlemen, puts finished to any of Mr. Filmon's so-called informed decisions. Supposition. This also raises the question, why are these public hearings being held?

I also want to quote from the 1991 Session Paper No. 37, Annual Report 1989-90 Natural Resources, page 116, The Heritage Marsh Program, which reads: The Manitoba Heritage Marsh Program is a co-operative agreement to protect significant areas of wetland habitat for all Manitobans.

For all Manitobans. I then look at the portion of Bill 38 that deals with heritage marshes and significant wetlands and ask myself the following questions: What protection is there for significant areas of wetlands in this bill and what is there in this bill that will protect wetlands for all Manitobans? I answer, there is nothing.

The Minister of Natural Resources is reporting one thing in his 1989-90 Annual Report and then does the opposite. Once again I ask, how will Bill 38 accomplish what is reported in Session Paper No. 37? It will not. How will Bill 38 protect significant areas of wetland habitat that is the crown jewel of all Manitoba's wildlife management areas for all Manitobans? It will not. Therefore, I conclude that Bill 38 has been put forward for one reason and for one reason only, and that is to permit Ducks Unlimited Canada to construct their corporate headquarters in the crown jewel of all Manitoba wildlife management areas, Oak Hammock Marsh.

Mr. Enns' inconsistency in this matter reminds me of Mr. Enns and his FUBAR at Marshy Point. The similarity is striking and bears relating here. Mr. Enns provided free grazing for one of his friends at Marshy Point which is Crown land. To enable his

friend access to Marshy Point, road building equipment moved in, built a road, put in four undersize culverts that blocked off the natural ebb and flow of Lake Manitoba thus flooding the south shore hay land in the Lake Francis area. The local populace were up in arms as he had flooded their fields and prevented them from making hay on this vast flooded area. Consequently, the road building equipment returned and restored the area to its original condition. Mr. Enns claimed that his actions were based on the fact that his friend had grazed cattle there since the 1950s and when the NDP government designated Marshy Point a wildlife management area, they took away his friend's grazing rights. He said that he was only righting a wrong done by the NDP government. The truth of the grazing history, that revealed the true character of Mr. Enns' actions, came out when the following letter appeared in the September 3, 1990, *Stonewall Argus/Teulon Times*:

Grazing History, re: Harry Enns Provides Free Crown Land. Harry Enns indicated that he wanted to correct a problem the NDP had created by making the Marshy Point a wildlife management area. Enns indicated the Johnsons were grazing the area since the 1930s. I was one of the first settlers/pioneers along with my parents in the Marshy Point area and worked as a fisherman and trapper. I know my brother grazed the area in the 50s and 60s and the Mathews had sheep in the 30s. Paul Einerson was the first to have cattle there in the late 30s. Contrary to Mr. Enns' statement, I do not know of any Johnsons grazing the Marshy Point area in either of the 30s or 40s. Signed, Thank you, W.A. Chartrand, Oak Point.

* (2050)

I want to draw your attention once again to the reference at the heading of the letter, Harry Enns Provides Free Crown Land. As far as I am able to ascertain, this bill for grazing has never been paid. I have also wondered who paid for the construction and removal of the road.

Yes, it was a real FUBAR and its similarity to Bill 38 and what its enactment will do has not escaped me.

One last comment in this introduction, and that is on the Oak Hammock Marsh agreement signed by the DNR/DU Canada on March 2, 1991, and I might add, two days after Royal Assent was given to the agreement. I refer here to Section 14, Payment of Rent, which reads:

Ducks Unlimited shall pay to Manitoba an annual rent of \$1 to be paid in advance on or before April 1 in each year of this agreement.

Sounds familiar, does it not?

Bill 38. March 14, 1990, Premier Filmon kicked off Manitoba's part of Save the Wilderness campaign by stating: Every one of the moves that we make will be dedicated towards increasing the proportion of Manitoba that is dedicated to this purpose. Within the Winnipeg Free Press. Let us now look at his bill of dedication and how well it will substantiate this statement of March 14, 1990.

Hansard, Vol. XL No. 44 - 1:30 p.m., Wednesday, May 15, 1991, page 2133. Mr. Enns in his motion presentation of Bill 38 commented as follows: . . . many members . . . may consider this to be an act of some significance. It is, of course, merely housekeeping changes to the act.

Because Mr. Enns is a politician of 25 years standing, one must be cautious in accepting what he says is fact. One must be on guard, so to speak, and that is the reason for my rather lengthy introduction. Therefore, in dealing with this bill I will confine my comments to that part of the bill that deals with the polar bear and the amendments to The Wildlife Act that pertain to wildlife areas to ascertain what is or is not, as Mr. Enns says, housekeeping.

The placing of our polar bear in Division 6, Protected Species, of Annex A of The Wildlife Act itself is a noble gesture and one that is long overdue. When this action is accompanied by the fourth part of the amendment, the major portion of this bill, the eradication of Part I of The Wildlife Act and its supporting sections with the ensuing granting of sweeping dictatorial powers to the Minister of Natural Resources, the gesture falls flat. It falls flat because it places our 72 wildlife management areas on an endangered area list, if this bill is allowed to pass. It then becomes yet another testimonial to Mr. Filmon's so-called Save the Wilderness campaign.

The inclusion of the polar bear in this bill reminds me of my service in the Arctic with the Royal Canadian Air Force some 30 years ago when I became acquainted with our Eskimo and his way of life. It was from the Eskimo that I learned a bit about the polar bear and his hunting techniques. I find that there is a similarity in the polar bear's hunting technique and what Mr. Enns is attempting with Bill 38.

The polar bear feeds on the seal, and he hunts them at breathing holes atop the polar icecap. He tries to secret himself as near to the seal's breathing hole as possible. When the seal emerges from his hole onto the icecap, the polar bear charges in and kills the seal before the seal can disappear down the safety of the breathing hole.

The polar bear does have one problem though, one that hampers his hunting technique. The polar bear has a black nose and in his environment of total white this is a dead giveaway. By trial and error, no doubt, the polar bear found that he had better success in hunting if he held a paw over his nose concealing his blackness, so that seals did not smell a rat, so to speak, and not come out of his breathing hole onto the icecap.

My correlative reference here is not a physical one on Mr. Enns' part but, rather, a verbal one, and that is his remark that this bill is nothing more than housekeeping. He went to great length in his presentation as recorded in Hansard to try to substantiate this position. There is a long paper trail of regulation amendments by governments and Ministers of Natural Resources. Strangely enough, he never mentioned his February 23, 1990, amendment of Regulation 34/88R Activities In Wildlife Areas Regulation.

His new regulation 46/90 replaces 34/88R whose Section 1 reads: (1) This regulation is made under Part 1 of the act, and any person who contravenes or fails to observe a provision of this regulation is subject to the penalty set out in that part.

This provision was omitted from Mr. Enns' revision that is being made under Part 1 of this act. The right for approval was shifted to the minister, thus abrogating any semblance of our long-established democratic process as practised in our Legislature over the years.

There are other provisions of 46/90 that contained prohibitions and activities. The prohibitions dealt with construction use of various resources and the application of chemicals. The activities were with reference to activities such as carrying of firearms, operate a vehicle, hunt or kill game birds or big game, trap, and restrictions on camping.

There was a provision, Section 10, Permits, that read: The minister may grant a permit to a person authorized in activity that is otherwise prohibited by this regulation. The minister's authority under the act to issue permits is contingent upon the authority

vested in his position as minister as outlined in Section 90, Regulations by minister.

By no stretch of anyone's imagination is there any authority in this section or the present regulation 46/90 that permits the issuing of a permit by the minister for the construction of a corporate headquarters or any corporate building within a wildlife management area. Section 90 makes provision for the minister to issue hunting permits, wildlife certificates, trapping permits, et cetera, but no building permits.

Why do I say that Mr. Enns is playing polar bear with Bill 38? He has played polar bear before with DU and DNR proposal, as indicated in my introduction. What is Mr. Enns hiding behind his paw, so to speak? I think that an answer will be found within his own department and what they have revealed at the Clean Environment Commission hearing on the DU-DNR proposal, Volume 7, page 60, CEC hearing on Ducks Unlimited-DNR proposal.

Question, Mr. Punter to Mr. Goulden, Assistant Deputy Minister of the Department of Natural Resources, the question is: Has the Department of Natural Resources at any time that you are aware of permitted any private individual or organization to build an office building on a wildlife management area, or indeed on Crown land?

Answer by Mr. Goulden, Assistant Deputy Minister of the Department of Natural Resources, who previously was director of Wildlife. Answer: On wildlife management areas I think it would be fair to say that we have never allowed or even had a request for an office building on a wildlife management area.

That, ladies and gentlemen, certainly puts finish to any so-called "housekeeping" aspect or reference to Bill 38. The polar bear paw no longer covers his nose and we can see the polar bear for what he is, and likewise, we can now see what Mr. Enns is hiding. He is attempting to do something that has never been done, something that should never be done: the commercialization of Oak Hammock Marsh and, I might add, ultimately the remaining 71 wildlife management areas. He is about to turn our Department of Natural Resources into the biggest giveaway of public land on record at \$1 a go. That is what he has been hiding.

When Mr. Goulden responded to Mr. Punter's question that, and I quote: "We have never allowed or even had a request for an office building on a

wildlife area," there is every certainty that there never was or is any legal process in existence permitting such a building idea, or proposal, to be realized. There never has been need for such legislation nor was there ever such legislation in existence, except in the mind of Mr. Enns and his confusion, deliberate or otherwise, in his interpretation of the meaning of designating an area a wildlife management area with its accompanying prohibitions and activities that he so conveniently makes interchangeable.

Conclusion: Hansard, page 2137 as dated above, quote, Mr. Enns:

I think it is a responsibility of government, at least I accept that responsibility, to make it very clear what the government's intentions are. That does not preclude anybody from raising their objections, anybody from raising court challenges to any undertaking of this government or any other government.

I find this a hollow statement, a political statement and it is, to me at least, a case of clear malfeasance on the part of our Minister of Natural Resources when viewed in the light of Mr. Goulden's response to Mr. Punter's question at the CEC Hearing on the DU/DNR proposal.

* (2100)

The proposal by Ducks Unlimited Canada to construct its corporate headquarters at Oak Hammock Marsh should have never gotten beyond the suggestion stage. The land is Crown land, a designated management area, a Heritage Marsh, an internationally recognized Ramsar Site. It is in an area zoned A-80 which is agriculture and only agriculture. There is a one half mile buffer zone around Oak Hammock Marsh to prohibit any form of construction. Yes, Mr. Enns, you are making it absolutely clear what you and government's "intentions are" to quote you once more from Hansard—"intentions are."

At this moment, there is no legal status to the DU/DNR agreement that was signed last March 2, 1991, that will permit construction to proceed. If there were, there would be no Bill 38 and we will not be here. The legality of the proposal was adequately demonstrated when the amendment to the R.M. of Rockwood Zoning Bylaw was quashed in the Court of Queen's Bench. What this government is doing is abundantly clear. It is amending The Wildlife Act to legalize something that up until this fight has been illegal. This bill cuts

a special deal for a special friend of the government and spells end to our wildlife management areas and we know them not. This bill is scurrilous in nature and must not pass. If this bill becomes law, what can a citizen of Manitoba expect to see in the future for Oak Hammock Marsh?

To aid one to see into the future, one must know what is being planned by Ducks Unlimited for Oak Hammock Marsh with its partner, our Department of Natural Resources. To ascertain this, we had to resort to the Access to Information Act of Canada. Our formal request to Western Economic Diversification—we were refused in our informal request—was to obtain their agreement with Ducks Unlimited for funding. Evidently, Ducks Unlimited refused our informal request as it would reveal something of their method of operation. At least, that is the reason given to me by our Winnipeg office of Western Economic Diversification.

Our request for the Western Economic Diversification Ducks Unlimited agreement, when it came, contained the following: (1) covering letter, (2) letter from Ducks Unlimited accompanying the signed copy of the agreement, (3) the agreement, (4) five attachments, (a) Project Description, (b) General Conditions, (c) Project Audit Certificate, (d) Environment Assessment ID Systems, (e) Response Statement to Bovey report.

