

September 23rd, 2010

Birch Island Provincial Park Proposal
Parks and Natural Areas
Box 53, 200 Saulteaux Crescent
Winnipeg, MB
R3J 3W3

Fisher Bay Park Reserve
Parks and Natural Areas
Box 53, 200 Saulteaux Crescent
Winnipeg, MB
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Honourable Bill Blaikie
Minister of Conservation
Room 330 Legislative Building, 450 Broadway
Winnipeg, Manitoba
R3C 0V8

Dear Minister Blaikie;

Re: Proposal Renewal of Fisher Bay as a Park Reserve and Proposal to Designate Birch Island Park Reserve as a Provincial Park

Manitoba Wildlands is writing to provide comments on the proposal to renew Fisher Bay Park Reserve and the proposal to designate Birch Island Park Reserve as a Provincial Park.

Information Provided – Birch Island and Fisher Bay Parks

Little to no information is included in the brochures provided regarding the proposed designations. What species are in the area? In the case of Fisher Bay, what activities are occurring in the recreational development land use category? Are there any listed species, federal or provincial, in the designations? Is there specific fieldwork underway to assist in management of these designations? In the ten years during Birch Island being protected, and designated as a park reserve, has there been any fieldwork, or technical work undertaken? When will the steps for management plans for these designations begin?

We would suggest that better maps be part of public information provided for comment. The map provide for Birch Island is the wrong scale, and essentially barely shows the island. Also the map and text are not clear as to the amount of water included in the designation. Will the water also be backcountry land use classification? What does the survey show?

Currently, the Birch Island and Fisher Bay Park Reserves are listed under the System Plan for Manitoba's Provincial Parks. Some information in the Park System Plan is not included in the brochures for these park reviews. Such information includes:

Birch Island:

The park reserve will:

- *Protect the natural habitat of various herons, terns and double-crested cormorants;*
- *Protect the natural habitat of the endangered Woodland Caribou.*
- *Protect the nesting colonies and sand bars that are common breeding grounds for various herons, terns and double-crested cormorants.*

Fisher Bay:

The park will:

- *Protect several Enduring Features specific to the region including organic deposits (i.e. marshes, fens and bogs), deep basin deposits (i.e. sands, silts and clays) and glacial till deposits (i.e. sands, silts, gravels and clays associated with ridge-swale topography).*
- *Provide nature-oriented recreational opportunities such as fishing and canoeing.*

Manitoba Wildlands would like to know what rationale for designating Fisher Bay and Birch Island as a Park Reserve and a Provincial Park (respectively) was excluded from the information provided in the park proposals. We recommend the access to further information be included in the brochures.

Timelines – Notification of Review Periods

According to the Manitoba Conservation Public Consultation Webpage, the review period for Fisher Bay Park Reserve Renewal is September 17th to October 1st, 2010 and the review period for the Birch Island Provincial Park Proposal is Sept 15th to October 1st, 2010. As of September 17th, 2010, neither review nor information regarding the reviews have been posted on the Manitoba Conservation Public Consultation Webpage. A press release was issued for only Birch Island, on Monday September 20. Only the Birch Island materials were mailed to our office.

What are the policy and procedure standards for these reviews under the Parks Act?

Regarding Consultation, the Provincial Parks Act States:

Consultation re proposed regulations

9(1) Before a regulation is made under section 7 or subsection 8(2), the minister shall provide an opportunity for public consultation and shall seek advice about proposed regulations

Consultation with owners and occupiers

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

While the Provincial Parks Act does not specify a timeline regarding how long the public has to comment on a park plan or designation, it is generally assumed a reasonable amount of notification time is given to the public. Less than two weeks to review a proposal regarding a park, while other reviews are also ongoing, is an extremely short amount of time. Additionally, when the only source of notification for many people is a late posting on the Manitoba Conservation website, the consultation timeline is even shorter. We recommend the branch set up a subscription service for further notices.

It is also noted the Provincial Park Act does not address notification of a Public Consultation period for a park review. Manitoba Wildlands would recommend Manitoba Conservation define notification for a Public Consultation Period for a Park Review. We recommend consistency and predictability.

Timelines – Park Reserve Designations

The proposal for Fisher Bay Park Reserve is to designate the area as a Reserve for an additional 5 years in order to conduct consultation. Fisher Bay has been designated as a Park Reserve since May 2000. The proposed interim protection extension brings the Park Reserve to 15 years of consultation. Why is there such a long delay in designating the provincial park?

Permanent designation and protection is being planned for Birch Island, also designated as a park reserve in May 2000. Manitoba Wildlands would again like to ask why has it taken so long to nominate this area to become a Provincial Park?

Species

There are a total of six bat species in Manitoba, all of which can be found in the Fisher Bay area. As many as 25,000 bats annually hibernate in a cave near the park area. Why is it not in the park? Given the sensitivity of these creatures, Manitoba Wildlands would like to ask how close the recreational development zone is to the bat hibernacula? Will there be a large buffer zone included in the recreational development area? What kinds of field work, long term management, planning, and protection has been planned for these bats?

Access to Information/ Public Registry

Manitoba Conservation needs to resume its practice of setting up a public registry file for any Parks Act review, designation, or park plan. The commitment to include these decisions in public registry contents was made in 1999 and followed for about 4 years. A discretionary

summary of unseen and non-public public comments does not meet any standard for a public registry, transparency or COSDI standards.

This year there are 6 designations under the Parks Act with a request for public comments *but no public registry file exists*. It would be best for Manitoba Conservation to establish basic and accessible standards for its public reviews, and post these on its website and in each public registry file. The policies and procedures under the Parks Act regarding access to public information should be posted.

Climate Change

The more land Manitoba protects, the more action we take to secure carbon. Manitoba Wildlands supports protecting land in Manitoba, thereby protecting species, land, waters, air, culture and heritage and enduring features. Representation of enduring features in each natural region in the province is far from complete.

It has now become urgent for climate change mitigation from any park or protected area established in Manitoba, and risks to any park or protected areas from climate change must be taken into account in planning and decision-making. Certainly the management plans for these two designations must include climate issues, mitigation, and risks. This is especially true on a bioregional basis, in relation to ecosystem functions, and in situ species who are listed, or endangered, or have high risk due to climate change.

It is stated in *Adapting to Climate Change: Preparing for the Future* that:

A land planning initiative will combine traditional and western scientific knowledge to inform future decision-making.

First Nation Nominations

Birch Island park reserve was nominated as a protected area by a First Nation. There is no indication in the public information that this is the case. This also means that Manitoba Conservation may be avoiding the standards in the First Nations Protected Areas MOU. Fisher Bay park reserve was first nominated for protected status by the Three Fires Sacred Society. The First Nation affected by the nomination supported it. The statement that traditional use and access will be respected in the park is not sufficient given these gaps or gaffes. Manitoba Conservation needs to indicate in its written commitments that First Nations rights will be upheld in the park.

Park Plans – When?

It is important to inform the public about the sequence of steps taken to date, and intended in the future for each designation under the Parks Act. Specific online information with links in the brochures would be an important step.



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We would appreciate a response to this letter at your earliest convenience. We expect to see this letter and all other public comments regarding the Proposal Renewal of Fisher Bay as a Park Reserve and Proposal to Designate Birch Island Park Reserve as a Provincial Park in a public registry file. This letter is being sent to the email address for comments, and to the Minister's office. Please note new address on letterhead, for response.

Manitoba Wildlands supports these two steps under the Parks Act, with concern stated in this letter.

Regards,

Gaile Whelan Enns
Director, Manitoba Wildlands