

# LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, 29 March, 1982

Time — 8:00 p.m.

## CONCURRENT COMMITTEES OF SUPPLY

### SUPPLY — NATURAL RESOURCES

**MR. CHAIRMAN, Harry M. Harapiak (The Pas):** We'll call the meeting to order. We are on Natural Resources. The only article we have left is 1.(a) Minister's Salary.

The Member for Gladstone.

**MRS. CHARLOTTE OLESON (Gladstone):** Mr. Chairman, I was making notes here the other day to talk on Capital Estimates but we seem to have passed that so I'll pass my remarks on the Minister's Salary at this time.

In making my notes, I had intended to remark that it was with great relief that I heard that the mapping for the capital projects did not reflect political bias. However, on Thursday evening during the Minister's opening remarks we retreated to the disquieting news that the capita of the Estimates which we have reviewed at length are not binding upon the Minister. In fact, they are still to be taken to Cabinet and maybe changed for political reasons.

It was my understanding, however naive it may have been, that Estimates were prepared by departments, submitted to government caucus, then to Cabinet and then were placed before a Committee. Apparently I have been led up the garden path as it were by that belief. Therefore, it seems to me that we as a Committee are indeed wasting our time, time that could have been better spent for the people of Manitoba in more positive ways.

There occurs to me however a ray of hope in all this. Perhaps during the debate in Cabinet this government may decide it is politically expedient to undertake projects which would benefit the citizens of Southwestern and Central Manitoba, some project that has been ignored by the department in preparations of these Estimates. It is with this hope that I press on with my remarks.

The capital Estimates did not include the Big Brass Marsh area in the north of Gladstone constituency. This I'm told is more a problem of control than drainage. My colleague, the Member for Minnedosa, mentioned this area earlier during the debate on capital Estimates so that I don't need to dwell on it at this time.

As we all know the problem which many communities in Southwestern and Central Manitoba, the problems which we have are not so much of drainage but of conservation. We either have a feast or a famine in some of those areas. The lands often flood in the spring and in a short time we're looking for rain because our fields are dry. For that reason it would be wise to continue with the studies by the Draught Proofing Committee which would lead to the ponding of waters to retain spring runoff water which normally runs away.

With regard to the Holland Dam question, I understand that the survey work is under way in that area.

The people in that area are very curious to know what is happening. I am wondering if the Minister intends to meet with the councils and interested citizens to discuss their concerns and suggestions for that area.

**MR. CHAIRMAN:** Mr. Minister.

**HON. AL MACKLING (St. James):** Would the honourable member repeat the last portion please?

**MRS. OLESON:** I'm wondering if the Minister intends to meet with the councils and interested citizens in the Holland area to discuss with them the surveying that's going on with regard to the Holland Dam?

**MR. MACKLING:** Mr. Chairman, no doubt if there is considerable interest in the community for that, I'll be happy to meet with them. I haven't had a request thus far. I have made some commitments already to meet further with people in various parts of the province, but I'll certainly endeavour to meet people everywhere in respect to their problems so long as I can work them in.

**MRS. OLESON:** Under the topic of irrigation, I'd like to remark that there is some concern with the availability of groundwater in the Carberry-Glenboro area.

At present as you stated, Mr. Minister, there is not any noticeable reduction in the aquifer level in this area even though it is one of the heaviest used in the province. This does not say that there'll be no problem in the future, so it is vitally important that close monitoring on those levels continue and that close attention is paid to the licensing of irrigation systems.

The recommendation in the Water Commission Report recommended that water licences be increased to 15 years from five years and that is a matter which should be looked at very carefully. With large investments made by operators of irrigation systems, five years is a short time to recover your investment. I'm not suggesting that 15 years is ideal either but certainly longer than five, and I understand these licences are renewable after five years. Am I correct in that assumption?

**MR. MACKLING:** That I think is the recommendation. That's the recommendation.

**MRS. OLESON:** Correct. How are they operated then at present?

**MR. MACKLING:** I think they're on a year to year.

**MRS. OLESON:** One year at a time. Okay.

Another recommendation made by the Manitoba Water Commission Report was that an ad hoc committee be formed to work with the Water Resources Branch to implement the recommendations to the Commission. This committee, in the opinion of some constituents I've talked to, should be a continuing committee. It, as recommended, would be made up of people in the field who have a working knowledge of the subject. The Member for Inkster suggested

including geographers and others from the university faculties because the named groups only represented large users of water.

Well, Mr. Chairman, I suggest to you that the users of water would be the people who would have the most practical knowledge of the situation. It would certainly not be in their interest to do anything which would endanger the quantity or the quality of our greatest resource which is water.

It is felt by many that this Water Commission Water has made very worthwhile recommendations which should be implemented with perhaps some house-keeping type of changes.

With regard to the Parks Branch Estimates, I must say that I'm pleased to see that the projects which have been underway in Spruce Woods Park are going to continue. I'm disappointed, however, that there are no new projects being initiated in the park. Is there a long-range plan for development of this park?

**MR. MACKLING:** Mr. Chairman, I think all the parks will be subject to longer range planning. I can't specifically indicate what the plans are for the Spruce Woods Park at the present time, but I can assure you that all parks will receive the kind of long-range planning that is indicative of the Whiteshell Master Plan I've mentioned earlier, the Hecla Island Park and so on. I would expect so.

**MRS. OLESON:** Thank you. I can't give up the floor without mentioning the subject which has long been discussed in part to my constituency and that is the Wildlife Management areas.

Our area does not favour exclusive Wildlife Management areas which take viable agricultural lands and designate them as grazing areas for wildlife. In the past, these areas have been sewn to crops to feed wildlife. These crops were not allowed to be cut by anyone for hay or whatever. The weeds grew up as well as the planted crop and this caused problems for the neighbouring farmers. To compound the fracture, so to speak, the wild animals in their wisdom grazed somewhere else, often on the crops of the neighbouring farmers.

To further aggravate the situation the municipalities lost tax revenue from these lands. These municipalities had already been hard hit tax wise because of the large amount of land in park use. Municipal officials would like to be consulted when government plans any change to the use of the land. Grant in lieu of taxes should be paid to municipalities where lands were taken over for use by the government. I think that's probably all the remarks I have at this time on that subject.

**MR. MACKLING:** Mr. Chairman, I won't reply to the remarks of the honourable member that she made at the outset. I suppose I will hear more in connection with similar observations in respect to hers and perhaps I'll reply at some length later.

In respect to the specific items that she referred to, I think I did give her answers in respect to the several questions. In respect to the last one, Wildlife Management, I think the honourable member has heard my concerns in respect to that and I won't repeat them.

**MR. CHAIRMAN:** The Member for Turtle Mountain.

**MR. BRIAN RANSOM (Turtle Mountain):** I have a few remarks that I'd like to put on the record. I understand that there has been some fairly lively discussion in this set of Estimates over the last couple of weeks and I haven't had the pleasure of being here to take it all in, Mr. Chairman. I was present for some.

One of the areas which I was not able to sit in on was the discussion dealing with Wildlife Management. I won't proceed on any questions for the Minister, recognizing that the detailed Estimates have been passed, but I'd like to make a couple of comments; one having to do with the Caribou management problem in Northern Manitoba which, of course, the same problem extends into Northern Saskatchewan and into the Territories.

There is, in my view, an extremely serious problem there with the depletion of the Caribou herds which form a major part of the cultural life of the Native people as well as still forming a major part of their economic existence as well. Some two years ago we had made some progress in meeting with the Federal Government and with the Saskatchewan Government and with representatives of the Territories, to try and address that problem and see if there could be a co-operative approach involving all the governments and the Native people, the Bands, that rely on the Caribou, for all those groups to get together and hopefully work towards some kind of a management of the herd that would require limitations to be placed on the amount of Caribou that were being harvested. I simply would urge the Minister to give that matter his personal attention if he hasn't already done so, and to try and work towards a continuation of those efforts.

Secondly, Mr. Chairman, I'd also like to give a recommendation to the Minister as far as the Manitoba Wildlife Federation is concerned. I know that the Minister will be meeting with many groups of people who have interests in different areas in his department as time goes by and I just would like to say that, on the basis of my experience I don't think there was another group that more accurately represented the views of their members and, indeed, I don't think there was another group that represented such a broad base as the Manitoba Wildlife Federation did.

We had excellent co-operation with them during our period of time in office and I know that they'll be prepared to co-operate with this Minister as well. I would trust that he would be open to consultation on taking advice from that group.

Mr. Chairman, the Minister's comments that he made during the Throne Speech gave me some reason to be optimistic about some of the things that we might see from this Minister and the management of the department. I was quite impressed to listen to him talk about water management and the problems that were being faced, but what he saw being done about those problems and he made frequent reference to the Manitoba Water Commission Report dealing with groundwater management. That was a report, of course, which I had a hand in writing the original terms of reference for the Water Commission which led to that report and I, too, believe that they did an excellent job of reviewing that subject, wrote a good short concise report that made recommendations. My

first disappointment I guess came when we got to the Estimates and I discovered there really wasn't any kind of thrust in there that was in line with what the Minister had been saying but I recognized that he hadn't been very long in the department.

But then my second disappointment came when I read in the paper recently that, indeed, the people who wrote that excellent report, as members of the Water Commission, have now been replaced. I wonder if that sort of thing is necessary, Mr. Chairman, when you have the Minister stand up in the House and praise the work that's been done by the members of these commissions and the next thing we find out is that they've replaced them.

A third item concerning the Minister's handling of this department that concerns me is his handling of the Garrison question. I must say that doesn't inspire confidence in me and I think probably doesn't inspire confidence in a lot of other people as well. I just could run through a few sequences of events that has taken place, Mr. Chairman, that demonstrate why I'm not especially confident in the Minister's handling of this problem. It started with their promise to open an office in Winnipeg and another in Washington, knowing the advice that was available to us when we were in government and knowing the understanding that there is on the part of Manitobans on this project and their universal opposition to it, I began to question the necessity, first of all, of opening the Winnipeg office and then I of course questioned the advisability of opening a Washington office on the basis of the advice that we had received over a period of time.

I think that some of my concerns about those moves have since been shown to be valid. The office in Winnipeg, in this building of course, while not being a negative factor at all, time will tell whether it really proves to be a positive one or not. I rather think it will likely just be a further expense that doesn't do a great deal within the province. The concern about the Washington office was backed up by the fact that the government did ultimately decide not to open its own Washington office which, of course, was always the position that our government had taken, that it was necessary to work closely with the Federal Government and work through the Federal Government and that seems to be now what is being done. Again, time will tell whether or not the presence of Mr. Blevins in Washington is going to provide the government with any more information than the government previously had; whether or not they will have any more timely information about developments there, time will tell.

The thing that concerned me, too, and I can't place the responsibility for this on the present Minister because he is the second Minister in this department since the government came in, and that is that to the best of my knowledge we've been able to find out in questioning is that when the government changed, this new government did not immediately communicate their position to the United States Government to indicate exactly what the government's position was; that it was the same position that the previous government had taken or it was a different position than the previous government has taken. I think that was a serious oversight. It's something that I would have expected them to do rather quickly on taking over government. I find that as is their right, of course, that

they have a new advisor here in the province. We don't know just why but they do have one; meaning simply that there's one more new actor in the scene here which can tend to cause some misunderstanding or confusion.

