

Huge Hudson Bay Polar Bear Park Underway

The Manitoba government is well into planning for a huge new crown land designation around Hudson Bay. The park, some of which would be protected from development, would surround Wapusk National Park, cross the Nelson River, turn south and extend to the Ontario border.

The park would be up to two million hectares, though it is unknown what portion of those lands the Crown would protect. Manitoba Hydro installations, a future generation station, existing reservoirs, and a new converter station are within the suggested boundaries. The Keeyask generation station site is just outside the site. Also the Churchill rail line, which Omnitrac intends to ship new petroleum products to Churchill for shipment by sea, is within the suggested boundary.

Recent new wildlife management areas, protected through a regulation for no mining, hydro development, oil and gas, located below Hudsons Bay, are also within the planning boundaries. The remainder of the Churchill Wildlife Management Area surrounding Wapusk National Park with some expansion, and the south shores of Hudsons Bay, are also within the planning boundaries. Several listed and endangered species are resident and polar bear denning sites are included in the planning boundaries.

Government Announcement

A November 2013 press release, following the Speech from the Throne in the Manitoba Legislature, referenced the intended park. To date there is no evidence of steps for public consultation required under the Parks Act.

Six or more Manitoba First Nations are potentially affected by the proposed park. Metis communities are also potentially affected. Consultations with these Aboriginal communities through the province's Aboriginal Consultation Program are expected to start soon.

Four of these affected First Nations are partners with Manitoba Hydro in the Keeyask Generation Station project. Two of those First Nations are also signatories to the modern day treaty, The Northern Flood Agreement, and subsequent agreements. There are Resource Management Areas for these First Nations under this treaty overlapping the planning boundaries for the park. Another First Nation has several trap lines inside the boundaries.

These lands and waters are all within traditional territories of the Dene and Cree nations in northern Manitoba. These nations are in the midst of treaty land entitlement

selections and other ongoing land acquisitions. Other First Nations with land entitlements may also claim lands in this region. Treaty One nations can exercise their rights in this northern region also. Metis fishers, trappers, and land users also exercise their rights in this region.

Consultations & Boundaries

So far there is no indication that Manitoba intends to conduct meaningful consultations with the affected communities before further steps by the Crown. Manitoba's Aboriginal Consultation Fund, put in place by Premier Selinger in 2010, provides funds for each affected community to review intended actions by the government, obtain technical assistance, hold community meetings, and respond to the Crown.

The 2009 Manitoba interim policy for Aboriginal consultations in Manitoba states: The Government of Manitoba recognizes it has a duty to consult in a meaningful way with Aboriginal communities when any proposed provincial law, regulation, decision or action may infringe upon or adversely affect the exercise of a treaty or Aboriginal right of that Aboriginal community.

Several river fjords along the west wall of Hudson Bay above Churchill are candidate areas for protection from conservation designers in Manitoba Conservation. These have also been signed off for protected status by Manitoba's minerals sector. Beluga whales use the mouths of these fjords or estuaries to calve. The Seal River flows from one of these fjords. To date there is no explanation why these fjords and uplands are left out of the planning boundaries.

The map for these park boundaries is available on the Manitoba Geological Survey web page.

A November 19, 2013 government of Manitoba press release states:

“The province is also **beginning consultations with First Nations**, the Town of Churchill, and local industry and tourism operators about the establishment of a polar bear provincial park to protect existing and newly found polar bear dens along the Hudson Bay coast, and better promote the area as an international destination.”

As mentioned above it is not clear whether Aboriginal Consultation Fund capacity will be available for communities affected by the park planning process, and intended designation of crown lands,

A September 9, 2013 government of Manitoba press release announces a new Memorandum of Understanding (MOU) between Canada and Manitoba for cooperation so that, “One of the world’s largest polar bear denning areas will have more environmental protection” The MOU involves Wapusk National Park, and Churchill Wildlife Management Area.

Aboriginal Peoples in this huge northern region may have preferences about this planning process, and they hold knowledge important to the planning process. It is not clear whether the Crown will establish a planning table, including all affected communities, to arrive at decisions that are supported by the communities. The establishment of Wapusk National Park did include certain of these communities, with two First Nations signatory to the park agreement.

The honour of the Crown needs to be the basis for meaningful, appropriate consultations. Soon.

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