



May 13, 2008

Honourable Stan Struthers
Minister of Conservation
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Ms. Tracy Braun
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Dear Minister Struthers, Ms. Braun;

Re: Response to request for public comments on Tolko's Dickstone Road South Environmental Act Application, March 2008, file # 3094.70

The Wilderness Committee is a citizen group, the largest citizen-funded and member-based wilderness protection group in the country, with over 30,000 members and 40,000 additional supporters. There are over 5,000 members and supporters in Manitoba, and the number continues to grow. The Wilderness Committee office in Manitoba represents our members and supporters, and our comments should be considered as coming from these concerned citizens.

We are filing our comments based on the approval by branch staff of an extension in the deadline. Please place our comments in the public registry file for this proposal. Please also note that our comments on the proposal are not exhaustive and do not constitute a complete review of the proposal. The absence of comments on any given section of the proposal should not be construed as a confirmation of its comprehensiveness.

This application asks for permission to put industrial developments in areas that are closed to development inside a provincial park and in the habitat of a species listed under the Endangered Species Act, so a private corporation can make more money. One of the key points this application does not address is why this project is a good idea for Manitobans. Clearly it is not a beneficial project for people in this province. The one benefit this licensing application holds for Manitobans is that it brings many past transgressions regarding species at risk, forestry licenses, and protected areas into a

public review process, which provides an opportunity for the Manitoba government to address these lingering problems.

In this application, the 1984 Grass River Provincial Park Master Plan is continually referenced. The Grass River Master Plan is over two decades old. Since its release there have been tremendous developments in protected areas, provincial parks, species at risk legislation, and public consultations.

Grass River Management Succeeded by Legislation, is Now Obsolete

After the Grass River Provincial Park Master Plan was released in 1984, The Provincial Park Lands Act was created in 1987, followed by the Provincial Parks Act of 1993, with substantial regulations added again in 1997. Closed zones were established in Grass River Park subsequent to the development of the Master Plan of 1984. Similarly, the Manitoba Endangered Species Act and the federal Species At Risk Act were created after 1984. All of this legislation succeeds the Master Plan of 1984, making the Master Plan obsolete.

Manitoba Government Behind on Protecting Natural Areas in Manitoba

In 1990, the Manitoba government committed to protecting areas in each natural region in Manitoba from industrial activity, to preserve our natural areas. This commitment has been renewed by the current government several times since then, along with the a commitment to establish new protected areas in policy, budget, and throne speeches. In 2007, 1,500 scientists from around the world called for the protection of at least 50% of the remaining intact boreal forest. Grass River Provincial Park should be part of an action for increased boreal protected area in Manitoba. To allow the park to be split with this road is a reversal of the Manitoba government's commitment to increase protected areas in this province.

Adequate Protected Area Missing from Tolko's FMLA #2

Tolko's Forest Management License Area (FMLA #2) was, and still remains, the largest public forest tenure ever awarded in Canada. It is also the only FMLA in Manitoba with no large blocks of fully and permanently protected forest. More development in intact wild areas in Tolko's FMLA, like this road bisecting Grass River Park, can not be allowed. Further, large sections of Tolko's FMLA must be removed from their forest license and turned into fully and permanently protected areas. These steps should be taken prior to any approvals for all-weather roads, or steps to open previously closed forest lands inside the Grass River Park.

Forestry Roads

It is not clear who is going to pay for this all-weather road. The forestry industry is struggling economically across Canada. Does Tolko have the funds to build this road? Are there arrangements for public subsidy to the company to build this road?

Parks Act – Intent

The intent of the Act is that any significant change in land use inside a Manitoba provincial park requires public consultation. The pattern and standards for these steps

has been used with repetition over the last ten years, and is available to all branches of Manitoba Conservation. This application under the Environment Act in effect allows a significant change in land use inside Grass River Park, and therefore should be decided through notification to all parties, with details made public.

Woodland Caribou Management Plan Missing

The boreal woodland caribou is listed provincially and federally under endangered species legislation. The Naosap herd of woodland caribou, according to the 2005 Manitoba's Conservation and Recovery Strategy for Boreal Woodland Caribou (released in 2006), is one of the most at-risk herds in Manitoba. To date there is no Recovery Strategy for this herd, as required under SARA, in the hands of the public, stakeholders, or those affected by this current application. According to the Recovery Strategy, this herd uses Grass River Provincial Park and the surrounding area as habitat. Therefore, no application for development (roads, bridges, increased logging) in this area should even be considered unless a peer-reviewed, comprehensive explanation of the current status of this herd is presented first. No such information is included in Tolko's application. It appears that Manitoba's caribou plan is to log their habitat first, and then see how the caribou manage.

Caribou Management Plan for Forest To Be Logged is Missing

The forest Tolko is planning on accessing with this proposed road is considered the last primary intact forest left for the local woodland caribou herds. A similar peer-reviewed, comprehensive report on the status of the herds using this forest should be presented before access roads can be reviewed. Full information as to the fibre to be accessed by building this road must be included in any appropriate package for public review. In late 2006, the Wilderness Committee made repeated calls to the Environmental Licensing branch of the Manitoba government, asking for an explanation of how Tolko's clearcut logging activities were affecting the woodland caribou populations in the area. No answer or information was forthcoming, then or since.

Appeals Lost by Tolko – Roads

We would strongly suggest that Manitoba Conservation approvals staff review the full file for Tolko's environmental license. This exercise (which ideally would be part of the steps prior to a decision whether to begin the review under the Act for proposals) would show that Tolko sought and was refused permanent all-weather road licensing. Each stage of appeal was refused. The specific information as to whether this application includes road corridor that was previous refused on appeal by the Manitoba government must be included in the public information available regarding this proposal under the Act.