I think it was evident that there was some misunderstanding or confusion or both when we spent an evening talking about this question earlier in the Estimates, the Minister really wasn't able to give the Committee too many details about what had gone on, even though we placed some fairly specific questions to him, although he did assure us that he would be the main contact; that we weren't to expect to seek out a senior person in the department as being the person who was the main contact for the government with Garrison. It was indeed going to be the Minister himself. When I asked questions of him that night about the possibility of de-authorization of the project, he didn't seem to understand the import of the question or at least, gave an indication that there was nothing that he knew of that might lead to de-authorization of the project. Then, of course, we found out a few days later when reports were published in the Free Press that indeed there had been some new proposals put forward which the Minister apparently had not been aware of, or at least they hadn't been raised in the Committee when questions were being asked. The Minister hastened to call a press conference immediately upon publication of the paper that day and said that indeed there were new proposals. His Deputy Minister had announced them at a meeting sometime earlier. But on further questioning in the Legislature in the Chamber during question period, we weren't able to get anymore details about these proposals and it became questionable then judging the Minister's answers as to whether there actually had been an announcement or, indeed, even whether there were new proposals. It wasn't until the Member for Lakeside tabled some documents in the House concerning new proposals that the Minister — I believe he said he'd seen some of the proposals and others he hadn't seen — pointed out that the proposals were draft ones and didn't have the recommendation or the support of the Secretary of the Interior. Of course, those were questions that I'd been asking the Minister both during question period and during the review of his Estimates, whether or not the Secretary of the Interior had supported those plans and recommended them was rather crucial to the question of whether or not they might lead to de-authorization of the project. That was why the question was placed to the Minister when it was.

Now, we also have a law firm that is now getting into the scene in Washington as well. We haven't been told exactly what they are going to do. We are assuming at the moment that they will be serving as lobbyists in Washington. And again, I think it's become a pattern with this Minister that the House learned about that announcement the day after the public had learned about it when the Deputy Minister made an announcement in Brandon. This just leads to a concern on my part and I'm sure on a lot of others, that at this point the government hasn't really demonstrated a great grasp of what's going on with this issue or precisely where they are going. Now, maybe with time and the Minister has a little longer in this department

he'll get control of it and he'll see what's happening. But I'm concerned that perhaps he may be getting some advice from people that are recommending things that are really not likely to do us that much good. And I would hope that we wouldn't see things like happened last year when, at least one member of this Legislature, and other representatives from Manitoba went down to the U.S. and ran up the Canadian flag on the Continental Divide in the U.S. I don't think that sort of thing is calculated to improve relations and to build any kind of trust.

And I would hope that we wouldn't have the Minister making public statements anymore that he doesn't trust the representatives of the United States, he doesn't trust the positions taken by the United States. If we don't maintain trust in the system within the context that we have between our country and the United States then we really don't have any basis at all for conducting any kind of civilized relationship. So, Mr. Chairman, I hope in that area that the Minister will adopt a somewhat less aggressive kind of approach and that he deals with this thing as governments should deal with it in a straightforward, diplomatic, statesmanly way that allows them to be effective and protect the interests of the people of Manitoba.

One or two other things as well, Mr. Chairman, that I was a little disappointed in sitting in on the Minister's Estimates is that from time to time I put questions to him concerning policy matters and I know that others put questions regarding policy matters as well, and I must say that some of those questions were treated in a rather off-hand fashion by the Minister. In recognizing the fact that he hadn't been in the department very long wouldn't have been familiar with details of the department, we didn't press him for details on the department but we did recognize that a new Minister is likely to have some ideas about where he wants to go; what kinds of policy changes he might want to make. Mr. Chairman, I say again I was a little disappointed in some of the answers, some of the responses that we got to questions about policy.

In the area of flood control, Mr. Chairman, I'd just like to clear up a point or two here if I may that there seemed to be some argument being made by the government that their policy which was announced to the towns and municipalities in the Red River Valley recently concerning those local governments having to pay a portion of flood costs; the government seemed to do that in the name of equity, that somehow this was going to be equitable with the policy that our government had announced for flood control in some other areas. Let me just briefly put on the record that the old policy for flood control in the Red River Valley was always that the senior governments paid 100 percent of flood control costs because the cost benefits were greater than one and since the Federal Government and the Provincial Government ended up paying the costs when floods occurred, in fact, it was cheaper. The senior governments saved money by paying for those flood control works — 100 percent. Now in areas where there was not a positive cost benefit they simply didn't provide any assistance at all. So, that towns like Gimli, Carman, Ste. Rose — I'm sure the Minister of Municipal Affairs will be very interested in that one, those towns received no help from the government because there was less than

positive cost benefit ratio. Those people living in those areas, of course, didn't agree with that policy and thought there should be something done. When we were in government we agreed with them that yes there should be. If those towns were to develop then they had to have some kind of security from flooding but we said it's not the same thing as the areas where there is a positive cost benefit ratio. If we agreed to pay all the costs of flood control in those areas as well, then, of course, there would be no limit to the number of requests that the government would be faced with. So, we simply worked out a formula that was related somewhat to the cost-benefit, so that the lower the cost-benefit the more the local government had to pay which would serve as a disincentive to them, to any local government to ask for flood control where it was only a very infrequent occurrence that they might be flooded.

That eventually worked out to a formula that was becoming accepted by at least some of the local governments and I think it was an equitable arrangement. So, I would not like to see those two situations confused. They're two quite different situations and the basis of the policies are quite different. I expect that the present government might eventually see the wisdom of the old policy for the Red River Valley and go back to paying 100 percent of the cost there because it's cheaper for the government to do that. I know today that the First Minister put great emphasis on the cost savings that were involved in some of their other actions, so I'm sure they'll look at this from the same point of view.

Another item that concerned me in the presentation of these Estimates, Mr. Chairman, was the fact that on one occasion there was an item in the Estimates that the Minister wasn't even prepared to support when it came before the committee here. It was one thing to have a backbencher question the advisability of an item — that's their right to do that — but when the Minister was asked whether or not he could support that item, indeed he said no, he wasn't sure that he did. But in fact, we found out, of course, they did support it because when we voted on it in the chamber, not only did the Minister support it but the Member for River East supported that item as well. It's rather fundamental that when items come to the committee, the Minister presents items to this Committee and asks for their approval, we automatically assume that the Minister himself approves of those items and supports them before he gets here.

That, of course, leads into the next item that has caused such great concern also, that we find a \$12 million or \$13 million capital program placed before the committee and the Minister makes the statement to the effect that well really all I'm asking for is the authorization to spend this money and the details on the various projects will be worked out later. Indeed Cabinet hadn't prioritized them yet even though the item is here before the Committee and we're being asked to approve it.

Now, Mr. Chairman, the First Minister when questioned about that in the Legislature, said, oh, well there's nothing unusual about this, projects are changed all the time. Well, Mr. Chairman, let me just briefly tell you that projects are changed from time to time but the basic outline of the capital program that

is presented to the Committee, to the Legislature for approval is followed. There are always difficulties encountered with the acquisition of land; there was problems with engineering; those things granted, they caused some changes and sometimes there are high priority items that have to be dealt with but you will find that historically the program that's presented at the committee is that which is carried out. And for the Minister to come before the committee here and say that it has yet to be approved by Cabinet and prioritized by Cabinet is virtually unheard of; certainly unheard of in my experience and I would hope that the Minister would change his approach in that area and that when he comes back next year that we are going to have a program laid before us that we can expect will represent what he was going to do. I had hoped to ask him some specific questions about the program; work that was under way at Pelican Lake, for instance, whether or not that work was going to go ahead and some preliminary studies at Rock Lake and some of the park projects that were in the area but we won't go into the details of that now because I recognize the statement that the Minister has made and all I can do is hope that programs that were in place, were under way, at least will be completed.

So, Mr. Chairman, I will be looking forward next year to a more positive and open approach from the Minister when we get into Estimates of this department; that we will be expecting some more definitive statements on policy and we'll expect him to be supporting all the items in his Estimates. We would expect to have some details of how his capital will be expended.

Thank you, Mr. Chairman.

**MR. CHAIRMAN:** Mr. Minister.

**MR. MACKLING:** Mr. Chairman, first of all I would like to thank the honourable member for his words in respect — and I'll go back to the beginning of his items — his concerns in respect to the caribou management problem that he referred to the Kaminuriuk herd. I don't believe he was present but perhaps some of his colleagues might advise him or confirm to him that I had some complimentary things to say about the efforts that had been made by the honourable member when he was Minister in respect to the preservation of that herd. I'm pleased to indicate to him that work has been continuing and I have earlier signed a letter of invitation to other jurisdictions, people in other jurisdictions, inviting them to Winnipeg some time later on this year for formal documentation of the arrangements that have been proceeded with. So I am very hopeful that work, that was initiated as he indicated a couple of years ago, will be brought to fruition and will be very helpful.

In respect to his comments about the Manitoba Wildlife Association, I've had the opportunity already to meet with a number of sections of the Manitoba Wildlife Association and all of them have been most helpful to me.

In respect to the Water Commission, of course, as the honourable member knew, the former chairman had resigned and so a new chairman was appointed and that commission had referred to it — the question of the conflicting interests in respect to the Plum and

Oak Lakes area.

In respect to the honourable member's observations with respect to Garrison, I detect, Mr. Chairman, that the honourable member feels that we are doing more than we ought to do in respect to the Winnipeg office and the Washington office. Let me point out, Mr. Chairman, that the honourable member referred to a news conference. At that news conference, a reporter of a newspaper in this city was asking questions of me, and in his questions he revealed that he didn't understand or know that the Lonetree Reservoir, which is the main component of the Garrison project, was north of the Continental Divide. Now this was a responsible reporter of a newspaper in this city and obviously, Mr. Chairman, there is a need in this province for a much clearer articulation of what the problems involving Garrison are and how Garrison is proposed to be constructed; what its key components are and, therefore, how any adverse operation of any portion of that project could affect our freshwater fishery system.

So it is important, it's clearly important, that we do a better job in Manitoba of advising people what Garrison is all about and in addition to that, Mr. Chairman, we obviously need to do more if Manitobans don't know what Garrison is all about. How do we expect the people in the United States Senate and the United States Congress would know what Manitoban's concerns are in respect to Garrison? We have to do much more and although the honourable member is right, we're not setting up a formal office in Washington, we are getting the equivalent of an office in Washington, because we are getting two aspects to it. We're getting a legal firm in Washington that has been involved for many years in respect to American administrative programming and they are going to be our advisers, our communicators, in a direct way in respect to Garrison. In addition to that we're going to have a young lawyer from Manitoba, Mr. Blevins, who will be with the Embassy, will be ensuring that there is a continuing focus of the Ambassador's staff in respect to that problem.