I will comment on various aspects of the above documents, except (d) with special attention being given to (e) Response Statement to Bovey report, as this is the most revealing of what the future holds for all Manitobans with regard to Oak Hammock Marsh and our other wildlife management areas, should this bill become law.

I must say at this time that the response statement to the Bovey report by DU and DNR was denied us when originally requested. This document was kept secret by our Department of Natural Resources and Ducks Unlimited, who refused our request to have access to it. It took an application to the Access of Information Act federally to obtain what the Manitoba government refused to reveal to its own concerned citizens who have been actively concerned regarding this project from its inception. Let us see what they have been hiding. I will also make appropriate cross-references to the March 2, 1991 agreement signed by our Department of Natural Resources, Ducks Unlimited, and the Bovey report response statement.

The reply from the Western Economic Diversification letter has a paragraph. I want to read it to you: For your information, the agreement with Ducks Unlimited is a nonrepayable contribution. You will find enclosed a copy of the agreement you requested under the act. If you have any further questions, please contact me at such and such a number in Ottawa.

I took the privilege of doing that to find out what the definition was of a nonrepayable contribution. Why did they not call it a grant? I find out, she told me off the top of her head that they do not give grants, because grants do not have conditions. This nonrepayable contribution has conditions attached to it, and that is why they have this lengthy agreement, because there are conditions in this agreement.

The covering letter from Ducks Unlimited was signed January 29, 1991, and Gary Goodwin, their counsel, did this, returning this copy to them.

I only refer to certain portions of this so we can get an idea of what is going to happen in Oak Hammock Marsh. The Minister of Western Economic Diversification—the minister hereby offers to make a nonrepayable contribution, the contribution to Ducks Unlimited Canada, the recipient, upon the following terms and conditions. That is where this nonrepayable contribution comes in because there are terms and conditions to it.

The reason it is nonrepayable is that theoretically Ducks Unlimited is not in the business to make money. If it goes bust then they have no source of income except the \$44 million they get every year from the States. They might pay it back out of that, I do not know, but there it is.

The contribution is the lesser of 85.5 percent of the Assisted Project Cost and \$2,048,000 Assisted Costs of the costs necessary to carry out the project in accordance with the Attachment A, assistance from the Manitoba Department of Natural Resources of an estimated amount \$250,000.

(c) of Other Conditions reads: The recipient provides evidence of the final agreement between itself and the Manitoba Department of Natural Resources concerning the project that includes a long-term lease agreement for the development site and conditions that ensure that all the assisted capital cost of the project will be owned by the recipient and that the recipient will be responsible for any operating deficits of the project.

What that is saying is that this agreement signed with Ducks Unlimited and our Department of Natural Resources has to contain a clause, which it does, that all of the buildings out in the marsh, built under this, belong to Ducks Unlimited. Our citizens do not get anything. It all goes to Ducks Unlimited—oh yes, they do—except the parking lot. We get the parking lot. It is wonderful.

The only way we can get those buildings out there is at the end of the 50 years and no lease is renewed or they can default under monthly payment, or yearly payment. One buck. Fat chance. It definitely says that this building, this great, great conservation centre that we have heard so much about, belongs to Ducks Unlimited. It does not belong to Mr. Enns and his department.

The recipients shall submit reports outlining the environmental mitigation measures taken to date, with each payment claimed so that the minister can determine whether this requirement has been satisfactorily met before payments are made. I bring that up because later on something is going to come up that refers back to that.

* (2110)

Reporting a description of the benefits that have accrued, or are likely to accrue to the recipient as a result of the project and a summary of the results of the environmental mitigation measures undertaken as stipulated in Section 401(d)—in other words, they have to follow the mitigation procedures set out in this and they have to report back to this.

Other government assistance, Department of Natural Resources \$250,000 entire contract—and this I find very interesting, this agreement includes Attachment A, B, C, D, and E—constitutes the entire contract between the parties here with respect to its subject matter. Everything that follows here is part of this contract that must be followed out and dealt with and they must report back to it.

Western Economic Diversification, and they are all listed there. Attachment A, Assisted Project Cost \$2,396,000; Non-assisted Project Cost \$4,925,200—I think it is a little out of date.

Then the Schedule A list down here, construction cost, assisted project cost, construction cost for the interpretive centre \$1,061,000; exhibit cost, all exhibit cost up to \$895,000; other cost: audio visual equipment and shows, renovation to existing visitor centre, interpretive programs, craft tools, total other cost up to \$440,000; for a grand total of \$2,396,000.

Non-assisted project costs are listed here also. Interpretive centre costs, not listed above, \$1,204,100. Other building costs \$3,721,000, for a grand total of \$7,321,000. I think the latest figures issued by certain people put it well over that figure.

Attachment B, General Conditions: The recipient shall not alter the scope of the project without the prior written consent of the minister—and I am talking about the minister in charge of Western Economic Diversification. They cannot change anything at all unless they write to Ottawa. Number 5: The recipient shall incorporate and utilize environmental protection measures in relation to the project that satisfy the requirements of all regulatory bodies of appropriate jurisdiction. Number 7: The recipient shall obtain and satisfy the requirements of all necessary licences, permits and approvals from the appropriate regulatory body. I recall, they tried to amend the R.M. of Rockwood act but it fell flat because it was inconsistent with the law. That did not work. Oh, they do not need that anyway—we will go this other way.

This condition is that the minister and the recipient shall treat as confidential and shall not disclose during the term of this agreement and for a period of three years afterward any information provided by one party to the other, in confidence, in regard to the project or any additional information for which either party receives, in confidence, as a result of the performance of the agreement, provided that such information may be disclosed. In the event that parties agree to the disclosure, the disclosure may be required to be made by law—that is how we got this; we did it by law—or the party claiming the information to be confidential makes the information public. There is a lot to this agreement.

We get down to Attachment E. I want to read the heading: Ducks Unlimited Canada and Wildlife Branch, Department of Natural Resources response to evaluation of proposal by Duck's Unlimited to construct a conservation centre and office within the Oak Hammock Marsh by Robin Bovey, June 15, 1990. This was what we were not permitted to see, so many of you will be seeing it for the first time. There is a long introduction. I will just read parts of it as I go along.

We interpret conclusions and recommendations of the Bovey report as instructive to the proponent. So what Bovey had written, his criticism of the ID Systems report, was they accepted it as instructions to them to do something.

Future expansion and disposal of proposed facilities: As Mr. Bovey points out, the future expansion is modest. It has been included in our site planning to ensure continuity of design and called for an overall building footprint increase of 10,500 square feet. It will allow for 10,000 square feet of office, 4,000 square feet of exhibit hall and 1,500 square feet for a conservatory. Now, this is contained in the agreement on page 2, Schedule B.

In the agreement they have listed the size of the corporate office, 32,600 square feet; size of interpretive centre 22,300 square feet; total size of complex 54,900 square feet. Future expansion, corporate office, 10,000 square feet, five down and five up; future expansion, interpretive centre, 6,000 square feet, so the agreement is at variance with what I have read here as far as the contract is concerned.

We agree that the need for building disposal or relocation of use is a remote possibility, but will be addressed in the joint venture agreement and lease between Ducks Unlimited Canada and the Province of Manitoba. This is for building disposal and relocation—but I mentioned the 50 years, and then we can take over. If we have the God-given ability to rise from the grave, I will come and see it when it belongs to Manitoba.

An Honourable Member: You will likely still be around, Harold.

Mr. Syrett: Thank you, Harry.

Detailed ecological inventory: Availability of a detailed ecological inventory would have been the ideal situation as we began developing a concept for the proposal under discussion. This is DU's reply: In a perfect world all pertinent information would be in hand before development is allowed to proceed. This seldom happens in reality. Environmental assessments require that impacts be identified or predicted, which always involves some degree of uncertainty. Identification of information needs is another integral part of the process but immediate answers to these needs are often not essential—I do not understand that.

In many cases, information needs are best met by proper design monitoring and follow-up studies. Well, what are you going to monitor, if you do not know what is there in the first place? What are you going to follow-up and study on, if you do not know what is there?

There is little reason to believe that the proposed development will have any adverse effect on Oak Hammock Marsh. It is likely instead to provide long-term benefits through new management and conservation initiatives. Discussion of the types of wildlife and habitat monitoring carried out at Oak Hammock Marsh Wildlife Management Area were previously provided by the DNR and will not be repeated here—page after page of that waffling.

7(b), 5(c)(d), 7(6)(a)(b)(c) of the Bovey report, interpretive planning, design boardwalks, screening of trails, visitor impacts, screening viewing sites, parking areas, transport to sensitive areas, avoidance of primitive areas. This is where they are going to alter the marsh.

* (2120)

We are in the process of developing an integrated interpretive plan and did in fact present a good deal of information at the CEC hearings on this subject and have been working on this ever since the initial Woods Gordon and I.D.S. reports were prepared. What we have developed to date are conceptual plans. Until we have a fully constituted management board and are able to hire staff with the necessary expertise and qualifications, we are unable to finalize these plans. Taking those steps are contingent upon receiving approval to proceed the process in which we are currently involved.

The attached outline entitled "Preliminary Discussion on Public Programs, Oak Hammock Conservation Centre" Appendix 5 provides an example of the preliminary concept planning to date, and we are going to get to that in a minute.

It says, we are going to change the main mound. We are going to put in boardwalks, portable floating, accommodate handicapped persons—good idea, but do we need the boardwalks in a wildlife management area? In a natural environment, are there boardwalks? In addition, a nature dyke.

They are going to put in feeding stations to attract the birds so people can watch the birds feed, not out in the field, lure crops, but feeding stations, and then they are going to plant willows and low shrubs to hide the people behind, and then they are going to put in a gangplank walkway. They are going to do that at the north mound. They are going to do that at Oak Bluff site.

Oh, Oak Bluff, they are going to put in picnic facilities, washrooms and drinking water. It means they have to dig wells. They are going to landscape

it. They are going to landscape the marsh. They are going to put in benches, gangplank offshoots. The existing mounds that need reconstructions include ramps, decking and viewing binoculars. Parking to accommodate 20 vehicles is needed.

The existing roadside pull-offs at the southernmost lure crops, the tall grass prairies and artesian walls can be landscaped with trees to provide screening between road traffic and pull-off users. Expansion of the existing lure crop pull-off and additional roadside pull-offs will be needed adjacent to the main north-south access road. They will accommodate 20 cars and should include screens as above, physical barriers, ditches.

An additional pull-off will be constructed following the same guidelines as noted above at the junction of the Wavy Creek diversion and the main access road. This site provides a view of the wildlife management area grassland and is a major pathway used by waterfowl moving to and from the marshes feeding. Signed, T. G. Neraasen, and Chief Biologist Arthur Hoole, Director of Wildlife Branch.

We have some more appendices here, all produced very conveniently through our Western Economic Diversification by Ducks Unlimited, pages and pages of this contract.

Here, I thought this was rather interesting: Oak Hammock Inventory and Monitoring. The inventory will commence by collecting existing information on the occurrence of plants and animals at Oak Hammock Marsh. Field data will be collected to produce a detailed inventory of the plant communities, animals, reptiles, amphibians, fish and breeding and migrant birds found in the area. They are going to get all those inventories going.

Part III of this, under Mammals, I found interesting. Presence of large mammals will be determined from sightings and track surveys. Small mammals will be monitored by live trapping on transect lines through all vegetation communities in the vicinity of the current and proposed centres.

Trapping intensity, number of traps, and duration of trapping will be determined from previous animal surveys conducted at Oak Hammock. The survey will determine species abundance and habitat selection. I thought there were people sitting here who would be interested to know that they had put in their agreement that they were to trap mammals and reptiles and keep records of them.