Manitobans Have Said No to More Industrial Activity in Parks

The majority of Manitobans who responded to a recent Manitoba Conservation request for public stated that they wanted industrial activity to stop in provincial parks. In January 2006, the government release a public comment summary regarding increasing the protected area of another park, Nopiming Provincial Park. This summary stated overwhelmingly that Manitobans wanted industrial activity out of provincial parks.

Since 2007, the Manitoba government has received 10,000 letters from people of this province, hand delivered to Premier Doer's office, asking that industrial activity in provincial parks be stopped.

Lack of Adequate Public Comment Notification

Tolko has been holding public meetings on short notice in small communities far from the reach of the majority of Manitobans. The Wilderness Committee has expressed to Tolko in the past that they would like public meetings in Winnipeg, so more Manitobans can take part in this process. The Wilderness Committee has also repeatedly been left with no notice of upcoming events by Tolko, even when we specifically call and request dates and times of meetings weeks in advance. The meetings listed in the appendix of this application are not adequate to provide a fair and representative number of Manitobans opportunity for public comment.

No tenure guaranteed

Tolko's current long-term forest management agreement and environmental license expires at the end of 2009. According to the timeline provided with this road building license application, the road will not be completed and operational until 2010. The road should wait until there is a full public process for Tolko's license, forest management plan, and operating plans – including a decision as to whether it should continue. Instead we have a bad faith effort to significantly change the company's existing, soon to end license before it ends. Until a public process for Tolko's new license for portions of FMLA #2 is completed, this application to build a road is not necessary and should not proceed.

All-weather logging roads

It is widely understood that roads are the first step in the desecration of a natural area. This is evidenced in government forestry policy, where logging roads are access-controlled by locked gates. The Wilderness Committee feels that no more all-weather roads should be built for logging anywhere in Manitoba. Given the precedent this application represents in terms of logging roads in Manitoba, clarity on Manitoba Conservation policy regarding all-weather roads must be available also.

Overharvesting

Roads in Manitoba access more than enough forest already. Opening up more intact primary forests is not necessary, and not beneficial to Manitobans. The only access any forest in Manitoba should receive for logging is winter trails. If there are not enough forests that are already accessed by roads remaining to be logged, then logging has likely been done at an unsustainable rate. Logging mills will have to adapt to operate using less fibre from wood than they are currently harvesting, rather than opening up new areas of primary wilderness for industrial development.

Previous CEC Recommendation Against Further Development in Provincial Parks

In 1992, The Clean Environment Commission, in its first-ever review of forestry and provincial parks, succinctly recommended that commercial wood fibre harvesting activity

in all provincial parks be phased out. Following that recommendation, an access road for commercial wood fibre harvest should not be built across a provincial park.

Comment on Climate Change Mitigation is Missing

Detailed information about how climate change may affect this project is missing. Also the affect of the proposal, and connected activities, on Manitoba's climate (carbon sequestration and inventory, emissions) is also missing. Recent renewed commitments for proposals of this sort to include information regarding climate impacts and effects should immediately be fulfilled in this application.

Forestry Resource Activity Committee (FRAC)

This license application references Tolko's FRAC. Logging corporations are required by their licensing agreements to have stakeholder meetings. Currently the logging corporations run these meetings, and the scope of the actions which result from these meetings is limited or non-existent. The Manitoba government is abrogating their responsibility to manage public lands by allowing corporate interests to run stakeholder meetings. The Manitoba government must begin running any stakeholder meeting. Stakeholder advisory committees on public lands can not be run by corporations. Additionally, the terms of reference for stakeholder meetings must hold corporations to follow through with recommendations tabled.

In summary, this application to bisect a closed section of a provincial park with an all-weather road has no merit. Nowhere in the application was any reasonable rationale given, explaining how this project benefits the people of Manitoba. This project will benefit a very few owners of a private mill operating in a public forest, to the detriment of that public forest. Further, the explanation of how this project will impact the area is very sparse, and the mitigation strategy is nearly non-existent, consisting mostly of a locked gate keeping people out, mentioning that the road will be decommissioned after 20 years, and that the operators in the area will be told to be careful. This empty explanation of the impacts of such a project is what one would expect to see in 1984, not in 2008, when it is understood that the fragile interrelationships of nature are necessary for our well-being, and must be preserved whenever possible. The Manitoba public, government recommendations, public policy, and scientific recommendations are already against a project like this.

It is the recommendation of the Wilderness Committee that this license application be rejected. The Wilderness Committee also requests that Manitoba Conservation, now that they are reviewing Tolko's activities in northwest Manitoba, take the following eight steps:

- a) Remove Grass River Provincial Park from Tolko's FML.
- b) Fully and permanently protect all of Grass River Provincial Park from industrial activity including logging, mining, and hydro development.
- c) The number of large, fully and permanently protected areas in the region that is currently Tolko's FML must quickly increase.
- d) Expediently release a peer-reviewed management plan with a detailed, delineated core and/or critical habitat map for woodland caribou in Tolko's FML

- e) Begin a moratorium on any industrial development in Tolko's FML until said caribou management plan is released.
- f) Establish full and permanent protection for woodland caribou habitat after the management plan is released.
- g) Manitoba Conservation is to take over and run a regularly scheduled stakeholders meeting for each Forest Management License in Manitoba, with a mandate requiring Manitoba Conservation to act upon concerns voiced during such meetings.
- h) Manitoba Conservation begin a public process with the end goal of expediently ending industrial activity in provincial parks.

Thank you for the opportunity to provide public comments. We trust that these comments will be reviewed completely. We look forward to hearing how these recommendations are implemented.

Sincerely,



Eric Reder
Campaign Director, the Wilderness Committee

cc:

Mr. Bruce Webb, Environmental Assessment and Licensing
Branch