Because one can appreciate, Mr. Chairman, that there is a great deal of problem area between Canada and the United States. There are ongoing discussions in respect to acid rain, in respect to Autopac, in respect to energy programming and so on. We, as a government, were concerned that the Garrison issue be not lost sight of in respect to all of these other issues that the Federal Government are addressing vis-a-vis the American Government. So we have obtained a real benefit because, in addition to having Mr. Blevins in the Ambassador's Office — true, reporting through the Ambassador, but with informal linkages back to the Manitoba Government and to our legal firm in Washington — we have that combined advantage.

In addition to that, Mr. Chairman, now we have what I consider to be a pretty high profile: a political committee; the External Affairs Minister of Canada; the Environmental Minister of Canada; the Minister of Labour and Immigration, as I understand his position, Mr. Axworthy, Manpower and Immigration; and the Honourable Mr. Cowan and myself and I think, Mr. Chairman, that gives the Garrison issue the highest political profile it's ever had in Manitoba and we're

going to through that Committee, I believe, be able to impact much more effectively on the questions that we have to place before the American lawmakers.

Now in respect to the comments that were made about these so-called Garrison new proposals, Mr. Chairman, they've been around for years and I indicated that. There was nothing new. What the Americans have been doing is saying that they're prepared to put off certain developments; they're prepared to defer certain irrigation projects to mollify our concerns. But what they want most of all is to get on with the diversion of water to Lonetree, get that set up and then the other things will follow in due course. That's their proposal and, Mr. Chairman, the so-called new proposals, the documents that the Honourable Member for Lakeside tabled, were all these old things, these phases that were merely regurgitated. Instead of the South Dakota irrigation coming in a matter of four or five years, they're bringing that up front now to try and mask the fact that they are wanting to develop a major reservoir north of the Divide for extensive land irrigation, not only in South Dakota, but in North Dakota. In order to mollify our concerns, they are advancing the South Dakota irrigation aspects. They haven't changed anything; they haven't given up anything, so I indicate to the honourable members there is no reversal, there is no change, that is true. There is simply a change in phrasing and they've talked about that for years, that they'd be prepared to adjust to try and accommodate our concerns, but they have never given up on the major thrust which is to divert Missouri River water across the Natural Divide into a Lonetree Basin and irrigate from that basin.

When the honourable member says that I shouldn't use words like "I don't trust some of the proponents of Garrison," well, I used that word, I'll admit, and I used it deliberately and I'm not ashamed of using it and I'll say it again, because I've heard Senator Mark Andrews and I've heard what he said. Staff in the Garrison office copied or taped what he said and, Mr. Chairman, what he talked about in his very effective and very smooth delivery style was that here we had a group of radical environmentalists who are trying to frustrate the genuine concerns of people in his state, and those concerns were a concern to have a source of fresh water for their communities. Well, Mr. Chairman, if you look at the Garrison proposals, there is nothing said about fresh water for communities, but there's everything said about irrigation of arable land and more intensive use of water for irrigation, nothing about the poor communities that are starving for potable water. So, when I say I don't trust the proponents, that's the kind of thing I don't trust, Mr. Chairman.

Now, in respect to flood control, Mr. Chairman, I think I've said a good deal about that and I'm not going to say a great deal more except that flooding is a difficult problem. Whether a person is flooded and they receive minor damage or extensive damage, there is the psychological threat, there's the worry, there's the insecurity of a flood. Now the Carman situation — the Honourable Member for Pembina is here — those people came to see me and they've indicated to me that the proposal they had from the previous administration involved apparently a 15-percent costing, but it was 15 percent of the portion that the Federal Government wouldn't pick up. It's a

little involved, but in that case the Federal Government said that it didn't amount to 1, it wasn't a complete cost benefit; it was maybe a .7.

So then the Provincial Government suggested to the community and suggested to the Federal Government, alright, maybe the community in the province would pick up the .3; the .7 would be shared by Ottawa and Manitoba, but it involved 15 percent for that community. That community is hungry to have that protection at 15 percent and would like us to get on with it, would like to have seen it in these Capital Estimates I've brought forward; it hadn't been done in the past. The previous Member for Pembina was a member of the government at that time and let me tell you, Mr. Chairman, these floods just didn't occur in 1980, they had four significant floods in the last six years and they are very concerned. They are talking about relocating, having to relocate 400 homes and businesses, and they're desperate; they're desperate for a decision.

When I suggest to honourable members that we have to look at priorities when it comes to spending, for water diversions and diking and so on, I'm cognizant of that problem in that community of the honourable member, and I'm more concerned about that and finding an answer to that problem than I am for providing greater diversion of water to promote intensified agriculture, as good as that may be, and as desirable as that may be. We have to look at all of our priorities and that's why I talked about, I suggested, I hinted at; I didn't spell it out because the honourable members were very excited, that's the kind of thing that we have to look at, Mr. Chairman. We have to look at a community like Gimli that has been suffering flooding; a community where the former Premier during the course of the election apparently turned sod for a flood protection device a couple of weeks before the election. Now, that community is expecting something in respect to flood protection.

Now, Mr. Chairman, those are the kind of things, those are the kind of issues that we've got to look at. And when I say, Mr. Chairman, that capital spending — yes, there will be capital spending — and certainly the outline that was presented is one that appears desirable, but I indicated it's subject to many things. It's subject to finding the dollars to make sure we've got the dollars for one thing; it's subject to environmental impact; it's subject to the Estimates as to what those costs are; it's subject to community acceptance; and it's subject to the kind of pressures or priorities that government is faced in respect to communities, as to when these communities are going to get some alleviation from the problems they face. That's what I articulated the other night, and if that made the honourable members very upset I'm not troubled by it in the least, Mr. Chairman.

**MR. RANSOM:** On the last item, Mr. Chairman, the Minister didn't really add anything new; he didn't clear anything up about the difference in the policies. I agree with him, his description of the policy that was proposed for Gimli or Carman or Ste. Rose is essentially accurate, but it's a different policy than the one that had been in place in the Red River Valley for years. The two situations are simply not different. All I was pointing out is that you shouldn't try and com-

pare the one to the other because the circumstances are different, that's all.

Mr. Chairman, I wouldn't want the Minister to have it left on the record without being challenged that we're concerned about them doing too much or being too effective in their opposition to Garrison, far from it. What I'm concerned about is that there are going to be so many fingers in the pie that Manitoba's position might be weakened, in fact, rather than strengthened. Now, I know the honourable members don't think that could possibly happen, but when I see their handling of some of the other items under consideration, I think it is a distinct possibility and I will hope that it doesn't happen. When the Minister says that the information that was tabled by the Member for Lakeside was old hat, they weren't new proposals and so on. Fine, I accept that and let me make it perfectly clear that we were not debating the merits of those proposals; we weren't putting those proposals forward as being something that Manitoba should welcome with open arms. All we tried to do was find out from the Minister whether, in fact, there were new proposals, whether there was anything new in them. We didn't get it until we actually got hold of some of the proposals ourselves and showed them to the Minister and got his response. I am sincerely hoping that with all the new advisers he has that he will have that kind of information, that he will be well informed about what's going on and will be able to keep the rest of us informed as well.

A second point I would like to make is that to my knowledge we had excellent communications with the Embassy in Washington; we had good co-operation from the Federal Government. I would not want any indication left on the record that during our period of time it was necessary to have additional people in Washington in order to improve the communication, because we had good communication, and I informed the Legislature on a number of occasions that there were times when we had not just daily communication but sometimes communication two and three times a day, and we had people going back and forth to Washington to deal with Mr. Rejean, in particular. We had the opportunity to discuss it with the Ambassador from time to time; we had excellent co-operation. Perhaps this action will strengthen it, I hope it does.

One specific question then, Mr. Chairman, concerning the Lonetree Reservoir: does the Minister accept the International Joint Commission's position and recommendation with respect to the Lonetree Reservoir?

**MR. MACKLING:** Mr. Chairman, first of all, in respect to the matter of communication; the honourable member had indicated that his government has had communication with American Government people and I won't, Mr. Chairman, criticize that. He says that they communicated —(Interjection)— well, the observation, Mr. Chairman, was that he had communications with the American Government and certainly we haven't written to individual senators or congressmen. I know that such communications were made by the previous government and I think the Federal Government must have rather felt a little unkind about that, because we chose and we will continue to choose to work through the Federal Gov-

ernment in communications with American Governments whether they be in North Dakota or in Washington. We believe that we will antagonize the Federal Government if we start trying to deal in a formal communicative way with American congressmen or senators. I think that would be resented by Ottawa and I'm not going to comment on what the previous administration did in apparently writing to a great number of people. But, let me tell you that our communications with Ottawa are excellent and our communications with the Embassy will be much improved and will be facilitated by the staff arrangements that I've already talked about.

In respect to the specific of Lonetree; yes, I disagree with the International Joint Commission's decision. They have indicated that Lonetree could be established. I disagree with that; our government disagrees with that, because once Lonetree is in position then it is just a matter of time before that reservoir will be tapped for irrigation purposes in a manner that will be destructive to our watershed.

**MR. CHAIRMAN:** The Member for Turtle Mountain.

**MR. RANSOM:** First of all, let me tell you that the communications that our government had with the Senate and House Representatives were always cleared through the Federal Government in Ottawa; had their approval. But, the Minister has just now said something that I think is of great and grave concern, that a Minister is going to start picking and choosing which of the recommendations of the International Joint Commission that he is prepared to accept.

I recall, Mr. Chairman, how the Member for Inkster, the previous Member for Inkster, who will long be remembered for his astuteness and understanding of issues among other things; who criticized me and criticized our government for taking a stand with respect to the Roseau River, that he interpreted as being a rejection of some of the International Joint Commission's recommendations. I didn't interpret it that way. I interpreted it rather as being, (1) a situation where the International Joint Commission hadn't been given the full reference that was necessary to deal with the situation; and the other being that the method of carrying out the recommendation wasn't adequate, but his position always was that Canada's and Manitoba's position rests with the Boundary Waters Treaty and rests with the International Joint Commission; it rests with the report of the International Joint Commission and that once any government rejects a portion of that report then it opens it up for others to reject portions of the report as well.

I want to tell you that I thought that his arguments made good sense and that this is a departure from previous positions that have been taken. It could certainly lead to a much broader debate of this issue, Mr. Chairman. I wonder now whether there are other recommendations of the International Joint Commission; other of their recommendations in that report that the Minister doesn't accept. Does the Minister's rejection of that particular recommendation, is that a position that also is taken by the Federal Government?

**MR. MACKLING:** Mr. Chairman, let me indicate to begin with that if the honourable member recalls, the

International Joint Commission's approval of Lonetree was conditional and it's important to recall those conditions. One condition was that there would be no detrimental effect on Canadian water. Now, that of course is a problem because Lonetree presents a vast amount of water across a divide with any degree of flooding; with any degree of negligence or misfeasance on the part of persons in charge of the works; it is quite possible for there to be a discharge of that water, the Missouri River water, into our system, so that is a very significant condition. How that reservoir can be developed and maintained and protect the integrity of our watershed is extremely problematical.