Oak Hammock conservation centre coping with visitors strategies and impact, Dr. Robert E. Wrigley—current use of the wildlife management area is listed, visiting statistics projected, 210,090 people; 95,250 are coming from Winnipeg. He has a problem, though, because he states that he is competing with Disneyland and other attractive areas. They are going to have to put something up here real special, because if they do not put something up special, people will not come and pay money to see it. He says here, and I found this rather interesting: as at other museums and nature centres.

I do not know if we have a museum. They called it a conservatory in the beginning and then they gave it another name which was convention centre. That is mentioned in here, too. They have a convention centre mentioned in here. They have—the name slips me at the moment.

They say here, in Mr. Wrigley's report: the nature of the interpretive centre's educational programming will be governed by a management board with equal representation by the joint partners, Ducks Unlimited Canada and Manitoba Natural Resources.

All through this document, I could not find any reference to the Department of Education. The board is going to be filled from these two people; and it is contained in the contract here, that the board can be let go and added to and changed around by either one of them at any time. So if there are people there who are not toeing the line, that have not signed the paper, that they will be loyal to the bosses; then they can let them go and bring somebody else in.

They are going to have a director, a head of interpretations, a head of productions, two interpreters, volunteer co-ordinator, receptionist, exhibit technicians, audio-visual technicians, projectionist, guide, gift shop manager and administration secretary.

The Oak Hammock conservation centre will have a plaza, a reception hall, a gift shop, a theatre, a seminar room, a temporary exhibit hall, hallway exhibit area, wetlands exhibit hall phase I, wetlands exhibit hall phase II, conservatory phase II, natural science laboratory, observation deck 4, courtyard, boardwalk, display area and crafts centre. There are 15 of them listed here. At the reception desk, they are going to have an electronic bulletin board to keep everyone up-to-date, and I guess you could

goup and push a button and find out where the birds are or where the people are or what is going on. I do not know how they are going to use it. They say then, Mr. Wrigley says, admission, average \$1.40 per person—admission, \$1.40 per person. Then they say, with advance notice, private organizations and public agencies may reserve the meeting room.

Now we get into the goodies. Oak Hammock Marsh Wildlife Management Area beyond leased Oak Hammock conservation centre site, observation mounds and platforms, marsh boardwalks, presently one at 300 metres in length. Dike trails, tall grass prairie trail, oak bluff trail, aspen grove trail, sewage lagoon trail, lure crop observation sites, agriculture demonstration plots, day use facilities, picnic areas, wind shelters, washroom—future developments of the wildlife management area.

Day use facilities may be expanded, and so on and so on. Wildlife management structures designed to attract wildlife to viewing areas—what are wildlife management structures designed to attract wildlife to viewing areas? Have they got a special quacker they put out there to pull the birds in or what? They are going to have feeding stations, as I mentioned, four at potholes west of the entrance of the conservatory centre and at the junction of the demonstration cells. They are going to put up nesting, perching and loafing structures at a number of new locations, including in front of the marsh-facing windows of the centre.

I thought this was a wildlife management area. We are going to put birdhouses and feeding stations out there. Who is going to shoo the cats away?

* (2130)

Visitor management of the wildlife management area—while details are still under discussion, it appears likely that the conservation centre management board will assume responsibility for the leased site and centre, interpretive programming and other visitor related matters. So the two partners—no mention of any of the other naturalist societies, environmental groups or anything. It is just Ducks Unlimited with their partner, Department of Natural Resources.

Appendix 5, part E—the conservation centre enters a highly competitive field for people's time, interest and dollars in the area of education, recreation and entertainment. Most notably in this regard are the animated displays and rides of the Disneyland centres. Well, Mr. Wrigley, yes, Robert

Wrigley, he sees himself competing with Disneyland, and so in order to compete with Disneyland, you have to make a Disneyland. That is my interpretation.

There is great potential for developing extraordinary indoor and outdoor experiences in the 18 distinct program areas identified thus far at Oak Hammock Marsh site. In time, the Oak Hammock conservation centre should also be in a position to offer production and co-ordination services for other regional Ducks Unlimited centres that may be created across Canada. Boy, are we lucky. We are in on the ground floor at a buck a go to be the first to allow Ducks Unlimited to build in a wildlife management area. This really makes me feel proud. In time, the Oak Hammock conservation centre should also be in a position to offer production and co-ordination services for other regional Ducks Unlimited centres that may be created across Canada.

Basic functions—I will only read three of them. Biological resource centre for schools, augmenting their curriculum from elementary to university levels. Not once have I heard—in fact I wrote to the Minister of Education (Mr. Derkach) and asked why there was not somebody at the CEC hearing. They were not interested. He said they would revise the curriculum in two years time, but the education is going on. I do not want the state education we get in schools, but I think there should be some co-ordination here, some consultation. It is going to have—for meetings and a conference facility for conservation organizations—now the truth is out. It is going to be a conference facility, workshops for people in groups interested in the arts and crafts related to nature. Now, all of these are not a bad idea, but in a marsh?

With programs targeted at specific audiences such as school classes, families, tourists, landowners, seniors, and wildlife groups, the major objectives of the program plan are two. I will read No. 2: Describe the diversity and ecological relationship of North American wetlands. We are going continental-wide with this thing.

Exhibit: The exhibition program is the major medium of contact with visitors—not the marsh, not the wildlife, not the fauna, but the major medium is the exhibition program. Incorporated under this title are a wide range of possibilities from interpretive computer modules and full-scale dioramas to simple labels on a marsh trail. In other words, these

modules can take any form and cover any subject. A recording of prairie marsh sounds is played periodically—this is in the conservatory—to enhance the feeling of being in the marsh. Wonderful. You do not have to be in the marsh to hear marsh sounds, you can be in the building.

If the building was not there you would hear the sounds.

Temporary exhibit hall: They are going to host exhibits. Again, they are competing with Winnipeg and other commercial things in holding exhibits.

Hallway exhibit area: They are going to have two-dimensional, audio-visual displays because of their high traffic in the hallways.

They are going to have a wetland exhibit hall. This 370 square metre hall with future plans to expand to 750 square metre is the centre's premier exhibition space, filled with an exciting variety of imaginative, interactive and traditional displays. Most of these will be of module construction, permitting their easy removal for renovation or replacement. Security is maintained by proper design, regular presence of interpreters, and closed-circuit television with a monitor at the reception desk.

A series of themes is explored. Types of fresh water and salt water wetlands, historical evolution, ecology, seasonal, genetic, ecosystem, environmental, conservation, wildlife management and economics. They have a whole university going in 370 square metres.

Courtyard: This secure outdoor area contains wetland exhibits that will appear out of place if located in the marsh at Oak Hammock. Topic range from rafter enclosures, glass-sided pond, sphagnum bog, to models of ancient wetland creatures, and an alligator enclosure.

Boardwalk display area: This is classified as a low-security area and is fully accessible to visitors without passing through admission. They are going to let you walk in this area for nothing. Everything else you have to pay for. Keep in mind when you are out there when this thing is going on, look for the boardwalk display area. It is free.

Conservatory: Planned for future development, this large greenhouse features warm and cool rooms, used to maintain live displays of plants and animals from all regions, arctic to the tropics, and wetland habitats, fresh to marine of North America.

Craft shop: The craft shop and the attached desks have great potential for displays on numerous subjects dealing with wetland related crafts and arts.

Other exhibit areas: Durable interpretive panels are planned for boardwalks, dykes, blinds, mounds, prairies and woodlot trails, sewage lagoons, lure crops; and they are going to have an agriculture demonstration plot.

The interpretive centre is expected to join Ducks Unlimited in contracting film productions with professional wildlife photographers. The crafts shop will also be set up for audio-visual presentations dealing with crafts, arts, and workshops. Remote cameras placed at special locations in the marsh, that is, migrating flocks on lure crops or nesting waterfowl will display on closed-circuit television monitors in the centre, perhaps, in the eastern hallway exhibit area. Visitors will be able to pan and zoom on subjects of their choice.

I thought they were doing it now by being in the marsh. There are walkways; there are mounds; there are dikes they go on.

Workshops and demonstrations: the only thing here I comment on is a modest fee may be charged in some instances. Then they have an area on drama, dance, and musical shows. Then they are going into the publication business. There is quite a bit on publications here, the type of books they are going to put out and distribute and so on. In the gift shop, it is going to be the first to provide special products and information that will assist the public and schools to explore and learn about wetlands. The second is a rental service of photographic equipment. They are in the rental business.

* (2140)

Then there is a heading here on public information. There is one comment, and I think this is priceless, a red hotline phone is under consideration for the reception area. Will you be able to get the Premier or Mr. Mulroney or Mr. Bush on this hotline? I do not know.

Then they are going to have travelling exhibits, again, where a rental fee is charged. That paragraph on travelling exhibits says, last sentence: Once Ducks Unlimited conservation centres are set up in other regions of Canada, the Oak Hammock conservation centre may become a major provider of temporary exhibitions enriching their programming at low cost.

Education kits, they are charging a fee for. Then they are going to have special programs on top of all of this mundane stuff. There is going to be a special program. A special program is an event that can greatly expand the diversity and frequency of activities at the centre. One of the special programs is a green-wing program of Ducks Unlimited Canada. That is where they get the young people involved in wetlands and ducks and how to contribute.

Number 2: creation of a conservation school for a one-week period in the summer with students selected and sponsored by local DU committees across Canada and the United States. You cannot nominate anyone to go. Department of Education cannot nominate anyone to go, but Ducks Unlimited can.

Promotion—how are you going to promote this Disneyland? The director of the interpretive centre and the manager of public relations of Ducks Unlimited Canada share the responsibility for this program with the precise relationship to be determined during the first year of operation. The centre maintains its own promotion budget, while Ducks Unlimited contributes approximately one-quarter person year and arranges joint public relations activities. That is how they are going to help spend that nine million bucks they put out in public relations.

The last paragraph of this is very telling. The heading reads: Conserving Oak Hammock's Wildlife and Environment. Now, after doing all of this to the marsh, they are talking about conserving Oak Hammock's wildlife and environment. I find this incredible. Do not go into the marsh. Do not build in the marsh. You want to conserve it? You want it to live up to what you are doing? Do not build in the marsh. That is the way to conserve Oak Hammock Marsh wildlife and environment.

They are going to monitor the marsh to ensure that the local landscape and associated ecosystems are preserved and that adequate habitat is left undisturbed for the benefit of sensitive wildlife. They are putting in boardwalks. They are taking them out and putting them in. They are portable. They are putting up screenings to feed birds, behind, so you can see them. They have music playing in the conservatory. They have TV cameras located all over so you can zoom in. They have a hotline, so you can say, what is going on?—and you can rush out there.

Then the last thing they say, they are going to keep it left undisturbed for the benefit of sensitive wildlife.

I can see why they did not want us to have this thing. Thank you, Mr. Chairman.

Mr. Chairman: Are there any questions for Mr. Syrett?

Ms. CerlIII: I have a number of questions. I appreciate the expertise, the time and effort you have put into researching your presentation.

One of the things that you raised was the number of staff that are going to be working at the centre. I understand that the whole reason for developing the centre initially was to develop more interpretative programs at the marsh, so more people could learn about the wetlands and there would be some element of environment education.

From your experience and your presentation, I am wondering if you can tell us the number of staff that are proposed to be working specifically in interpretative programs at the marsh once the centre is developed?

Mr. Syrett: The only thing I could find there—somebody must know that; I am not too sure on it—is that they would have two interpreters on duty. How they manage the various areas, I do not know. They would answer that better than I could.

Ms. CerlIII: From the response to the Bovey report that you read from, is it specified in that report the number of staff that would be employed specifically touring individuals or groups through the marsh?

Mr. Syrett: It may be, but I do not recall reading it.

Ms. CerlIII: From your experience, Mr. Syrett, are you aware of the number of staff that have been employed in the marsh as interpreters taking groups and individuals on tours through the marsh?

Mr. Syrett: No, I am not aware, but the marsh manager is here. He should be able to answer that.

Ms. CerlIII: I am wondering if you are aware if it is more than two?