The second condition that they placed on the Lonetree was that there would be no fishing in that reservoir, presumably because of the concern that water would be discharged and different fish species would be carried into the Hudson's Bay drainage system. Now, how they will police that recommendation or that condition is just, I don't know, impossible to consider, because it will be a pretty vast lake, the Lonetree Reservoir.

So, Mr. Chairman, although the International Joint Commission said it is possible, they put conditions on that virtually make Lonetree impossible. Now, Lonetree is the key to that development so far as the Garrison proponents are concerned and it is Lonetree that we must stop if we're going to stop the Garrison Diversion Project. That is clear.

Now, I'm given to understand, and the honourable member's concerned about the integrity of the International Joint Commission, that no one should suggest that they might have erred. Well, I believe that the honourable member or maybe his predecessor was involved in some criticism of the International Joint Commission when they indicated approval to some developments on the Roseau River that didn't find favour with Manitobans and the previous administration quite properly criticized the American developments and I believe also in effect were criticizing the International Joint Commission who had not found any difficulty with those things.

We are not bound by the previous Minister's reliance on the International Joint Commission's observations. If the International Joint Commission's qualified conditional approval could be maintained, and I suggest that's impossible, then perhaps it might be all right; but those conditions are so clearly difficult for Lonetree to go ahead with that kind of condition that it virtually makes Lonetree impossible and so our position is entirely consistent with that.

Now, to ask whether the Federal Government takes that position; the Federal Government is bound by The International Boundary Waters Act to protect the viability of our water. That is the Act that the Federal Government must defend on our behalf and it has nothing to do necessarily with the International Joint Commission. We deem that any diversion of water across a natural divide that has the very real potential for diversion into our watershed can and will provide a significant threat to the viability of our water and under that Act the Americans are bound not to take steps, or build any works that would challenge the integrity of our water. So, that is the position that we'll rely upon in this international dispute.

**MR. RANSOM:** Mr. Chairman, that is an almost a mind-boggling statement that the Minister has made, the fact that International Joint Commission doesn't really have anything to do with the Boundary Waters Treaty and that somehow Manitoba could take a different position than the Federal Government could take on this issue.

Mr. Chairman, I don't want to debate the merits of any part of the proposal, whether or not it's good or bad, I don't want to get drawn into that. I expect that the Minister would like to get us drawn into an argument about the technical merits of it. I'm pointing out the problems that the government is going to create for themselves by adopting positions that are different from the recommendations that the International Joint Commission make, and perhaps are different now than the positions that the Federal Government takes. I'm not certain from the Minister's answer whether that's the case or not. He would lead me to believe that either this hasn't been specifically discussed with the Federal Government or indeed the province does take a different position than the Federal Government does; and that if our position becomes interpreted as one that is dealing with internal matters in the United States, with respect to the construction of an irrigation project there, that the International Joint Commission has said could be done without affecting Manitoba's interest, then I believe, Mr. Chairman, that indeed the government is into a new ballgame, and it perhaps starts to become clear why they then have retained lobbyists in Washington, and why we have a representative now in Washington, because I believe the government is going to be moving away from the protection and the device that was there to protect Manitoba's interest. If you're going to move away from that and move into the lobbyist area and rely on being able to go to congressmen and senators and convince them that they shouldn't do this — there's none of us up here vote for them — I would not really want to rest my case on the ability to lobby a senator or a congressman in the United States when I could rely on the Boundary Waters Treaty and the mechanism of the International Joint Commission.

Mr. Chairman, I don't see any point in my pursuing this any further. Some of my colleagues might want to. I don't want to pursue it especially because I don't want to be accused in any way of weakening Manitoba's position, but I'll tell you, Mr. Chairman, that is a serious departure from previous position that have been taken and I would be very interested in knowing whether or not the Provincial Government and the Federal Government are as one in taking that position.

**MR. MACKLING:** Mr. Chairman, the honourable member seems again to be critical of our intensified effort in respect to our Opposition. Let me reflect for him what has been the development. The Garrison Development is one that's been promoted now, not for a few years, for decades, but for a great period of time, and the proponents of that project have never given up their overall dream to provide for a very very significant transfer of water from the Missouri River Watershed and use it for extensive irrigation in North Dakota. To suggest that somehow past efforts have been successful in thwarting this development is just

to fly in the face of reality.

What has happened is that they've continued to develop, and they have suffered, yes, some setbacks primarily as a result of the initiative of private lobby groups in the United States who brought court proceedings and frustrated the development through the courts. The efforts at the political level haven't been all that satisfactory, Mr. Chairman, and we are concerned to intensify our efforts at the political level. Yes, we see the Lonetree Reservoir as the key, because if the Lonetree Reservoir is developed, then there's no question but in the due course of time proponents of further irrigation in North Dakota would succeed in obtaining irrigation of more land in the Souris Basin, and adjacent to the Red River and the Cheyenne that flows into the Red. We would be faced with the environmental problem we are now fighting. —(Interjection)— Certainly were relying on that treaty.

The honourable member tries to distort what I've said, Mr. Chairman, and —(Interjection)— well the honourable member says I do a pretty good job myself. I try to be truthful with this committee and I don't get much co-operation from that honourable member who has just spoken. Mr. Chairman, I think I've said enough.

**MR. CHAIRMAN:** The Honourable Member for Rhineland.

**MR. ARNOLD BROWN (Rhineland):** Thank you, Mr. Chairman. I've been listening to this debate with great interest. The Minister a little while back said that flooding problems were very difficult problems, and I couldn't agree more with him. It's my area that probably has more flooding problems than any other area in Manitoba. We accept all the water from as far west as Killarney and from as far south as South Dakota. It all gathers in the Red River and it creates huge lakes which take anywhere from three to five weeks to drain. So we do have a very serious problem and this occurs about once in every three years.

My first concern already had been expressed to some extent by the Member for Turtle Mountain, and I appreciate the comments that he did make. But very much concern has been shown in the area over there that the rules suddenly have been changed, whereas the total costs have been absorbed in fighting floods and for flood control, have been absorbed previously by the Provincial and the Federal Government. Now all of a sudden we see that the rules are changed and the area will have to absorb some of these costs.

If these were the only costs that the area has to absorb during that period of time we might be able to take a look at it. Even then it would be very expensive. But we tend to forget that during that period of time, businessmen have to vacate their businesses, they have to leave their businesses for up to a period of four to five weeks; farmers vacate their homes, they have to leave their dwelling for up to four and five weeks, they have to find lodging elsewhere. This is very expensive for these people.

Now on top of this all these expenses that these people have, besides cleaning up after the flood waters have gone through the area, they are now asked to pay for 10 percent of the cost of

flood control.

Mr. Chairman, I can just say that this is just about going to break these communities. They have enough problems as it is without having extra burdens placed upon them by any government. I seriously hope that this government is going to take another look at the decision that they made and reverse that decision to where it was previously.

There are some things that need to be done as far as controlling this flood is concerned. We know that 11 percent of the water contributing towards the flooding along the Red River comes from the Pembina. The Pembina River could be easily controlled so that these waters could be released later on. The previous Schreyer administration, and also the previous Conservative Government, they had made a commitment that when the United States was ready to go along with construction of the Pembillier Dam at Walhalla that they would give the Americans full co-operation. There is more than a one-to-one cost ratio benefit on the project. I would like to know what this government's feeling is towards this. There is every indication that construction possibly could be starting within the next four years and it is very important that we, the people in the area, and also that the Americans know that there is going to be co-operation from this government when they are ready to proceed with the Pembillier Dam.

The other dam that we have been advocating, of course, is the Pembina Dam which is on the Canadian side. If we were to get the Pembina Dam built also, then of course this would help again as far as flooding is concerned and we would also be able provide irrigation and recreation into the area. We have no recreation in that area so to speak at the present time. People have to drive 150 to 200 miles before they get to the nearest lakes and the area very definitely needs recreation facilities and, of course, because of the heat units that we have in the area, it is the most southerly part of Manitoba, irrigation would allow us to grow many crops and attract a lot of secondary industry which we cannot get at the present time.

The ironical part of the whole thing is that we will have four to five lakes, we will have water that we don't know what to do with and after that water's run off, we're short on water. Now, there must be some way that we can conserve this water so that we can use that water throughout the year and provide potable water for the towns in the area.

I am a member of the Lower Red River Valley Water Commission and the Lower Red River Valley Water Commission has asked me to as soon as we're through with the Estimates to try and get a meeting with the Minister so that we may familiarize him with the problems that we have, with the benefits that could be gained through them building the Pembillier and the Pembina Dam, and also another area concern which was already mentioned by the Member for Gladstone was the building of the Holland Dam. We're very much interested in this concept. This dam would also make it possible to bring water as far south as the American border; so we are also looking very favourably upon that study.

I was disappointed when the appropriations for the department came out and there was absolutely no mention made at all of the aux Marais Drain and the

South Buffalo Drain. Here again we have two drains where the major portion of the water comes in from the United States; the United States is quite anxious to reach an agreement with Canada on this, but again it seems as if there is a bottleneck and a stumbling block as far as The Department of Natural Resources is concerned.

I wish that the Minister would pay some attention to the problems that the people in my area are experiencing. I am not going to go into the aspects of the Garrison Dam; this already has been discussed to a great extent and I don't think that I have anything new to add except to say that we are watching it very closely and it is of a big concern to us, because many of our towns they get their potable water from the Red River and they certainly do not want any deterioration of the quality of the water.

So, I am wondering, Mr. Chairman, if the Minister could give us the assurance that they would cooperate with the United States Government when it comes to the construction of the Pembillier Dam at least, we'll just take the one dam at the present time? But, I would like to see if we could get some cooperation from this government towards that particular project.

**MR. CHAIRMAN:** Mr. Minister.

**MR. MACKLING:** Mr. Chairman, I know that some of these dam projects are very near to the hearts of the honourable member and to his constituents and a good many people in southwestern Manitoba, and I know that there have been hopes and aspirations for many, many years. These hopes and aspirations of course were around during the days of the Roblin administration; the honourable member quite rightly said, or maybe it was one of his colleagues volunteered that during the Schreyer NDP Government, nothing was done. Someone said eight years of nothing, then I heard someone indicate four years of nothing in the previous administration. So, these hopes and aspirations have been around a long time. But, Mr. Chairman, these hopes and aspirations will not be fueled by us three or four nights before an election by a promise during a course of an election that we're going to proceed with construction of the Holland Dam, a \$200-million project, and other drains in the area.

Mr. Chairman, what we will do is look at projects throughout the length and breadth of Manitoba and look not at these developments from a partisan, political position, but what are in the interests of the people of Manitoba, and where is it imperative that we facilitate the people of Manitoba in these developments. That will be our criteria.

To ask me to give a specific commitment in respect to any one of these dams tonight, I would have to indicate, Mr. Chairman, that I'm not in position to do that; but what I have indicated is that we will look at everything in fairness and I hope in reasonableness and not in a blind, political rush or any hastened, partisan way.

**MR. CHAIRMAN:** The Member for Pembina.

**MR. DONALD ORCHARD (Pembina):** Mr. Chairman,

the other night we got into a fairly lengthy discussion on Item 13 in the Estimates and if I might I would like to just ask the Minister if he expects fairly close adherence to the series of Water Resource Branch Construction Projects; if he expects that six page document to be fairly closely adhered to in this construction year?

**MR. CHAIRMAN:** Could you please repeat that question again?

**MR. ORCHARD:** I just want to know if the Minister believes that he will be able to follow reasonably closely the list of construction items handed out to describe the work proposed to be undertaken under Item 13, the \$13.25 million that have been passed already?

**MR. CHAIRMAN:** Mr. Minister.

**MR. MACKLING:** Well, Mr. Chairman, I really don't get the significance of the honourable member's question. He wants me to elaborate on the list, does he?

**MR. ORCHARD:** Mr. Chairman, I think my question is relatively simple for the Minister to undertake and answer. Does he believe that he can follow with a reasonable degree of certainty the projects that are listed on the six-page handout for proposed construction for this year?

**MR. MACKLING:** Mr. Chairman, I think that the honourable member will reflect that on a previous occasion I indicated that these are an outline of what the department has brought forward as reasonable proposals for capital development. They are subject to the reviews that I've indicated. Certainly in some of these instances there has to be an environmental impact study made before they are proceeded with, and that evaluation is very important to this government. There will, of course, have to be consideration as to the spending priority because there are areas of real concern in respect to spending, and some of those I've indicated earlier. We'll have to see what the costs are when these projects are tendered and, certainly, they all appear to be, from a departmental point of view, desirable. Whether they can all be accomplished this year or at all remains to be determined.

**MR. ORCHARD:** Could the Minister indicate which of the 36 projects have yet to undergo — I believe he described it as an environmental impact assessment?

**MR. MACKLING:** Mr. Chairman, I don't think that I'm in a position to give that kind of detail here tonight because staff aren't with me, but it's my understanding that none of these projects have had detailed environmental studies.

**MR. ORCHARD:** Then, Mr. Chairman, could I conclude that none of these projects may go ahead because all of them could be held up by some environmental impact study?

**MR. MACKLING:** No, Mr. Chairman, that conclusion

cannot be made. It would be my hope and expectation that wouldn't be the case at all.

**MR. ORCHARD:** Mr. Chairman, since the Minister himself has chosen the words "that environmental impact studies may hold up and prevent some of these projects from taking place this year" —(Interjection)— I missed the comment from the Member for Inkster. Would he mind repeating that, because he usually gives us such good gems? —(Interjection)— That's better than his normal comment, yes, Mr. Chairman. But since the Minister has indicated that environmental impact studies could prevent some of these projects from taking place, I would appreciate if in the near future he could consult with his department, determine which of the, I believe, 36 projects would fall into that category so that those members whose councils now have a reasonable expectation that these projects will take place can be advised that there is a potential holdup from an environmental impact study. Could the Minister provide myself and other members of this committee with that kind of information, please?

**MR. MACKLING:** Mr. Chairman, I would indicate that there are items on this list that have been on here for three years. I don't know what the problems were before, why they weren't advanced, whether they just weren't given priority by the previous administration, whether or not there was an environmental impact study that had to be made but, certainly, that may be the case in some of them. It may not in all, because some of them may have clearly no requirement for any extensive environmental impact consideration. I won't go into detail, but some of them obviously don't require the same kind of intensive consideration as others where they are fairly straightforward developments, Mr. Chairman.

**MR. ORCHARD:** Well, then, could the Minister — I take it he's agreeing to undertake to provide us a list of those projects of the 36 which do require an extensive environmental review so we can give our councils advance notice if one of our projects happen to be in such a listing.

**MR. MACKLING:** Mr. Chairman, I'm not in a position to indicate when I can get that information to the member.

**MR. ORCHARD:** Well, it would be most helpful if we had it before the construction season was over, Mr. Chairman, and it would be most helpful indeed if we had it within the next month. Is that possible?

**MR. MACKLING:** Mr. Chairman, I'll have to take that under advisement and certainly I'd be prepared to indicate that to the honourable member or indicate that in the House.

**MR. ORCHARD:** Mr. Chairman, now if some of these projects perchance are not completed this year, as from time to time does happen, do they have any priority in next year's capital Budget?

**MR. MACKLING:** Mr. Chairman, I couldn't give a

definitive answer to that because I don't what past practice has been, because I indicate that obviously there have been capital items that have been carried over for a period of years. I don't know, I would imagine it depends on the urgency of developments that I've already alluded to.

**MR. ORCHARD:** Mr. Chairman, it would seem to me that the Minister has answered the question I wanted in what he has just said, that certain projects which were not completed in a previous year have been carried forward and have appeared again on the capital works list which were presented here tonight. All I'm asking him is will that be the policy under which he operates in presenting capital construction estimates in the next fiscal year to this committee?

**MR. MACKLING:** Mr. Chairman, I don't want to try and be coy about this but I think I want to indicate that we're not going to start a project that requires two years to complete and leave it half finished or half developed. Obviously, if there's a project that takes two years to complete, it would be foolhardy to half of it and leave it.

**MR. ORCHARD:** Absolutely no problem with that answer, Mr. Chairman. What about the projects which appear, numbered 1 to 36, which may not be started on at all? Will those have a priority on carry-over next year?

**MR. MACKLING:** Mr. Chairman, again, I would have to defer. It would depend on the pressures in respect to other capital items and I've referred to a couple of them tonight where we would have to look at those things.

**MR. ORCHARD:** Mr. Chairman, I guess that's part of the problem and part of the reason why last Thursday night's committee got into a fairly serious discussion, because this Minister, in presenting this list of capital Estimates, seems to attach very little priority to them. We can understand and we gave him the clear understanding that evening, on Thursday evening, that certainly if right-of-way couldn't be acquired; if the tender came in at, let's say on the Dog Hung Creek Diversion and Fish Line Drain, if it came in at double the 118,000 he projects, certainly, we can appreciate that the Minister would want to have a second look at proceeding with that kind of a project. But when we are faced with this list of Estimates, we make some assumption as members of the Opposition, and I suppose some of the members of his own backbench would make the same assumption, that they are presented by the Minister with some degree of need; that they are not a frivolous inclusion in the Estimates; that they are there because they are needed; because the department has prioritized them as a need that should be undertaken in construction and as such if they are not completed in a given year, what we are interested in is whether they would be included in another year. In other words, I guess what we're asking this Minister is, does he believe in the capital works construction projects that he presented himself to this committee?

**MR. MACKLING:** Mr. Chairman, I think I've indicated

in my answers already to the honourable member that the projects were brought forth as desirable, they are reviewed in a very cursory way by the Treasury Board. They are advanced and they are considered to be appropriate and proper, but they have to receive the consideration as to priority in funding for desirable capital works that people across the province want. That's not to say these are not desirable and they won't proceed, but I wanted to quite candidly indicate that there will be other projects and I've mentioned two already tonight; the Town of Carman is anxious for something to be done there and the honourable member has that community in his constituency and knows, does he not? —(Interjection)— Well, then he knows the problems there.

There are 400 buildings and the people there are getting desperate and I don't know how that problem is going to be addressed. I know that the people in Gimli are quite concerned. I haven't met the people from Ste. Rose yet, but they will be meeting with me. And to say to the honourable member, that, oh yes, come hell or high water, every one of these items, because it's being considered desirable is going to go, I would be misleading you because I think that we may have to face concerns from other communities, of works that have to be advanced in priority. The honourable member may not like to know that, but I think his constituents in Carman might like to know that we are not going ahead blindly with a list of capital projects that we cannot change.

**MR. ORCHARD:** Mr. Chairman, on Thursday night of last then, the Minister did indicate that this list of Estimates had, I believe, been perused by the Treasury Board; he said they hadn't been perused by the Cabinet, and after we passed them in this set of Estimates that he would be taking them to Cabinet for review. Does the Minister still intend to take this list of Capital Works Projects to Cabinet for a review?

**MR. MACKLING:** Mr. Chairman, that is not what I said to the honourable member. I indicated that the capital spending as it is required is certainly subject to the availability of the funds through the Executive Branch of government and that in respect to the priorities, the pressures that the department will receive, certainly there will be consideration by the Executive Council of the priorities and the spending. I didn't say that this list would be taken to Cabinet for review and if the the honourable member is trying to put words in my mouth I did not say that and I ask him to look in Hansard and show me where I said that?

**MR. ORCHARD:** Mr. Chairman, I don't know whether a person, a Mr. Mackling, has any authority in this Committee but he did say on Thursday night that, and I will quote, "And I am saying, Mr. Chairman, that this is the itemized capital outline, but it's certainly subject to review by the Cabinet as it always has been." Now, that is not true, Mr. Chairman. When a list of itemized construction projects are presented to committee, they have normally in the past been put through this scrutinizing hoops, call them as you may, in order to arrive in a printed form presentable to all members of the Committee. But what this Minister has clearly said is that this list is presented to you in Estimates and for

Committee review, but it's certainly subject to review by the Cabinet. He just told us not one minute ago that he didn't say that, but in fact, he did say that, Mr. Chairman. And I would like to know if he still intends to take this list of projects to Cabinet for review?

**MR. MACKLING:** Mr. Chairman, it wouldn't be my course of action to take this list of projects for review in Cabinet. As the department indicates that projects are ready for advance to the stage where I will be recommending the expenditure of the funds, certainly then I will be taking the matters to Cabinet.

**MR. ORCHARD:** Well then, the Minister just said exactly the same thing only slightly differently. He says that after the department tells him that this project is ready to go, then he's going to take that project to Cabinet and at that time say, "Cabinet, do you want this to go, or do you want it not to go?" Is that correct?

**MR. MACKLING:** Mr. Chairman, I don't know if the honourable member wants to make the decisions for the Cabinet or not. He seems to be endeavouring to have me indicate that this is the process. Certainly there will be an evaluation made as to whether or not we are in a position to proceed with that and I've indicated that. For example, if I'm asked in Cabinet whether an environmental impact study has been made and one has been desired by some community group and it hasn't been done, I think they have a right to question that and to maybe send this matter back to me. Maybe I will go back a little chagrined.

**MR. ORCHARD:** Well then, Mr. Chairman, do I assume from what the Minister is telling us tonight or trying to tell us tonight that what he said on Thursday night is not true, that this is not subject to review by Cabinet, this itemized capital outline?

**MR. MACKLING:** Mr. Chairman, what I indicated was what I've indicated tonight, that it would not be my understanding of the process, that I would seek the approval of this Committee and therefore the Legislature as to an itemized list and then after it approved go back to Cabinet and say, "Look, here is what they've approved, now what do you want?" If that's what the honourable member is trying to get me to say or admit to, it's wrong. That is not the process, and it wasn't the process during the course of his administration, hopefully, either. What happens is that staff, after consultation with interest groups, with the Minister presumably, advances a number of projects and the staff the other night told me what they do was they advance them in a group and then later on they're given more intensive consideration by the Minister and by the Executive Council as to spending priorities and so on. That apparently is the process. I haven't sought to deviate from it.