Mr. Syrett: I would assume so, but I have no proof.

Ms. CerlIII: One of the other things that occurred to me while you were reading your presentation which elaborated on the plans for the development was with respect to the Clean Environment Commission hearings and the environmental impact assessment that was done on the project. All of the developments that you read, from the response to the Bovey report, were all of those considered

during the environmental impact assessment? Are you aware if they were part of the plan that was reviewed during the environmental impact assessment?

Mr. Syrett: The Bovey report was not part of the CEC hearing. The Bovey report was in limbo, it is my understanding, for a number of weeks after its production, and it showed up in this area sometime about the release of the environment licence. There were some requests made to reconvene the environment hearing to consider the Bovey report, but that never came about. I think it was denied to certain people.

We had the Bovey report. I went through it as other people did. Some people more knowledgeable than I had a very great number of comments on it. We did try to get, as I stated, the retort, the response to the Bovey report, but we never saw it until we got this through The Freedom of Information Act. No, it was never, never considered at the CEC hearing.

Ms. CerlIII: I was not a member when that environmental impact assessment was done, and I was not aware of the extent of the project planned for Oak Hammock Marsh. Do you have any other comments with respect to the environmental impact assessment that was done, the project that was reviewed during those CEC hearings and the plans for Oak Hammock Marsh that you have just made us aware of?

Mr. Syrett: I think it was the morning of the second day when Ducks Unlimited made a presentation, and they had quoted in the report. They made reference to the Oak Hammock Marsh interim management plan that was prepared by Kent Whaley, the marsh manager. That was in the ID Systems report.

I had made application through the Department of Natural Resources. I went to Mr. Whaley's immediate superior, who lives in my area, and he told me that this interim management plan, as far as they were concerned, had never received official sanctions so should not be considered as the official voice of the department, put it that way.

* (2150)

I also went to St. James Street, where the Department of Natural Resources is concerned. I requested of them to see it and to have a copy of it, because the library is there, and I was refused. They said no. There was not one in the library. One

of the senior members there told me that as far as he was concerned it did not exist because there was no formal sanction.

Yet at the CEC hearing the ID Systems EIA, Environmental Impact Assessment, contained reference and quotes from it, so I moved at that time, seconded by Mr. Kenneth Emberley, that the CEC hearing stand down, because there had been certain presentations made by people who did not have access to this publication. The publication showed up. They photocopied 10 copies of it and started passing it out.

I said, well, that is it. I want to now make part of my public presentation include this in it. A lot of waffling and talking going on, they kept delaying and delaying and delaying. They never did really consider it. They said they would consider it at this time, and then it was put off. They got around to considering our objection to this management plan the very last night of the hearing, and I think it started around ten o'clock, they started to hear it. I and the wife had left because being of the age we are, we were tired, but no, that was a very, very peculiar thing. The proponent would have a document, an unofficial document, not signed by the proper authorities in the Department of Natural Resources, quoted in their EIA. So to me, that made the EIA very questionable because it was based on unauthorized material, and that was my point in asking for the CEC hearing to stand down, besides the point that I would like to have my input come from the material contained in the interim management plan.

Ms. CerlIII: I guess the point I am trying to clarify is if the environmental impact assessment evaluated the impact of the developments outside of the building itself?

Mr. Syrett: The only thing I can say to that is that the response to the Bovey report, as I just read here—the proponents took the Bovey report as instructive suggestions for them to do things on. They said, okay, Mr. Bovey says this is wrong or this should be done; we will take that as instruction and we will now do it.

Ms. CerlIII: One of the other things that has become clear, or that we are informed of from your report, is that the entire management of the building will be turned over to Ducks Unlimited. Does that go beyond the building and the complex itself that you describe, from what you are aware of, into the

marsh itself, into the rest of the wildlife management area?

Mr. Syrett: They have stated in there several times that they have been working on a comprehensive plan to include the marsh for alterations and what not. In this, I guess you could call it a joint venture. I think they are both putting input into it, but there is a marsh manager and the marsh manager presently situated his office in Gimli. I think he will be moving into the building now which—whether he goes into Ducks Unlimited office or the conservation centre, I am not sure. I guess he would go in the office complex. Whether Ducks Unlimited has the total—there is an implication there. There is a hint that their influence will go far beyond the conservation centre and what not, and that is indicated and hinted at in several places in this report that I read.

I do not know if that answers your question or not. It is a fuzzy thing, Ms. Cerilli, because there are changes. We found that every time something comes up, there is a change. An expression came out of the CEC hearing and we have used it ever since, that we find that we are shooting at a moving target all the time.

Mr. Chairman: Just one point, if I might mention—we are asking these questions for clarification, and as chairman it seems that at some point here we are just not sure. So if you could indeed say that, perhaps, or if you have factual information, please present it.

Ms. Cerilli: I would like to ask Mr. Syrett a similar question that I asked Ms. Shay. One of the things that people in favour of not only the bill, but the motivation for the bill is that Ducks Unlimited has put a lot of money into refurbishing the marsh and that it is a way of ensuring that this money is coming into the province. I am wondering if you have any kind of a response to that.

Mr. Syrett: I have done a considerable amount of research on this, and I find that in 1987, I believe, the chief biologist for Ducks Unlimited made a presentation at the Wetland Conference in the States. There were certain things said and certain things projected. Subsequent to that there was a Telstar survey of all the wetlands in North America. Subsequent to that there was an application by Ducks Unlimited to take over the Lake Francis portion of the Delta Marsh.

About 1972, Ducks Unlimited's contribution from the States skyrocketed. Their budget now is over \$44 million, \$45 million, 75 percent of that coming from the States. I do not think the budget is too great for our wildlife management area, and I question whether it has to be great, because the area itself is its own excuse for being.

I have never heard a duck or a goose or one of the 272 wildlife out there, bird species, say, we need a conservation centre, we are not happy.

I did notice in the Ducks Unlimited Incorporated publication when the North American Wildlife Management plan was announced that a vast number of senators appeared on the inside cover of Ducks Unlimited magazine as endorsing it. I did write to the Secretary of the Interior questioning the reason for creating wetlands with no scientific backing to it. I have found out subsequent to that, that Ducks Unlimited Incorporated in the States is starting a scientific research station.

There is a tremendous amount of money being put into Canada for wetlands. I think, and I do not know if I am answering your question at all, Ms. Cerilli, that because Canada has 10 percent of all the wetlands in North America, the prairie wetlands, that 75 percent of all the ducks that are hatched are hatched right here. I think that has a tremendous influence on what is being done here.

* (2200)

According to the plans here as stated by Dr. Wrigley, once this conservation centre is established and others are established across Canada, this will be the kingpin, the lynchpin, the base for all their operations. Now I do not know what that has got to do with—well, that is all I am going to say.

Mr. Chairman: Are there any other questions for Mr. Syrett? Thank you, Mr. Syrett, for your presentation.

We have one presenter who, in fact, will not be able to be here for either one of the other two days. She is not an out-of-town presenter, but would it be the wish of the committee to hear her now and then go on with the list?

An Honourable Member: Agreed.

Mr. Chairman: So be it. Ms. Alison Elliott, Manitoba Naturalists Society, would you please step forward? Ms. Elliott, you can start.

Ms. Allison Elliott (Manitoba Naturalists Society):

Thank you, Mr. Chairman, committee members, ladies and gentlemen. Did somebody say louder?

The Manitoba Naturalists Society was established in 1920 and works to foster an awareness and appreciation of the natural environment and an understanding of man's place therein and to work for the preservation of our natural environment. Over the 71 years of its existence, the society has contributed significantly to the protection of Manitoba's wild lands, both through direct purchase of endangered areas, and through public participation in the establishment and management of provincial parks, wildlife management areas, and ecological reserves. Over the years we have worked co-operatively with government agencies to preserve land and have been successful in attracting and leveraging funding from national and international organizations such as World Wildlife Fund Canada and the Nature Conservancy of Canada. We continue to work together with the Wildlife branch on the acquisition of tall grass prairie and as a partner in the Critical Wildlife Habitat Program. The Naturalists Society is also a partner in the Endangered Grassland Birds Project, currently administered by the Wildlife branch.

The society's current membership is 2,100 and it is through the volunteer efforts of our members that we have been able to accomplish all of our preservation and protection work. In fact, volunteers from the Manitoba Naturalists Society provided some of the first interpretative programs at what has been referred to as the gem in the crown of wildlife management areas, Oak Hammock Marsh.

Although we generally welcome opportunities to participate in public discussions and processes respecting the disposition of our province's natural attributes, we are somewhat dismayed by what we perceive as the motivation driving Bill 38, The Wildlife Amendment Act. It is the opinion of the Manitoba Naturalists Society that this bill was prepared and tabled in the Legislature in direct response to a proposed court case that the Manitoba Naturalists Society was preparing to bring against the provincial government for the granting of a permit for the construction of a 55,000 square foot office complex and conservation centre within the boundaries of the Oak Hammock Marsh Wildlife Management Area. The amendments to the act

have not been motivated by, nor are they based on, the desire to enhance and protect wildlife habitat, but rather for the abject purpose of allowing the construction of a facility that clearly does not belong in the wildlife management area for which it is proposed. The perception given is one of changing the rules of the game to ensure the game is won.

At a meeting of the Wildlife Ministers' Council of Canada in September, 1990, of which the Manitoba Minister of Natural Resources is a member, a wildlife policy for Canada was adopted with the goal of maintaining and enhancing the health and diversity of Canada's wildlife, a copy of which I submit to the committee for its information and use, and that copy is here. The policy states that governments should review, strengthen, and adopt comprehensive, cross-sectoral conservation policies and strategies in consultation with the public.

Bill 38 does exactly the opposite. First, the only opportunity for public consultation on this amendment is through this committee which severely limits the ability of nonresidents of Winnipeg to make their opinions known.

Secondly, the changes proposed in the amendment, specifically Sections 3(1), 3(2) and 6(2) serve to weaken the legislation by allowing uses in wildlife refuges and wildlife management areas which may compromise the ecological integrity of these areas and have severe impacts on the wildlife they are established to protect.

The World Commission on Environment and Development report, the Brundtland report, Our Common Future, is a blueprint for sustainable development initiatives to which the provincial government subscribes. The Brundtland report states that the preservation of species and their ecosystems is an indispensable prerequisite for sustainable development, and governments need to reinforce and expand existing strategies to include better wildlife and protected-area management. This government subscribes to the recommendations of the Brundtland Report, yet Bill 38 is in direct opposition to the principles stated in that report and is contradictory to commitments made by Premier Filmon on preservation of Manitoba's various ecosystems.

Wildlife Management Areas are a means by which species and ecosystems can be preserved under the existing act and its regulations. Giving the Minister of Natural Resources (Mr. Enns) discretionary powers to construct, operate, and

maintain any building, structure or thing in a wildlife management area, or authorize any use, activity or thing in any of the areas designated under the act, including wildlife refuges, clearly undermines the value of these areas for protection and preservation of wildlife.

This legislation is out of step with other legislation that has been enacted, such as The Endangered Species Act, which serves to protect wildlife. On the one hand, the government is taking steps to protect wildlife; while on the other, with this proposed amendment, they are taking steps to permit uses in conservation areas that may have severe impact on the ability of wildlife in those areas to survive.

The Wildlife Policy for Canada recommends that governments should broaden their definition of wildlife to include any species of wild organism, and should provide specifically for conservation of biodiversity in policies and legislation on resources and the environment. If The Wildlife Act is to be amended, a full and comprehensive review should be made and widespread changes enacted to enhance protection of all wildlife. The current act defines wildlife as a vertebrate animal of any species or type that is wild by nature in the province, but does not include fish.

Further, the present act focuses primarily on the management and regulation of game species with no reference to preservation of biodiversity. Rather than weakening The Wildlife Act and amending it in a piecemeal fashion, a comprehensive review should be undertaken to re-orient and reconstitute the act to embrace all species of wildlife and make preservation of biodiversity the foundation upon which the act is constructed.

This amendment, and indeed The Wildlife Act, cannot be viewed in isolation from other activities that impact on wildlife.

Wild populations and ecosystems are increasingly vulnerable to growing human numbers, escalating development, and expanding and changing demands for wild resources—from the Wildlife Policy for Canada.

The Wildlife Act should be strengthened to compensate for and mitigate other demands and pressures on wildlife and their habitats, rather than weakened to allow added pressures.

On a final note, the Manitoba Naturalists Society applauds the move of polar bear to the Protected Species division of Schedule A to the act, and we anticipate careful management of human impact on

these magnificent animals to ensure that they continue to thrive.

In conclusion, we advocate and would be pleased to participate in a complete review of The Wildlife Act to change its orientation from the "usefulness" of wildlife to humans, to reflect wildlife's intrinsic values, and the philosophy that humans are part of the ecosystem, not keepers of the ecosystem or any of the species found therein. The act should be amended to reflect one of the Guiding Principles of the Wildlife Policy for Canada that: The maintenance of viable natural populations of wildlife always takes precedence over their use by people. Thank you.

Mr. Edwards: I gather the thrust of your presentation, one of them in any event, is that The Wildlife Act should have its focus changed. I see that in your final paragraph, but, as well, I see your statement here, that it should be made more comprehensive. I look to Regulation 46 of 90, which was passed just 16 months ago, in February of last year, brought in by this minister. Are you familiar with that regulation that was brought in some 16 months ago?

* (2210)

Ms. Elliott: No, I am not familiar with that regulation.

Mr. Edwards: Just to familiarize you with it very briefly, because I want to lead to another question. That did, in fact, go into some detail, specifically even talking about marsh areas throughout the province. That had not happened in Manitoba prior to that. The wildlife activity regulations had set out general principles, but the regulation in February of 1990, brought in by this minister, actually went through in some detailed way what could and could not be done.

Let me give you an example. One of them went so far into detail as to include that canoeing and camping should not happen during certain hours of each day. In one case, garter snakes should not be hunted or captured—a fairly detailed analysis on a case-by-case basis of the wildlife management areas in this province.

Is that the type of detail and comprehensiveness that you are suggesting we embark upon on a province-wide basis?

Ms. Elliott: In terms of incorporation in the act?

Mr. Edwards: Regulations, whatever.

Ms. Elliott: First of all, I think we have a paucity of information on the natural resources that we have in this province, the natural attributes. I try not to refer to them as resources because that connotes human use.

I definitely believe there is a lack of information. It is an area that we have recommended on several occasions that this government pursue and, in fact, have offered our assistance in the inventory of the species in this province.

Mr. Edwards: One more question: Do you find it bizarre, as I do, that 16 months ago the minister would bring in the most comprehensive regulation ever in the history of this province, talking about things like camping between sunset and sunrise and garter snakes and details such as that; and 16 months later would propose a bill which grants unto himself the power to make such regulations as he considers appropriate, authorizing, regulating and prohibiting any use, activity or thing in an area and authorizing the construction, operation and maintenance of any building or thing in a wildlife management area? Does that strike you as totally contradictory, as it does me, given what he did 16 months ago?

Ms. Elliott: I find Bill 38 slightly bizarre. With the information that you have given me this evening, yes, I do in fact interpret that as contradictory.

Mr. Edwards: One last question: You do mention here at page 3 that giving the Minister of Natural Resources discretionary powers to construct, operate and maintain any building, structure or thing in a wildlife management area or authorize any use, activity or thing in any of these areas, clearly undermines the value of these areas for protection and preservation of wildlife.

Were you aware that as early as 1982, by my research—that is the first time it came into place—Leonard Evans signed an Order-in-Council Regulation 2582 indicating that the minister may grant, subject to such terms and conditions as he may prescribe, a permit to undertake certain activities or things across, within or into any wildlife management area? Are you aware that we have had that kind of ministerial discretion for a full nine years now?

Ms. Elliott: In the regulation or in the act?

Mr. Edwards: Maybe I can clarify. The regulation I am talking about, that was the first regulation guiding the activities in a wildlife management area.

That, of course, deals with construction. That deals with the whole gamut of what can happen. That carte blanche effectively granted unto those ministers, on my reading of it, the exact same authority that this minister is seeking through legislation. Does that help you answer the question?

Ms. Elliott: I would like to read a paragraph from the submission we made to the Clean Environment Commission dealing with this point.

Those unfamiliar with statutory interpretation will read Section 10 of the regulation and think that this leaves the door wide open for the Minister of Natural Resources to grant a permit for any activity whatsoever. Keeping in mind that the purpose for designating an area as a wildlife management area is clear, such a black letter, literal interpretation of the section is an outdated approach.

Today, judicial opinion is to the effect that the words of a statute are to be read in the context of the statute itself, therefore the issue then becomes whether or not the construction of a 4,500 square metre office building and education centre would be for the purpose of the better management, conservation and enhancement of the wildlife resource of the province.

Ms. Cerilli: I am really intrigued by the last paragraph in your presentation, and I would like to ask you to expand on that. In the debates on the bill, I agree that this is going in the exact opposite direction in terms of wildlife management areas that we should be going, and at the same time I think we want to be encouraging hands-on ecology education and awareness in wildlife management areas. I am wondering if you can expand on the notion in the last paragraph of what we should be doing in wildlife management areas to both use them as an opportunity to educate people and develop them?

Ms. Elliott: I think the basic premise that is put forward in the last paragraph is that we should exercise our options for preservation first and do a good job of that and not take what is left over after we have developed to meet all of our whims. I think the Oak Hammock Marsh and our other wildlife management areas are already good examples of how education occurs. As an educator myself, I cannot think of a better classroom than a natural marsh. I think the interpretive programs that have been run in the past by the Manitoba Naturalists Society, by the wildlife branch and others, have

served a useful purpose and a very good purpose in providing education opportunities.

Mr. Chairman: Are there any other questions?

Ms. Cerilli: Just to take that a little bit further, we still want to encourage the government to engage in partnerships with conservation organizations. Do you have any other things that you could add that would help us develop legislation that would be going, as you said, in the opposite direction than this legislation is?

Ms. Elliot: I think the legislation should enshrine the principles of sustainable development. The prerequisite to sustainable development is the preservation of biodiversity. I think this is the kind of thing that should be enshrined in our legislation, this statement of the preservation of our natural regions, the preservation of biodiversity. Our life support systems depend on it.

Mr. Chairman: Are there any other questions for Ms. Elliot?

Mr. Enns: Ms. Elliot, I appreciate firstly your presentation, and I certainly appreciate your society's continuing concern with respect to the fostering of an awareness and an appreciation of our natural environment. I would include—I suspect you would not object if I would add to that definition of your organization's mission statement—that of watching government from time to time as they move in environment and wildlife legislation just as you are watching government today?

Ms. Elliot: It certainly is one of our biggest activities.

Mr. Enns: I am puzzled therefore. My colleague, the member for St. James (Mr. Edwards), has brought that to the attention of committee members on occasion that as late as 1988 my predecessor, Mr. Plohman, from the previous administration, granted himself virtually word by word the same discretionary authority that is being talked about here in order to permit Home Oil to enter upon a wildlife management area to drill and construct several wells.

Is your society on record on that occasion to making your objections known to the then minister or government?

Ms. Elliott: I would have to check on that, Mr. Minister.

Mr. Enns: Thank you. I believe that you have a pretty good understanding of the working of

legislation and its ancillary regulation. It is, of course, the regulations that by and large govern the day-to-day conduct not only of the citizens affected by the regulations and legislation, but indeed by the public service in the carrying out of their responsibilities.

* (2220)

I would just ask you to consider if this is not a reasonable way of doing business. The Ministry of Natural Resources, much as this ministry, but in previous, wants to, intends to write into its general legislation and regulation the wide range of prohibitive specific details that apply to any number of the wide range of wildlife management areas that we have.

From time to time, it is necessary indeed, in my judgment, absolutely necessary, to permit some exemption, some exception to those or else, for instance, the current interpretive centre that you speak with some laudatory comments about that you have currently operated at Oak Hammock site could never have been built. The concrete trucks, the builders, the steel beams, the work crew, could not have erected the present interpretive structure at Oak Hammock on that marsh without a minister of the day permitting that activity under some discretionary power. Would that not be a reasonable supposition?

Ms. Elliott: I think it is reasonable to expect some exceptions within the regulations, but I think these exceptions should be in keeping with and in the spirit of the act. I would refer back to my comments made previously on the statutory interpretation. I think there is a limit, and I think this limit must be identified not in the regulations, but in the act.

Bill 38 as it now stands does not indicate a limit. It allows for the construction of any thing at the discretion of the Minister of Natural Resources. I would submit that if you wish to have this discretionary power that you also enshrine in the act the limitations of that power.

Mr. Enns: Mr. Edwards from the Liberal Party and myself now have made you aware, and I believe you have been aware, that ministers past have given themselves that discretionary power. Is that not a case?

Ms. Elliott: I have been made aware of that this evening, yes.

Mr. Enns: One more question, Ms. Elliott. It seems to hinge on the question that there is an

appreciation, by some at least, that the public educational opportunities that an interpretive centre can offer, indeed does offer, are worthwhile.

I want to read you from a letter that was copied to me, sent to my colleague the Minister of Environment (Mr. Cummings). I wish to identify it. It is a public letter. It is written by the chairman of the Manitoba Environmental Council. I am aware the council may well be making representation later on, on their own, but I would ask you to see whether a reference that is contained in that letter, how you would react to it, whether you could approve of that.

The letter indicates that we recognize the value of some improvement of the interpretation facility. He is referring to the facilities that are now there. I think it is fair to say that certainly those who frequent the facility realize that the facility that is there is having difficulty coping with the upwards to 83,000, 84,000, 85,000 visitations that are now taking place at Oak Hammock. The letter goes on to say that he recognizes that some improvement of those facilities should take place and that it may well be the case that a major conservation centre such as that being proposed would be appropriate. In our opinion, the ownership and control of such a facility should be retained by the government, although their operation might be contracted out to an organization such as Ducks Unlimited of Canada.

The point that I am asking for your opinion is whether or not you and your society take objection to a major conservation centre to be built at Oak Hammock?

Ms. Elliott: What we do object to is an office complex of the size that is proposed. We have not objected and, in fact, have encouraged the development of an interpretive centre, perhaps a better interpretive centre than is already there. As an educator, I would prefer to see the money that is proposed for this investment in a Wildlife Management area used to train teachers to use the marsh as a classroom, such that an interpretive centre would not be necessary.

The Wildlife branch has an excellent program entitled "Project Wild" that could certainly benefit from an infusion of dollars. It has been received very, very well by the teachers who have participated in it and I would see this as a much more friendly, environmentally friendly, approach to interpretation of the marsh and to education than the construction of a 55,000 square foot office complex

and, as I hear tonight, conference centre, alligator pond. I think this is totally inappropriate.

Mr. Enns: Again, thank you, Ms. Elliott, for your presentation.

Mr. Laurendeau: Ms. Elliott, I was just wondering, when the St. Andrews bog was initially looked at to be put back into wetlands, how did your group stand on that position back in the '60s?

Ms. Elliott: We were supportive of the establishment of the marsh. We were not supportive of the establishment of the marsh if it allowed hunting.

Mr. Laurendeau: Had the Manitoba Naturalists Society put any money toward the project at that time or aided in any of the funding of the project?

Ms. Elliott: Our first contribution to the marsh was in 1979, a total of \$9,000. Since that time, we have contributed a total of \$41,320 to the marsh, and I would submit that this is a fair amount for our society, given that our operating budget during that time period has probably been in the range of \$30,000 to where it is now at \$90,000.

Mr. Laurendeau: Thank you very much.

Ms. Cerilli: I was asking before, how might you suggest we improve Wildlife Management Areas legislation, but you have hit on the area that I think is more specific. How would you improve the interpretive program, or how would you suggest we improve the interpretive program at Oak Hammock Marsh?