**MR. ORCHARD:** Well, clearly then, what the Minister said Thursday night was not correct when he said that this itemized capital outline is certainly subject to review by Cabinet, that definitely is not correct as he said on Thursday night which sparked the debate.

**MR. MACKLING:** What page do you see that?

**MR. ORCHARD:** Page 846, column 2, first paragraph, last line.

**MR. MACKLING:** 846, column 2?

**MR. ORCHARD:** Mr. Chairman, just before Mr. Enns.

**MR. MACKLING:** It says the list, well the honourable member is correct in saying that it sounds like I'm referring to the list, and that isn't certainly what I was concerned to indicate. I was concerned to indicate that each specific item as it's advanced, and they're not all advanced to Cabinet, would be subject to question in Cabinet, as I've indicated.

**MR. ORCHARD:** Okay, then clearly what the Minister said Thursday night about this itemized capital outline going to Cabinet and subject to review by the Cabinet was not the intention of what he said, that was not a correct statement?

**MR. MACKLING:** I didn't intend that. In answer to that question I was saying that this list then would go to Cabinet for review, not at all.

**MR. ORCHARD:** Thank you, Mr. Chairman. Now, you said certainly not all of them would go to Cabinet for review, under what circumstances would you envision an item going to Cabinet for review and approval?

**MR. MACKLING:** Mr. Chairman, it's my understanding that as these projects are brought forward there has to be the appropriate funding required through the Executive Branch and at that time there can be a concern on the part of individual members of the Executive Council as to the priority of spending; whether the funds are there; whether an environmental impact study has been made; whether the community is in agreement and so on.

An example of that would have been — and the honourable member corrected me the other night — the Honourable Member for Lakeside said that the Red River Valley dike's protection didn't go to Cabinet. He held it back presumably, but if it had gone to Cabinet then there would have been a decision made as to whether to proceed with the 10 percent formula or whatever, but apparently it didn't go. There was a political decision to the Minister to hold it back and not proceed with it, but there would have been a decision made either by the Minister or it could be some recommendation made at Cabinet particularly when there's a share-costing.

**MR. ORCHARD:** Mr. Chairman, I don't want in any way for the Minister's last remarks about my colleague, the MLA for Lakeside, to stand unnoted in being entirely factual. The Minister is indicating that valley dikes weren't proceeded with because the Minister did not proceed with the 10 percent capital contribution by the communities. That is a change in policy that this new administration has made and are trying in some method to say that the previous administration was going to make it anyway. I want to tell the Minister that is not the case, and if the MLA for Lakeside was here, he would tell the Minister that is not the case.

So, Mr. Chairman, the Minister has mentioned something about funding as being a potential reason why an item might go to Cabinet for approval before construction is undertaken. It's my understanding that in the rough outline that was given to us without the detail that there is some 7.6 million — rough figures — of other capital projects and it's included as a subtotal for Water Resources. In totalling the 36 items that appear in the detail, there is some \$7 million worth of construction in total with those 36 items. When we leave this committee tonight, hopefully we will have given approval for the full \$13.25 million of funding, part of which will be the 7.6 million overview which is made up of a little over \$7 million in detailed projects.

Now it's always been my assumption that when Estimates have passed the Legislature they have always been formulated by a very cognizant Cabinet and Treasury Board, so that before they get to be a line in the Estimate book of \$13.25 million in this case, the government has decided that is what they can spend. Now in undertaking these projects, 7 million of which is part of a \$7.6 million subtotal, is the Minister telling us that before he could undertake an expenditure which was within the \$7.6 million that he would still have to go back to Cabinet to get Cabinet to approve the funding which was approved theoretically by a Treasury Board perusal, by a Cabinet accumulation of the Estimates for all departments and passage by the Legislature on the basis of \$13.25 million? Is he still telling us that he would have to go, even though it was within the authorized spending, and get Cabinet approval for any given item in there? Is that what the Minister is telling us?

**MR. MACKLING:** Mr. Chairman, I've indicated to the honourable member and I would appreciate hearing all his questions and then maybe I'll answer them all at once, but I'll answer this question now and make this observation. He's concerned about a specific item. I think I've answered his question; I think that as each item is advanced for spending, the process is to refer it to Treasury Board and Treasury Board in its submission refers that to Cabinet. That's the process and it happens for every major spending item of government. It happened I suppose for decades before, but the honourable member should be familiar with that.

But in respect to Estimates, these are Estimates of spending; they are Estimates only. Some governments estimate better than others. The administration for which my honourable member was a member and a Minister estimated very poorly last year because they exceeded their spending by \$80 million and so their Estimates obviously were somewhat out. Mr. Chairman, it's well known in government that some departmental spending just does not take place, programs don't get started. Government spending is on the base of Estimate, it's not an absolute, so sometimes some departments don't spend all the money they get appropriation for; sometimes they exceed it and I'm hopeful that these Estimates will not be exceeded but I couldn't guarantee the honourable member that. If we are constrained to move on a capital project that is vital to some area, then I suppose we're going to have to exceed our spending limits notwithstanding that the honourable members

have only voted us X dollars. We may have to go and risk the political wrath of the voters in spending more than what was authorized and introduce a supplementary Estimate, supplementary spending, but we'll face that problem, Mr. Chairman.

**MR. ORCHARD:** I want to thank the Minister for that delightful answer.

**MR. MACKLING:** I'm glad you're delighted.

**MR. ORCHARD:** You know, that isn't exactly the question I asked and now I know why he doesn't want to answer any more questions because he hasn't answered them yet. Because what I did say clearly was does this Minister have to go to Cabinet to get approval on an individual project basis when the total of the contracts let fall within his budgeted allocation? He hasn't answered that. Mr. Chairman, I am familiar with the Budget process as the Lyon administration undertook it and, you see, what we did then is we went to Treasury Board for approval of items. For instance, in my capital project that I had something to do with, I went to Treasury Board and got a target figure and then I developed a road program and the itemized construction projects on that program were taken to Cabinet and Cabinet gave them approval. That approval allowed me, Mr. Chairman, to go up to a certain number of dollars in capital expenditures and my department told me how close we were. Mr. Chairman, the ironic thing or the unique thing about I guess the way the Lyon administration worked in comparison to this one is that the Lyon administration trusted its Ministers to expend the funds within the Budget; Cabinet Ministers did not have to run back to Cabinet with every single item to get it approved. As long as we were within our Budget, we were left to operate our department.

What this Minister is telling us is that there is no trust in his Cabinet, that he has to run to his Cabinet for every single item that he gets approved in capital construction so that he may not overexpend or he may not spend it improperly. Well, if that's the kind of trust that this present government has in this present Minister, then the public of Manitoba may have a lot of serious problems in dealing with the Department of Natural Resources. When the Treasury Bench will not trust this Minister to undertake spending of a capital budget that's been approved by Treasury Board, by Cabinet and the Legislature, that he has to go running back to them for approval of every single item. That's quite different, Mr. Chairman, from what I know of how our government operates. Now if this is the new Pawley-style administration, well so be it. They'll be tied up running back to Cabinet to get every single drain approved and every single mile gravelled in the Highways Department, I guess. But that isn't the way that I know governments have operated in the time that I've had anything to do with them. So, might I ask the Minister since he has said that the itemized capital list will not go to Cabinet, he's already said that, could he comment and could he confirm that the decisions as to which drain goes, which construction goes will not be decided on a political basis?

**MR. MACKLING:** Well, Mr. Chairman, I'm getting a

lot of advice but none of it is very helpful, I shouldn't say none of it is very helpful. —(Interjection)— No, I was referring to, never mind, let's let that pass. Let me just say that certainly there will be consideration. Now, the honourable member is worried about political consideration. Certainly I am a politician, I make no apology for that. I'm hopeful that when I reflect on the priorities of public spending, I will be thinking about the interests of the people that we're trying to satisfy. I make no apologies about that. It troubles me that some people in their priorities of spending don't always reflect on that. I ask the honourable member to reflect on the people, I don't know what I'm going to recommend to my colleagues, but I am troubled about the town of Carman and its capital desire.

The honourable member all during the course of these Estimates, Mr. Chairman, never brought to my attention the plight of that entire community in respect to the threat of flooding in that area, that has occurred not once but a half-a-dozen times in the recent years. The honourable member never raised that as a priority concern in capital spending. I suggest, Mr. Chairman, that when prioritization of capital projects are considered, I'm going to reflect on that kind of priority. I'm not going to suggest now that project is going to go ahead but it will have to be faced.

**MR. ORCHARD:** Mr. Chairman, I still have a couple of more questions I'd like to ask, if you don't mind. Thank you, Mr. Chairman.

The Minister said that certainly political considerations go into the formulation of a capital budget and, yes, I have to agree with him it does. Would the Minister care to tell me whether his political considerations appear on this itemized list that he presented as part of the spending intentions?

**MR. MACKLING:** Well, Mr. Chairman, I hesitate to reflect on whether the Dog Hung Creek Diversion and Fish Line Drain really does reflect my political sensitivity at the moment. I can candidly confess I'm not very expert on that project and so I couldn't really say whether or not that project is vital and must go ahead this year. To the extent that reflects my political prioritization I suppose that's true, it does. I don't know how vital that one is compared to the others. If one cannot be proceeded with, I don't know whether it'll be the Dog Hung Creek Diversion or if half-a-dozen or whatever, I don't know which ones will at this stage have the most value from the point of view of the people of Manitoba.

**MR. ORCHARD:** Mr. Chairman, the reason I'm asking this question is, I would like to know if all of the desirable political considerations that the Minister may have are contained within this itemized list of capital construction projects. Do they meet with his political approval?

**MR. MACKLING:** Mr. Chairman, the honourable member certainly seems to find that all of these lists, all of these projects meet with his. I have indicated to him that there is the Town of Carman that is not in this list and his politics may ignore that problem, mine doesn't, and if that troubles him I'm sorry about it.

**MR. ORCHARD:** Mr. Chairman, obviously the Minister has ignored Carman because he hasn't got it in the list. That's a problem he's going to have to deal with. Mr. Chairman, you see the reason I'm asking this Minister, and I'm really trying to help him. You see, I'm trying to find out if in fact this list has met with his political prioritization and whether it meets his political desires and ambition, because you see on Page 853 of Hansard the Minister says this and I will quote, "But they," (and we're meaning capital projects), "may not be proceeded with for any number of reasons." And here's the important part of the quotation, "And those reasons have to be decided on a political basis and on the basis of a political decision as to whether or not we can afford to proceed with them."

Well, that's why I'm asking him, has his political decisions been made already or do we simply approve these Estimates tonight and he makes his political decision in the Cabinet room beyond the scrutiny of the Legislature? That's all I'm asking, Mr. Chairman.

**MR. MACKLING:** Mr. Chairman, as I've indicated my political considerations will take into account the people of Carman. The honourable member has not addressed that problem to me in Committee, in the House, in any way, and I'm not going to reflect on the honourable members political considerations. But I'll tell him that I will consider the importance to the people of Carman, the importance to the people of Gimli, the importance to the people of Ste. Rose, projects that are being advanced. And if I feel, if I'm of the opinion and my colleagues agree with me, that some of these projects that are slated here may not proceed in a given year, for whatever reason, then I may wish to advance the interest and the concerns that are reflected in some other project.