Ms. Elliott: I could give you a number of suggestions. I do this for a living. I think self-guiding trails are one option. I have already mentioned another, training teachers, leaders, to provide interpretive programs. I would suggest recruiting, training a cadre of volunteer interpretive leaders. I think there are any number of ways in which we could provide interpretive programs at all of our wildlife management areas.

I think one of the models that we could emulate are the friends of the parks, the Friends of the Whiteshell, the Friends of Spruce Woods, the co-operating associations that work with our national parks to provide those exact facilities, exact products, and make money at it; so it is a self-sustaining kind of program that, I think, we could attract dollars to, we could certainly contribute volunteer time to.

Ms. Cerilli: I have one final question. One of the things that we have heard objections to, specifically the Oak Hammock Marsh project, is the commercialization of the marsh. I am wondering if your organization has taken a position with regard to commercialization of management and ownership of facilities on a marsh or marshlands or wildlife management lands.

Ms. Elliott: The potential for admission charges, particularly at Oak Hammock Marsh, has been a concern of ours and a suspicion of ours right from the beginning. Wildlife management areas are Crown lands. They belong to all Manitobans. Manitobans should have access to those Crown lands. They currently have access to Oak Hammock Marsh and to change that to charge admission to access Oak Hammock Marsh, I think, I would not support that.

Mr. Chairman: Ms. Elliott, before you go, we have this booklet here "A Wildlife Policy for Canada." May the committee keep this, or do you want it returned?

Ms. Elliott: No, you may keep that and I think other copies are available from the Wildlife branch.

* (2230)

Mr. Chairman: Thank you and thank you for your presentation.

Ms. Elliott: Thank you.

Mr. Chairman: Mrs. Winnifred E. Syrett, could you come forward, please. The committee already has their presentation. Mrs. Syrett, you can proceed.

Mrs. Winnifred E. Syrett (Private Citizen): Mr. Chairman, members of the committee, ladies and gentlemen, I am very reluctant and find it difficult to be here, not because I am 75 years old and very tired, or for the intimidation of these microphones or three-piece suits, which apparently are too hot for tonight.

(Mr. Marcel Laurendeau, Acting Chairman, in the Chair)

I am incensed with this government and its mismanagement of the people's business. The difficulty comes from having to deal with a government for which I have no respect. This government has shown by its many actions that they have absolutely no regard for the wishes of the majority of the people of Manitoba. They have shirked their responsibility to the general public, the

environment and our wildlife to favour and to pander to private individuals and corporations.

One of these private corporations is Ducks Unlimited Canada, who have been trying to convince the public that their corporate office and their conservation centre complex—and I have read in some of their things that it has been referred to as a museum—is necessary for the enhancement of wildlife in Oak Hammock Marsh. They are also claiming that this facility will be a great teaching centre for one and all, school children through senior citizens.

Nothing could be further from the truth. Oak Hammock Marsh and its wildlife is its own excuse for being and thus is the master teacher. Hundreds and thousands of visitors, according to Ducks Unlimited, will flock to Oak Hammock Marsh and just might, perhaps, trample the flora and fauna. Ducks Unlimited have not given any reassurance that these thousands of people can be adequately controlled.

I have seen and have heard on occasion when I was visiting the marsh people walking in nesting areas to pluck grasses and to strip branches as they remarked, these will go very nicely in my arrangements.

This abuse of the marsh will increase with the corresponding increase of visitors. No previous government has ever allowed the construction of an office complex in a wildlife management area by a private corporation, never one that lobbies governments for the public's hard-earned tax dollars to finance their constructions. Ducks Unlimited would have us believe that their head office building is necessary in the marsh and that the building will make the marsh a better place for wildlife. This is utter nonsense. Do other corporations insist that their office headquarters be in the middle of their producing areas? No. Other corporations can do a good job with office headquarters out of province or even out of country.

Our Manitoba government has produced Bill 38 to amend an act that does not permit the building of corporate headquarters in wildlife management areas. We are told that the present Wildlife Act needs a little housekeeping. Yes, I agree. It needs more than a little. It requires a lot of housekeeping, housekeeping that will protect our wildlife management areas from such commercial manipulation as contained in Bill 38. We do not

need a bill that will permit the commercialization of Manitoba wildlife management areas.

We have been led to believe that Ducks Unlimited would only be using a certain area of Oak Hammock Marsh. It is now clear that they now intend to expand into other areas in Oak Hammock Marsh, and Bill 38 will allow this. Bill 38 will allow them to put, dig or build or anything, anything they think will enhance wildlife, attract people and increase Ducks Unlimited's financial return from the marsh.

Bill 38 will allow Ducks Unlimited the right to shatter the quiet and the vast expanse of Oak Hammock Marsh that is now enjoyed by the people who visit the marsh. Passage of this bill will open all wildlife management areas in Manitoba to commercialization with the same result. Venture capital will be pouring into our wildlife management areas in the hope of making more money.

Is this bill really necessary to protect our wildlife management areas, or is it necessary to commercialize them? The answer is obvious. The passage of this bill and the precedent that it will set will open all our wildlife management areas for commercial development.

Bill 38 will also permit the selling of wildlife parts. They are already killing and selling our black bear gall bladders and if it is ever conceived that duck bills may be more useful and profitable for any other use than quacking, watch out.

This government has created Bill 38 for one purpose only and for one group of people, Ducks Unlimited. It is amoral when this government allows one minister such sweeping powers in an amendment to an act that will allow that act to accommodate one corporation's headquarters in publicly owned wildlife management areas.

I fail to see how Bill 38 will do anything for wildlife in Oak Hammock Marsh. This government is attempting to con the people of Manitoba.

The Acting Chairman (Mr. Laurendeau): Thank you, Mrs. Syrett. Are there any questions from the members of the committee? No questions. Thank you very much.

Mr. Duncan Stewart from the Sierra Club.

Mr. Edward Gaskell (Sierra Club): Mr. Acting Chairman, members of the committee, my name is Ed Gaskell. I have been asked to stand in for Duncan Stewart on short notice to read his proposal.

The Acting Chairman (Mr. Laurendeau): Could I get you to repeat your name again, please.

Mr. Gaskell: Ed Gaskell.

The Acting Chairman (Mr. Laurendeau): I will get the Clerk to get the spelling of that. Carry on.

Mr. Gaskell: I quote from Duncan's letter:

It seems to me I remember reading, a short time ago, a news item which quoted our Minister of Natural Resources (Mr. Enns) as saying he was going to see Ducks Unlimited's construction on Oak Hammock completed, and that nothing would prevent this happening. Also, unless I am mistaken, our present Wildlife Act, unamended, contains provisions which would make this construction difficult, if not impossible. Hence, if I am following this all correctly, Bill 38, an amendment to The Wildlife Act, which we are gathered here to discuss.

My point, which I think I am coming to, is why, if Mr. Enns has said construction will go ahead, and such construction needs an amended act, are we here talking about the pros and cons of amending the act? It would seem the amendment has been decided upon, for without its passage no building could be done.

This of course makes such hearings as this one irrelevant to any real decision made about Bill 38, but this is nothing new to those of us who have attended these hearings before. There were days of hearings, including hours of earnest presentations before several well-paid panels, investigating the peculiarities of Rafferty-Alameda; the decision to build the dams had been made and licensed many weeks before the hearings even began.

* (2240)

I have been sent reams of information, and have attended one preliminary hearing which was conducted by a consultant hired to do the job, considering the environmental hazards of the Repap deal. The fact that this deal was, long before, signed and sealed by our Manitoba government did not seem to strike the proponents as anything out of the ordinary.

Some of us were indirect participants in a long Public Utilities Board hearing into the merits of Conawapa, held early last winter. This was funded intervention which cost Canadian taxpayers upwards of \$200,000 and which had the same chance of influencing any decision on Conawapa as a snowball has in hell. The deal, to all intents and

purposes, had been previously agreed upon and signed.

I mention all this because I believe it is time for those of us who oppose development for its own sake, and oppose blatant disregard for its environmental costs, to stop and consider what good are we doing by attending these hearings and making these presentations. If all we are doing is legitimizing a fait accompli, if all we are doing is giving credibility to a corrupt process, then we must think of better ways to make our opposition known to those terrible projects.

One of the only real ways to distinguish a majority democratic government from a dictatorship is the way our system is supposed to respect the rule of law. We have laws to prevent a heavy-handed minority from doing as they will. Disregard for these laws should guarantee any government swift public censure and eventual political defeat. It will in Manitoba, too, unless the constituency affected is unable to defend itself against this abuse.

Our wildlife can take no part in this legislative process and have for their representatives only such people of our province who place a value on wildlife for its own sake and not for how we can best benefit from its use. These people almost unanimously oppose the Oak Hammock project. Wiser heads had implanted in our Wildlife Act safeguards against such abuse.

Now we are presented an amendment which will not only allow the Oak Hammock construction, but will also make it possible for future similar abuses to be more easily inflicted on the wildlife of Manitoba. Our government does not like the present law. It will not let them do what they want to do, so they want to change it.

We think their reasons are spurious reasons and their proposed amendment is regressive. We do not need more, but less, ministerial discretion in wildlife management. We do not want less, but more public involvement in matters relating to Manitoba wildlife. We think the only reason the minister dares produce such an amendment is because the constituency affected is mute. We in the Sierra Club, and I am sure every organization represented here today, will do our best to give a voice to this constituency and to speak for them to the citizens of Manitoba whenever we perceive abuse.

It is interesting, but probably not very helpful, to reflect upon the fact our Minister of Natural

Resources (Mr. Enns) and the point of view he represents is fast becoming an anachronism in a world moving away from the idea of wildlife and so-called natural resources being put here on Earth solely for humanity's benefit. This idea, the cause of so much environmental abuse, is losing ground speedily among our world's leaders and not a minute too soon.

We can only wonder in our case if the times will catch up to our Manitoba politicians before they catch up with the times. It is pleasant to consider one or the other result is probably inevitable. The problem is the great harm that can be done to our Manitoba wildlife and wilderness in the interim. Duncan Stewart, thank you.

(Mr. Chairman in the Chair)

Mr. Chairman: Mr. Gaskell, could you spell your name for the record please?

Mr. Gaskell: Yes. G-a-s-k-e-l-l.

Mr. Chairman: Thank you. Are there any questions for Mr. Gaskell?

Mr. Enns: Mr. Chairman, I appreciate—

Mr. Chairman: Mr. Gaskell, could you come back to the podium please?

Mr. Enns: I appreciate, Mr. Gaskell, that you are indeed, as you mentioned, standing in for Mr. Stewart, I believe. The reason I ask is that I had hoped to be able to discuss this recent letter that is addressed to your organization, to your Mr. Stewart, from the Convention of Wetlands of International Importance Especially for Waterfowl, more commonly referred to as the Ramsar people, that your organization recently received from the Secretary General, Mr. Daniel Navid. Are you aware of that letter?

Mr. Gaskell: No, I am not.

Mr. Enns: Well, Mr. Chairman, I think it is important to the committee hearings that this letter be put on the record. It is addressed to Mr. Stewart, who I understand is the President of The Sierra Club of Western Canada.

Dear Mr. Stewart, the letter goes on to say,

Re: The Oak Hammock Wildlife Management Area. I have just returned from my visit to Ottawa where, as you know, I took the opportunity to consult with Canadian federal officials and Ducks Unlimited staff about the planned construction of the Oak Hammock Marsh conservation centre.

Both the Canadian Wildlife Service and Ducks Unlimited officials provided me with information about the plans, and both stressed the fact that environmental disruption to the area would be kept to a minimum as a result of the construction and would affect only a very small portion of the site while the long-term results of this initiative would provide a net benefit for wetland conservation.

Under the terms of the Ramsar convention, the federal government authorities have certain reporting responsibilities in regard to changes or potential changes in the ecological character of sites included on the Lists of Wetlands of International Importance. These reporting requirements are being fully met in the case of the Oak Hammock site.