**MR. ORCHARD:** Mr. Chairman, the Minister appears to be setting up his next nomination for Pembina Constituency with his deemed concern for the Town of Carman. And he seem to be building into the Hansard something that he can show the Carman delegation next time that they're in, that I didn't mention specifically the diversion around Carman, and that because of that I have been politically negligent of the citizens of Carman. But, Mr. Chairman, I want to point out to this Minister that it was his colleague, the Minister of Health, that moved the question be put on the Construction and Acquisition item in his Estimates Thursday night, and thwarted discussion on specific capital projects that weren't included. The Minister says, "Ah." Well did he, or did your Minister of Health, or did he not stop debate line by line in the capital Estimate last Thursday night; yes or no?

**MR. MACKLING:** Mr. Chairman, I have been sitting here answering questions on capital projects. The Honourable Member for Lakeside, if he were here would agree, that I've allowed the members entire flexibility in discussing questions that are of importance to them. When it came under the Water Resources Section, I allowed questions about any area, and the honourable member never mentioned his concern about the Town of Carman and their flood problems or anything coming up in the capital items reflecting that. If the honourable member is concerned now, it's

indicating a concern a bit late, Mr. Chairman.

**MR. CHAIRMAN:** The Member for Springfield. A point of order?

**MR. ANSTETT:** Thank you, Mr. Chairman. I think the record will show with regard to the question that's being debated right now between the Member for Pembina and the Minister that in reply to a discussion that I held with the Minister a week ago tonight, the Honourable Member for Pembina did raise these questions with regard to the funding formula and the need for the program at Carman. It wasn't raised last Thursday, but it was raised a week ago in committee.

**MR. CHAIRMAN:** The Member for Morris.

**MR. ORCHARD:** No, hold it, Mr. Chairman, just a couple more questions. I thank the Member for Springfield for his point of order because indeed we did discuss the Carman flooding problem some nights ago and obviously the Minister cared enough not to remember it.

**MR. MACKLING:** We both had forgotten it.

**MR. ORCHARD:** No, I hadn't forgotten. Mr. Chairman, I was waiting for you to dig yourself in a little deeper and you're doing, Mr. Minister, an admirable job of it.

Mr. Chairman, can I summarize and the Minister can find at fault any of my summaries to this date. No. 1 . . .

**MR. MACKLING:** Committee rise, it's 10 o'clock.

**MR. CHAIRMAN:** Committee rise.

#### **SUPPLY — NORTHERN AFFAIRS, ENVIRONMENT AND WORKPLACE SAFETY AND HEALTH**

**MR. CHAIRMAN, Jerry T. Storie (Flin Flon):** The Committee will come to order.

I believe we're continuing under Item No. 5, Environmental Management, 5(a)(1), Salaries.

The Honourable Member for Tuxedo.

**MR. GARY FILMON (Tuxedo):** Thank you, Mr. Chairman. Mr. Chairman, I wonder if the Honourable Minister could give us some information about the current status of the Weston soil removal for lead and soil purposes. The project involves, I suppose, to some extent participation by three parties: the province as the initiating authority in advocating the cleanup; the City of Winnipeg who, as I understand the proposal and as it was when I left office, was to be responsible for the removal of topsoil and sod on the boulevards in the given area; and, of course, Canadian Bronze, the smelter in the adjacent area, who was going to be responsible for removal of some topsoil and sod in a public area where the employees had lunch and their breaks — a little sort of, not a park, but a rest area that they had on the outskirts of the smelter property.

What I'm interested to know from the Minister is,

firstly, has the City agreed to participate and to do the sod and topsoil removal on the boulevards as was recommended by the Environmental Management Division as part of the project?

Secondly, what is the position of Canadian Bronze with respect to the removal of topsoil and sod in its area and cleanup in and around its building where there were high lead levels shown?

Finally, does the Minister anticipate any financial participation in any way by Canadian Bronze in the project?

**MR. CHAIRMAN:** The Honourable Minister for Northern Affairs.

**HON. JAY COWAN (Churchill):** The situation at the present time is such that we have indicated to homeowners that we will be proceeding with the removal in the near future when conditions allow that to happen. We are in discussion with Canadian Bronze at this time to determine if in fact there is some way they can participate in financial implications as a result of this removal and that's under negotiations at the present time.

The City has indicate that they're prepared to participate in the program but we're under discussions and negotiations with them at the present time in respect to financial participation as well.

**MR. FILMON:** Is the Minister saying that the City does not feel responsible for cleaning up the boulevard on its own in view of the fact this is city property; in view of the fact that the smelter was originally located there by virtue of city planning and zoning approvals, and so on; and by virtue of the fact that the City has collected taxes from that particular industrial facility for 40 to 50 years. Is the Minister saying that the City now feels no responsibility whatsoever to clean up its own boulevard and will only do so if the Provincial Government pays for it?

**MR. COWAN:** No, I'm not saying that at all, I'm saying they're making a good attempt at having the Provincial Government share the cost of that cleanup with them and we're discussing it at the present time. They would put forward arguments that they feel their participation should be in a financial sense limited and we're putting forward many of the same arguments which the Member for Tuxedo has addressed in the Chambers this evening.

**MR. FILMON:** With respect to Canadian Bronze's potential participation in that project, I know that the Minister's advisers are likely indicating, as they did to me, that it's difficult, if not impossible, to ascribe responsibility for the high lead levels in the area directly to the smelter despite the fact that there is certainly acknowledgement of the fact that there was lead in the air from emissions over a period of many decades and other things that the Minister is probably aware of from the full scrutiny of the soil sampling results that some of the areas of highest lead levels do not appear to be closest to the smelter and do appear to be adjacent to traffic arteries, which of course, indicates some evidence of the potential contribution from the traffic, from the lead contained in gasoline

vapours and so on.

Other indications are that one or two particularly high reading areas were between houses in very narrow spaces, five or eight foot strips between houses, which might indicate the source of lead could have been from the paint on the houses and so on. So one has to acknowledge that the information given by technical experts is certainly valid in the sense that there would be great difficulty to ascribe total or even significant blame or responsibility to Canadian Bronze.

I think without trading any confidences, the Minister might indicate if the Canadian Bronze are still in the position that they were when we left office, that they might be willing to participate financially in some overall programs to do with lead testing, cleanup or so on, without prejudice to any position with respect to the area surrounding, and without describing the responsibility or the financial commitment to this particular cleanup, that they might — in fact, I think they went further and said that they would be willing to make some extract of payment to the province to carry on its work in lead cleanup in some way. Is that still the position of Canadian Bronze or has there been some change?

**MR. COWAN:** As the member is aware, that was the position some while ago and remains to be the position. We are now discussing options for specific studies with Canadian Bronze which may, in fact, provide us with a greater awareness of just what the different levels are in the area and why it is posed that they are so high in that specific area. He's absolutely correct when he suggests that there are a number of causes and factors for high lead levels in the soil in the area. It's suggested, and probably justifiably so, that the lead in soil arises out of some emissions from the plant, some use of lead-based paints in the area and some vehicular traffic emissions along the roadway.

This is a new area of environmental law in the Province of Manitoba and elsewhere as well. Although some jurisdictions have defined a bit more clearly than we have to date, it is certainly an area in all jurisdictions that is open to constant review and innovative approaches. It's difficult to assess a company for its pollution on a specific site-by-site basis when you have many other factors which may, in fact, contribute to that pollution, so the position that Canadian Bronze is taking at this point is not an unusual nor an unexpected position. The position that we are taking at this point is that there is reasonable cause to believe that a fair amount of that lead in the area is as a result of emissions from the plant. I think it is important to say at this time as well that the emissions have been cut down significantly over the past number of years as a result of a comprehensive program of emission control monitoring in the area. We are now removing lead which has been around for some time. That will enable us to better understand how the total burden of lead in the soil is built up over the next period of time because we can start to develop some baseline data, and we're dealing with what we believe to be very specific emission levels and known emission levels which is extremely important as well. So, this whole incident provides us with an opportunity as well as an obligation and we hope to be able to work

with Canadian Bronze to make the best possible use of the opportunity which is provided to us, and at the same time to fulfill what we consider to be an obligation to make certain that the lead-contaminated soil in the area which is over 2,600 parts per million is in fact removed.

**MR. FILMON:** I would certainly concur with the Minister that new ground is being walked upon in this particular project. New ground is certainly being covered, but as the Minister well knows, his department is following upon a similar project that was carried out in Toronto and is dealing with upper levels in soil that were established in studies in Ontario, and is following through similar initiatives as have been carried on in other jurisdictions. I'm not sure if the Minister has had an opportunity as I had, to walk through the area and observe on a first-hand basis some of the yards and houses, and to observe that they are in many cases very neatly kept and the homeowners take a great deal of pride in having nicely manicured lawns and shrubbery and other plants in the area, gardens, flowers and so on, vegetable gardens. I'm wondering if the Minister has had any indication from the people as to whether or not they will permit the soil and sod removal, or whether or not there is some resistance to such a project taking place in view of the fact, as I say, that many of these yards that are scheduled for removal are very neatly and well kept and have been made that way over many years of tender loving care, and I would imagine that some of the people would be reluctant to have their yards messed up, even though they may understand the need for such a program and the desire of the provincial Government to remove the high lead-content soil and so on.

Has the Minister had these discussions yet or has his department carried them to the extent that the position of most of the residents is known?

**MR. COWAN:** It is my understanding that letters to the residents requesting such permission are going out by hand this week. We have not had any indication to date of widespread or even specific aversion to having the soil removed. However, it is anticipated that there will be a number of concerns respecting the removal and replacement, because it's not only removal but it is a replacement program. I have been in the area, not since having assumed the Ministry, but previous to that, and have noted the fact that the lawns are well kept, that the gardens are healthy and productive gardens, and so we are taking that into consideration as we develop our program to make certain that we don't leave behind conditions which are far different from the conditions which we found except for the fact that lead free or less contaminated soil, because it will also have a bit of lead in it I would suppose, but less contaminated soils put in place.

**MR. FILMON:** Mr. Chairman, I wonder if the Minister can give me a status report on the Domtar Project — we may have touched on it the other day — and to indicate just exactly where it stands at the present time.

**MR. COWAN:** We did touch on this briefly the last

time around and I gave the member a brief updating report. I can say much the same thing this evening except we had some concerns about fencing at that time. There was snow fencing around the area and I had been informed that it had deteriorated over a period of time and that we wanted it checked to make certain that it was back in place.

We also had some concerns about the signs which were posted there previously which I believe they said just, "Keep Out." We now have signs placed which say, "Private Property, Keep Out, Sections within this property have been contaminated with dangerous chemicals. Unauthorized Admittance Not Allowed." We felt that was necessary because it had come to our attention that residents in the area, even although the previous Minister had put a mailing out, were not aware of the fact that the fences were up and the signs were there because of dangerous chemicals in the area. We wanted them to be aware of that so we made explicit signs which, in fact, provide them with that information.