The Ramsar Bureau hopes that your organization might work with Ducks Unlimited and both the federal and Manitoba authorities to ensure that the centre does enhance wetland conservation in the area.

Yours sincerely, signed by the Secretary-General of the Ramsar people.

I just wondered whether you had any comment on that. The fact that Oak Hammock Marsh has been singled out for this recognition is, of course, of considerable significance. We have a right to be somewhat proud of that fact. It is also some satisfaction to me as the minister responsible that this international watchdog, if you like, of important wetland marshes seems to indicate in this letter to your organization that they are satisfied about the responsible nature in which Ducks Unlimited Canada and, indeed, the federal and provincial authorities are proceeding with this project.

Mr. Gaskell: I must apologize for my ignorance. Duncan got ahold of me two days ago. I have not been in contact with him for several months so I am really not aware of his activities or this process. What I will do, I will call Duncan first thing in the morning and I will request that he contact you if possible. Would that be—

Mr. Enns: Thank you. I appreciate your appearance before the committee.

Mr. Chalman: Thank you, Mr. Gaskell.

The next person, I presume, is Hilary Versavel, Friends of Oak Hammock Marsh. Could you please step forward. The presentation has already been given to each committee member. You can begin.

* (2250)

Ms. Hilary Versavel (Friends of Oak Hammock Marsh): Thank you. In preparing this brief on behalf of the Friends of Oak Hammock Marsh, I find myself trying to find a way to say to this committee that Bill 38 in its present form, if passed, will serve as a destructive force not only to the government of Manitoba, the people of Manitoba, but also to Manitoba's wildlife and their habitat.

I am well aware that the chances of amendment to Bill 38 are slim, if not nonexistent, despite the input this committee will receive from the people in this room, some of whom have spent a life time attempting to understand and protect the many varied ecosystems of this province. Tonight their experience, insight, and knowledge will be passed on to you. One wonders why they must once again stand before a governmental body stating the obvious as they have many times in the past.

You must also wonder why I am standing in front of you speaking against Bill 38. I do not have the knowledge or expertise that others have nor the insight their scientific background gives them. What I do have is a great concern for the world, its people, its wildlife, and its future existence, a concern that will be expressed here tonight on behalf of Friends of Oak Hammock Marsh.

My love of the environment is the result of many hours I spent horseback riding through the bush and trails north of Argyle, Manitoba. My involvement with the so-called environmental movement, though recent, and stemming from the controversy surrounding the Ducks Unlimited proposal to build its national headquarters in Oak Hammock Marsh Wildlife Management Area was prompted by thoughts that it was time I became involved.

The fact that I am a mother of two young boys was also a deciding factor. Children learn by observing what adults of their world do. It is my hope that my involvement in this democratic process and my concerns regarding DU's proposal will enable my children to learn the correct way to live in this society; that they will learn to live in harmony with their environment and then, surely, this will then give them a chance at a satisfactory and peaceful life.

The knowledge that I will impart to you tonight is small compared to others, but it contains a lot of common sense and an understanding of the people and the environment that is sadly lacking in Bill 38.

Following are the concerns Friends of Oak Hammock Marsh have in regard to Bill 38: (1) An existing wildlife act that presently offers some

protection to wildlife management areas should not be amended, such that the amendment allows for the degradation and downgrading of wildlife management areas.

Section 3(1)(c) of Bill 38 is, in fact, encouraging the degradation of wildlife management areas by allowing the Minister of Natural Resources the right to authorize the construction, operation and maintenance of any building, structure or thing in a wildlife management area.

Statement II of Land Philosophy for Manitoba from a Report on Wildlife, A Manitoba NDP Environmental Task Force Report says: Land use must be zoned and prioritized according to sensitivity of production or use. The following priorities must hold, from highest to lowest. Number 5 from that group: Dedication for destructive, consumptive use for personal benefit of an individual or company.

One can therefore conclude that as No. 5 is last on the list, that by allowing the construction, operation, or maintenance of any "thing" in a wildlife management area that wildlife management land use is then at the lowest priority. Because of this, Bill 38 should not be passed, thereby preventing the degradation and downgrading of existing wildlife management areas.

At present, we all know what "thing" Bill 38 is referring to and that is DU's 54,900 square foot office complex to be built in Oak Hammock Marsh. Some "thing", some reason to amend an act.

Number 2: A wildlife act that at present offers minimal protection to wildlife should not be amended in a half-hearted attempt to protect them.

Section 30.1: "Subject to this Act and the regulations, no person shall sell, buy, trade or barter a wild animal or the parts of a wild animal except under the authority of a licence or permit."

In placing this Section in Bill 38, was enough thought or consideration given to how this would affect Manitoba's aboriginal population? Was any thought given to how the Department of Natural Resources would fund an effective monitoring program, so that the recently reduced levels of personnel could make sure the licences and permits are adhered to?

Who is going to decide what animals can sustain themselves while they or their body parts are licensed for sale, trade or barter? Would it not have been more prudent of the minister and his staff to

spend the time, energy and monies required to amend the act in placing the endangered animals of Manitoba on the Endangered Species List so that they would have some protection?

Friends of Oak Hammock Marsh contends that it is time a more concerned and well-thought-out protection plan for wild animals and their body parts be introduced by this government.

Number 3: An amendment to a wildlife act that removes controls and allows one person the right to decide what is best for Manitoba's wildlife and its habitat is ludicrous and regressive.

At a time when so much effort is being expended by many people to map the wild and endangered spaces of the world, when concerned citizens are trying to have 12 percent of the world's ecologically significant and endangered ecosystems protected; we have a bill being introduced and passed that allows for unilateral decisions and policies affecting our natural resources to be made by one person, without public input or parliamentary controls. This is happening in a province where its Premier personally endorsed the Endangered Spaces Program in March of 1990.

Friends of Oak Hammock Marsh feels that Sections 2, 3 and 4 of The Wildlife Act should not be repealed by Bill 38.

Number 4: An act should be amended such that its amendments, and the consequences of those amendments, do not interfere with other ministers and their departments.

When one looks at the world with today's knowledge and understanding, it is viewed not as individual pieces of this and that but as a multitude of ecosystems that interact with each other to sustain the whole. John Donne wrote 400 years ago, "No man is an island, entire of itself . . ." Perhaps the amendment of Manitoba's Wildlife Act should be viewed under this ecosystem concept. The minister, his department and his amendments are part of a whole and they must work together to sustain the whole. This way a strong and healthy ecosystem, government, society will then be created.

My apologies, but DU will have to be the example as it is setting the precedent, and that includes having a wildlife act amended. DU will be allowed to build an urban centre in a rural setting. Government monies will be used so that DU can educate the children of this province by DU Duck and a 54,900 square foot office complex in a marsh.

The lesson will be habitat conservation and respect and understanding of wildlife and the supporting ecosystems. Monies will be required to transport these children to the marsh, and from what projects will they come? Will the Museum of Man and Nature, Selkirk maritime museum and the arts community be denied money so that DNR can meet its financial commitment to DU?

There are many more questions that go unanswered. As you see, the part does affect the whole and perhaps the ecosystem approach to government would be beneficial to all.

In conclusion, I would like to say that from 1978 to 1990 I worked and travelled through 19 countries, many of them Third World. The thought in the back of my mind was always, we could not do it like that in Canada. Well I was wrong. We do do it that way in Canada. The soil erosion, air and water pollution, poverty, illiteracy and weak democratic process that I saw in Nepal, India, Pakistan, Iran, Syria and Turkey, to name a few, is also a part of Canada. We differ in only one way. We have the means, the knowledge, the ability and the money to improve the state of the environment, the people and the political process.

Mr. Chairman, members of this committee, believe me, Bill 38 is not the answer.

Mr. Chairman: Ms. Versavel, in the last paragraph, on the second last page you mentioned 1978 to 1980. You said 1990. Is it 1980?

Ms. Versavel: No, it is 1978 to 1980.

Mr. Chairman: Okay. Thank you.

Are there any questions for Ms. Versavel? Thank you very much for your presentation.

It is now eleven o'clock. Does the committee wish to break now or to continue?

* (2300)

Mr. Laurendeau: Mr. Chairman, is there anyone from out of the city who will not be able to make it back or have we reached them now?

Mr. Chairman: No, there are not.

Mr. Laurendeau: They will all be able to make it back?

Mr. Chairman: Someone has a question. Would you please come forward? What is your name, sir?

Mr. Clayton McMurren (Councillor, R.M. of Rockwood, Stonewall, Manitoba): Clay McMurren, R.M. of Rockwood.

Mr. Chairman: One minute, please.

Mr. Laurendeau: Mr. Chairman, I think we should hear Mr. McMurren and then the committee can rise.

Mr. Chairman: One minute, Mr. McMurren, and we will get the pamphlets passed out and then you can proceed.

It is the will of the committee to hear this one last presentation and then we will rise? Agreed. Mr. McMurren, please proceed.

Mr. McMurren: Mr. Chairperson, members of the committee, ladies and gentlemen, on behalf of the Council of the R.M. of Rockwood, we wish to inform all people concerned of the proposed future development of an office facility for Ducks Unlimited and Natural Resources for Manitoba, and also to consist of an interpretive centre to promote wetlands wildlife.

If anyone should be concerned with the well-being of the marsh area in the R.M. of Rockwood, it would be the council itself, for we realize and feel quite fortunate to have one of the best wetland areas in the world in our own municipality. We feel as a council, that this project would not hinder in any fashion the well-being of the wetlands wildlife as we feel Natural Resources and Ducks Unlimited are the organizations who truly represent the preservation of wildlife for the future.

We have been aware of the project for some time and feel proud that Natural Resources and Ducks Unlimited have taken all steps to ensure us that this facility, if anything, would bring more studies and betterment to the marsh area. No one, in our minds, would ever consider that Ducks Unlimited or Natural Resources would do anything but enhance what is now a world-renowned playground for wildlife.

Ducks Unlimited have spent millions of dollars for the betterment of Oak Hammock Marsh. Through their efforts and the efforts of Natural Resources, not only millions of birds and wildlife have had the opportunity to enjoy the marsh, but also hundreds of thousands of people from around the world have enjoyed the opportunity to watch wildlife at play. The interpretive centre for the development will only further encourage and teach people from all around the world to help preserve our wildlife. The structure of the building will not hinder the birds in the area from enjoying the thousands of acres of marsh. The structure's plans are taking all precautions for the safety of wildlife.

Proper precautions such as a lagoon, washrooms, et cetera, have been shown to our satisfaction. Their studies show that all precautions will be used to maintain the tourism and the employment personnel.

We have indicated our concerns for the safety of the wildlife in our marsh area as a major concern to Ducks Unlimited and Natural Resources, and they have satisfied us with their intentions. We look forward to assisting them in their endeavours.

The council feels our area is very suitable to house a facility. Our close proximity to the city and the closeness to Stony Mountain and Stonewall gives all needs such as fire protection, housing, proper schools, ambulance service, and the best recreation facilities anywhere.

Those people presently living in the city limits are only one-half hour from work. All our councillors are in favour of having a world-class tourism facility that not only will enhance the area, but will give our children a better education. Also, we realize needs such as roads, waste and traffic must be dealt with and we are prepared to meet such obligations. We also appreciate Natural Resources and Ducks Unlimited contributing the extra land to the wildlife reserve to more than make up for the land for the facility.

Many years have passed since Oak Hammock moved soil and gravel in the parking areas, constructed walkways and lookout structures for thousands of visitors to witness wildlife. The parking lot area will house the new facility, a structure to blend in and help achieve further studies for preservation of wetland wildlife.

On behalf of the Council for the R.M. of Rockwood, I feel proud to have such a facility in my ward, and I look forward to all personal assistance I can provide. Once again, all six councillors and Reeve Leon Vandekerckhove are in full favour for this future development in our Oak Hammock Marsh. Thank you.

Mr. Laurendeau: Councillor McMurren, thank you very much for coming out this evening. I guess your civic election was in 1990. Is that correct?

Mr. McMurren: 1989.

Mr. Laurendeau: At that time, was Ducks Unlimited an issue in the municipality of Rockwood?

Mr. McMurren: The first meeting was held at five o'clock after the first council meeting in 1989.

Mr. Laurendeau: Was there a large turnout at the meeting?

Mr. McMurren: It was Reeve Leon Vandekerckhove and myself who visited Robert Laidler in the Stonewall office.

Mr. Laurendeau: So how was it publicly perceived in the community itself?

Mr. McMurren: Excellent. At that time?

Mr. Laurendeau: At that time.

Mr. McMurren: At that time the council became aware through the Argus newspaper, which that day was brought up at council.

Ms. Cerilli: Mr. Chairperson, has the municipality, in conjunction with the province, done any research to determine the cost of the roads and signage and infrastructure that would be required?

Mr. McMurren: Quite fortunately, the road leading into the marsh area is PR 220, which is a provincial road, and I am sure Mr. Enns will be looking after that for us.

Ms. Cerilli: Has there been a calculation of the taxes that Ducks Unlimited will be paying to the municipality, and can you tell us how much that will be?

Mr. McMurren: No, there has not.

Ms. Cerilli: Have there been any agreements made with Ducks Unlimited with regard to taxation, or has that been discussed?

Mr. McMurren: We have been told through the public hearings that there will be a grant in lieu of taxes, such as the same that comes from the penitentiary.

Mr. Enns: I do want to thank you, councillor, for coming in and visiting with us today. There has been rather loose usage of the word "democracy" during the hearings today. I therefore think it is important that you—and as I heard you state in your brief that this is a unanimous decision or feeling on the part of your council?

Mr. McMurren: Very much so.

Mr. Enns: So that we have represented at this committee the democratic expression of support from the local government. We have, of course, as a committee member the member of the Legislature, the Honourable Mr. Ed Helwer from the constituency of Gimli, who was elected in a general election when this issue was very much in the public attention. I just put that on the record for those who

understandably may not agree with this process, but to describe it as anything less than democratic, in my judgment, fail to accept the decision from time to time that put you in your office, Mr. Councillor, put Mr. Helwer in his office and myself.

Mr. McMurren: I would not raise this issue because critics suggest of course, and have suggested, that economics drives the project, and that is simply not the case, and I refute it. Inasmuch as it was raised by another presenter in a derisive manner that Ducks Unlimited was being provided an opportunity to build this facility for a dollar.

* (2310)

You know, it is my understanding that Ducks Unlimited Canada has not asked and will not be receiving any tax concession, municipal or otherwise, and will be paying the full municipal taxes of some \$130,000, \$135,000 to your municipality, which I am sure you as a councillor, just as any other elected member, can appreciate helps with the maintenance of the responsibilities that your council has in providing services of all kinds to your people that elected you.

Mr. McMurren: I would like to touch on a couple of areas. Going back to, have we done anything in road construction? I have been a councillor since 1989, and those of you who know the Oak Hammock Marsh area, all of my roads around the marsh area are dirt roads. As of this spring, I have started gravelling those dirt roads in anticipation of the future traffic that will be drifting and looking for nature trails, you might want to call them. We know what is coming. We know that there will be traffic and, to make it better for them, we are already starting to put gravel on these dirt roads.

I might add that the fellow councillor who borders on the north of my ward is Garnet Thievin. He is 47 years of age so he is quite a young farmer. He used to farm the Oak Hammock area. For those people who do not think Ducks Unlimited have done wonders, he used to burn it off every summer. The farming people used to drain the land, and he was one person who used to personally burn it off in the summer. I believe that would be approximately in the 1960 area. I believe if it was burnt in those times, I do not think there were very many birds there.

Mr. Enns: I just want to thank you for bringing to the attention of the committee the one other factor in your brief on page 2, the last sentence of your

paragraph that points out to the committee quite correctly that the additional land which was purchased, or added, to the wildlife management area does, in fact, make it a case that not a single square foot of marsh is being sacrificed or given up for the erection of the proposed project. Thank you.

Mr. McMurren: Mr. Minister, there has been one half section of land purchased for the betterment of Oak Hammock to the east end. The present facility area is maybe taking up—if you count the lagoon area and everything, you might be looking at two to three acres of property.

We are quite convinced that the added property will be developed much to the liking of the naturalists and the people who are wildlife lovers.

Ms. Cerilli: I want to get back to the issue of the grant. Is there a grant in lieu of taxes or, as the minister says, is there \$130,000 going to be coming from taxes?

Mr. McMurren: We have been told that the building will be assessed such as any other building in the R.M. of Rockwood. As that assessment is taken, there will be a grant in lieu of taxes to meet the equal assessment.

Mr. Enns: Mr. Chairman, perhaps for clarification on this matter, this is a long-established policy of government partly because the project is, in fact, built on Crown land but in the R.M. of Rockwood. When that happens to any other government buildings, whether it is a telephone building or government office building, the government of Manitoba does not pay taxes to the municipalities. We offer grants that are equivalent to the municipal taxes charged to the type of structure that is involved. That applies throughout the length and breadth of the province.

Ms. Cerilli: It is going to be DU and not the government of Manitoba that is going to own the building.

Mr. Enns: Yes, so it will be you who will be paying.

Mr. Chairman: Order, please. Are there any other questions?

Mr. Enns: Mr. Chairman, perhaps just for the record, there seems to be some confusion. Allow me to read from that same agreement that Mr. Syrett entertained us with: Section 17(1) Ducks Unlimited agrees to pay taxes or grants in lieu of taxes as may apply respecting the leased land and

the building, including the taxes levied by the Rural Municipality of Rockwood.

My understanding is they are of the order of about \$130,000.

Ms. Cerilli: Then I would like to ask Mr. McMurren, what amount of tourism has the municipality been told will result from the development?

Mr. McMurren: I can only give you the same numbers that I am sure that you could read in all the literature, the numbers that are predicting up to 200,000 people per year. As far as added tourism, we would be more than happy to start off bus tours that would take them from Lower Fort Garry through to the marsh area and then on into the interpretive centre inside the town of Stonewall and then have a very beautiful view of the penitentiary buildings coming back to the city. I think it would be a beautiful one-day trip.

Ms. Cerilli: Has the municipality calculated the economic spin-off anticipated from the development?

Mr. McMurren: I believe if you are asking if this is a dollar-and-cents issue to our council, the dollar-and-cents issue is more for the education of our children, because I believe our council is looking at what they are bringing to us in education as more valuable than any dollars that we will ever receive.

Ms. Cerilli: I have no more questions.

Mr. Chairman: Are there any more questions? Mr. McMurren, I thank you for your presentation.

To all of the other presenters, the Clerk will be in touch with you as far as the next meeting. The chances are very strong it will be next Tuesday. Thank you very much, and the committee rises.

COMMITTEE ROSE AT: 11.18 p.m.

WRITTEN SUBMISSIONS PRESENTED BUT NOT READ

Dear Sir/Madam:

Re: Bill 38

The Council of the Town of Selkirk wishes to have entered into the record their support of the provisions of this bill that will allow the Ducks Unlimited project at Oak Hammock to proceed.

The proposed Ducks Unlimited Head Office and Conservation Centre would enhance the area and would further demonstrate the commitment by Ducks Unlimited to the preservation and development of wildlife and wildlife habitat.

The Oak Hammock Marsh exists today only because of the effort and money of Ducks Unlimited and the Province of Manitoba.

Thank you for your consideration of our position on this matter.

Yours sincerely,
R. S. "Bud" Oliver
Mayor

* * *

Dear Sir:

Re: Conservation Centre - Oak Hammock Marsh

I am writing this letter in support of Ducks Unlimited Canada's proposed Conservation Centre at Oak Hammock Marsh.

It is time that the efforts and financial contributions by Ducks Unlimited be recognized. The studies that Ducks Unlimited are capable of putting on the table should be accepted. When you look at the results that have been achieved across the country, you must also look at the planning and detail along with effort that goes into each project.

I do not know what accomplishments can be listed for the group that call themselves "The Friends of Oak Hammock Marsh," but in my opinion, they are doing more harm than good.

Winnipeg is the main office for Canada and looking at the present track record of our province, I would hate to see Ducks Unlimited Canada move to another city.

Yours truly,
Len Morrow

* * *

Let me introduce myself. My name is Art Allan. I am Chairman of the Board and President of the MWF Habitat Foundation, a charitable organization dedicated for future generations. I hold and have held other positions in various environment and conservation organizations, and am a member of Manitoba Wildlife Federation, Naturalists Society, Environmental Council, Canadian Nature Federation, Canadian Wildlife Federation, Fort Whyte Nature Centre, and support others. My retirement years are dedicated to the aims and objectives of "Our Common Future."

For good and sufficient reasons the proposed amendments to this act must be approved. At the present moment there is a rift between formerly co-operative members in the environment

conservation movement. This is a tragedy and becomes the basis of a serious threat to the future of a marsh, which will depend on the current proposal. The rationale behind seems to be based on opinion rather than fact.

As a member of the Heritage Marsh committee, which is instrumental in preserving a number of heritage marshes and has plans for others, it is extremely disturbing to hear rumours of what seems to be a hidden agenda by some organizations to further delay or disrupt the work of this committee. This work is too important for the future of our descendants to be delayed or stopped.

To the opposition, especially the NDP whose foresight created the Heritage Marsh Program, I would suggest that failure to pass this act would create an Achilles' heel, which at some future date could boomerang against you. Do not accidentally destroy the very things which you are committed to protect!

My life is not dedicated to the present but for the future of our children's children. Perhaps, because of this, my priorities are more objective than those of others who are looking, not only at the short term, but locally rather than globally. I would suggest that before you make a decision, you read again Gro Harlem Brundtland's Report to the Youth of the World in London, England, in 1987. It is pertinent.

Thank you.

Art Allan

* * *

Dear Sir/Madam:

Re: Bill 38

I am 100 percent behind the building of the Conservation Centre to be located at Oak Hammock Marsh.

There is no way Ducks Unlimited would destroy something they have worked so hard to improve—namely, Oak Hammock.

Yours sincerely,

Phil Macmillan

* * *

Dear Sir or Madam:

This letter is in defence of Ducks Unlimited's plan to build their office complex at Oak Hammock Marsh.

The following reasons are why:

1. Much more focus should be placed on Canada's waterfowl and Ducks Unlimited's work.

2. It would be safe to say that waterfowl have lost through drainage more than 95 percent of their habitat in the Interlake country of Manitoba. As well, marshes bounding Lake Manitoba are in very poor shape for waterfowl production, almost a total loss. Carp fish have destroyed close to 100 percent of the vegetation required by waterfowl for shelter and food.

3. Let us assume that there are about 100 waterfowl nests on the quarter section of land the Ducks Unlimited plan to build their complex. It would be safe to assume that five years after completion of the building complex there could be as many as 500 waterfowl nests on this quarter section. (This happens automatically as waterfowl are quick to latch onto the security from predators found near human habitation and activity. This is providing the public and dogs are restricted from roaming throughout the said area.)

4. At East Meadows Ranch, nesting density and waterfowl concentration are about 10 times greater in a quarter mile radius of the buildings site than there is farther away. This has been the case since the 1940s.

5. I wonder if those who are opposed to Ducks Unlimited's plan are aware of the problems Canada's wildlife face today. It would seem that those in opposition to Ducks Unlimited's plan to build at Oak Hammock have adopted a "don't touch" attitude to wetlands. If so, they are about 50 years too late, the damage has been done, and massive marsh restoration by Ducks Unlimited is the only answer if future generations are to enjoy wildlife as we have.

6. Here at East Meadows (which could be a prime example) there are a lot of buildings, much human activity and machinery moving about which can demonstrate such. It has been said that there is much more wildlife here (variety as well) than can be found anywhere else in the world.

7. I must compliment the Honourable Harry Enns for his support of Ducks Unlimited's plan to build at the Oak Hammock Marsh.

Yours truly,

Lawrence King, Manager
East Meadow Ranch
Lundar, Manitoba