We are now, as we indicated the other day, looking at some of the samples. We have not found any instances of the samples having migrated off-site, but we still want to continue our investigations. We are looking at a rehabilitation program once we get some more sampling accomplished. I've just been informed, as well, that these signs are at this point proposed. I see no reason why they will not go up there. They are not up presently. We are still operating with the "Keep Out" sign, but this is a type of sign then which has been suggested and will be going up in the very near future. It may not be that exact wording because they have not gone up to date, but it will be that concept of providing that sort of information.

**MR. FILMON:** Then the Minister is still awaiting the results of groundwater testing that was being carried out, the sampling I believe that was commenced if not completed?

**MR. COWAN:** What we are waiting for now is each sample with the highest pentachlorophenyl levels which were forwarded to Agricultural Canada laboratories for impurity analysis. The impurity analysis would include tests for dioxins, dibenzophurens and diphenylethers, etc. We're hoping that those results will be available shortly within the next couple of months. Then we can sit down and on the basis of that information begin to more fully develop a rehabilitation program for the area.

**MR. FILMON:** Were those soil samples or groundwater samples?

**MR. COWAN:** It's my understanding that those samples which I've talked about just now are soil samples.

**MR. FILMON:** Are there no plans for doing any groundwater sampling from a radius around the area that was talked about to determine, besides the lateral migration which was a concern, whether or not there was any possibility of vertical downward migration of the chemicals? Has that been carried out or not?

**MR. COWAN:** It is my understanding that has not

been carried out. However, the member having brought it to my attention, I will consult with staff to determine if it was felt not to be necessary and if so, why it was felt not to be necessary; or if it was felt not to be possible, and if so, why it was felt not to be possible. But it certainly is testing which we're prepared to look at. One has to accomplish that entire testing program if one is to have any faith and confidence in results, and if they have a full awareness of what is there and what effects it may have over a short-term and a long-term. So I thank the member for bringing that suggestion to my attention. I will be able to respond to him in greater detail over the next little while, but I will certainly take it up with staff. I have no objection to that at this time.

**MR. FILMON:** Again, some time late in the fall, the department was responsible for doing some extensive testing in and around the, I believe it's called the Woodlands Subdivision in Selkirk, for methane gas that was discovered on a site that's owned by MHRC for potential development as a housing complex, and that resulted in some tests being commissioned through the Environmental Management Department, and I wondered if any results are yet available on that particular matter?

**MR. COWAN:** My understanding in respect to the Woodlands Subdivision, that some testing has been accomplished, that it showed methane levels which we could deal with. However, we want to test, I think, one more time this spring to complete our testing program and at that time we'll be able to provide detailed information as to what we believe to be the hazard associated with possible methane contamination in the area. At the present time, we do not see it to be a great hazard. However, we do want to complete the testing program in the spring to provide us with full data before making such a categorical statement.

**MR. FILMON:** Is the Minister saying that with proper design considerations, the area could support a residential housing development?

**MR. COWAN:** I certainly hope so, and at the present time, I have no indication to the contrary, however, one must reserve final judgment until we have greater information available to us. I'm not certain either at this stage what that design would be, whether it would be a venting process or whether it would be a selective placement process. However, we are prepared to look at all the options, we think that we will be able to use that site and that it is not so badly contaminated with methane as to cause a withdrawal from use of the site.

**MR. FILMON:** Was there any evidence of methane gas off the particular site from the testing?

**MR. COWAN:** At the present time I can suggest that we are not aware of any, however, I would be willing to provide the member with a more detailed report once we have looked at that specific question. I just am not aware of it at this present time.

**MR. CHAIRMAN:** Before we proceed could the Minister indicate under what Section the present debate

would be most appropriate. I believe we are beyond Divisional Management and Support and have passed into Environmental Control Service. I wonder if we could possibly pass through some of those items and keep the debate focused on the appropriate item.

**MR. COWAN:** Mr. Chairperson, it is my understanding we are having rather a freewheeling discussion on issues and subjects which are of concern to the members opposite and, of course, the members on this side as well. They are concerns of the House. It's not exactly the way in which we used to accomplish these Estimates but I am very pleased with the way in which it is working, it's allowing, I believe, the Opposition ample opportunity to discuss in a very relaxed way the very serious problems which need to be discussed in an open and meaningful way with a great deal of exchange of information.

I have no objection to continuing this way, as a matter of fact, I would support us continuing this way if the Opposition has no objection. I think it's probably appropriate for the House to make the decision as to the way in which it wants to proceed. I know that makes your job somewhat more difficult when other Ministers may not appreciate the value of this process, however, I certainly don't intend to set precedent for them. I only wish to, in as many ways as possible, facilitate the adequate exchange of information as I have seen it to be accomplished over the past couple of days.

**MR. CHAIRMAN:** It wasn't my intention to limit debate, it was just a matter of some housekeeping.

**MR. FILMON:** I appreciate the Minister allowing for this freewheeling, wide-ranging discussion, because as I indicated at the beginning of the review process, the environmental section tends to be on an issue-by-issue basis and I didn't want to be faced with the admonition from the Chairman that a particular issue that I brought up should have been under Environmental Control Services and we'd already passed that and we were on to Clean Environment Commission, and so on. But, perhaps I can suggest that we pass 5.(a)(1) and (2) just to indicate some progress to the Chairman.

**MR. CHAIRMAN:** Are we agreed? 5.(a)(1)—pass; 5.(a)(2)—pass; 5.(b) Environmental Control Services: 5.(b)(1) Salaries — the Honourable Member for Tuxedo. I feel a lot better.

**MR. FILMON:** Good. Mr. Chairman, I would like to ask the Minister at the present time if he can indicate to me what continuing plans are afoot for the continuation of the Clean Environment Commission hearings with respect to surface water quality standards in the various watersheds throughout the province. Have the Burntwood River Hearings been rescheduled and are they expected to be carried out in the near future?

**MR. COWAN:** I am informed that there are no changes in schedule as were proposed previously, therefore I can only assume they are proceeding in the way in which they were intended to proceed as of the

change in government.

**MR. FILMON:** Yes, that is one that would be unfair I think to ask at the present time. I know Dr. Bowen may not be aware of the Clean Environment Commission hearings scheduled on that, but as the Minister probably knows the hearings were opened in October and were adjourned, I believe, after one session to be resumed at some later time. Since they are taking place in Thompson, I would assume that winter is not a good time to hold hearings but perhaps there may be other reasons why those hearings are or are not underway. Perhaps we can wait until we hit item (d) and ask for an answer at that time on the question.

I'll ask the Minister then and I believe that this would come under item 5.(b); Mr. Chairman, there have been concerns ongoing about the storage of hazardous or dangerous materials that are used in the ordinary course of our life today and I'm speaking in terms of a lot of different agricultural chemicals such as anhydrous ammonia stored in tanks adjacent to residential areas in some of our rural communities; perhaps some flammable materials stored a little too close to kinds of residential or commercial uses that might give us concerns about the proximity and the potential for an accident and so on.

I wonder if the Minister could indicate if his department is pursuing either regulations or legislation that would mandate a closer relationship between the Provincial Planning Department and the Environmental Management Division that might avoid future indications or future situations that provide, if not concern, certainly an uneasiness amongst people in communities where certain chemicals and elements are stored that might have the potential for an accidental spill or discharge that could affect a residential area.

One of the ones that the Minister might be aware of from the files is Carman where there are some anhydrous ammonia tanks within a few hundred feet, I believe, perhaps within 500 feet of a senior citizens residence. I'm wondering if that type of thing has been under discussion by the department both in terms of cleaning up existing situations and/or providing for a closer legislative link between the planning process and the Environmental Management Division's scrutiny of this type of situation?

**MR. COWAN:** By the Provincial Planning Department, I assume the member is referring to the Provincial Land Use Committees basically? Yes, he indicates that that's the case.

Yes, we are looking now, as a Provincial Land Use Committee and I'm part of that committee, at ways by which we can improve environmental assessment reviews and at the same time socioeconomic assessment reviews. That will be part of those discussions. We will be looking at regulations and legislation which will enable us to, previous to the location of a particular facility which might present a hazard, do some sort of impact assessment so that we have the data which is necessary for us as decision-makers to protect the residents in the area; so I see that coming forward.

I would hesitate to say that we will be able to accomplish that this year; however, I have no indica-

tion that we won't. My hesitancy is based upon my willingness and my desire to have a lot of public input on the whole process of environmental assessment because they are going to be the ones that are most affected by the legislation in the long run and therefore should have an opportunity to provide strong voice to the development of those regulations and legislation. So that will determine the length of time it takes for us to put those sorts of pieces of legislation and regulation into effect, but it is an area which the member has quite justifiably highlighted because we know there are problems that exist, and we know the problems will continue to exist unless we have in place the type of process which he is talking about. We'd like to see that developed over the next little while.

In specific reference to the Carman situation, I am not aware of it in detail. However, I will make myself aware of it and provide detail to the member either through this process or in writing at a later date as soon as that information is available to me.

When dealing with past sites, the process becomes a bit more complex and complicated because it's not a matter of saying, no, you cannot locate in this specific area. It then becomes a matter of saying you either have to dislocate yourself from a specific area, dislocate other people from a specific area or put into place adequate and proper safeguards which will ensure that the potential for a hazardous incident is minimized to the greatest extent. All those options have to be looked at. One certainly does not prefer to dislocate residents from areas, so that is the probably the least acceptable option and one which would be used, I think, only in emergency situations of an extremely significant or urgent nature in which case the dislocation may be temporary.

The other option of course is to put into place safeguards. If one can do that, and one can't always do that, then that would be a proper course of action. Failing that, one eventually has to look at mandating the move if the conditions are such that warrant that sort of action. I can't be more specific at this time because we are not to my knowledge at the present time contemplating mandating a move or a dislocation of residents. We are contemplating protective measures from time to time on specifics, but that's part of the normal process of the department.

**MR. CHAIRMAN:** The Member for Tuxedo.

**MR. FILMON:** If I may carry on that particular topic and indicate to the Minister that I have a concern for the fact that The Clean Environment Act carries with it a provision for Abatement Projects, the intention of which as I gather since that was put in prior to our government's time, the intention of that particular clause and provision was to allow provincial governments on the initiative of a municipal authority to participate in funding the relocation or cleanup of existing situations that are considered to be unacceptable in today's terms from an environmental standpoint. I think that the proof of the fact that the existence of that section is not necessarily as effective as it was thought it would be, but it's only been used a small number of times in the past six or seven years that it has existed in the Act. I believe that the Assist-

ant Deputy Minister can inform the Minister, but my recollection is that it may have only been used as I say a handful of times over seven years.

Yet, there are existing, in a number of different communities, situations that his department would probably like to see cleaned up and so would the residents. Yet, there doesn't seem to be an initiative for this to happen, at least not solely by virtue of the existence of this Abatement Projects section in the Act, and I suggest that he look at it with the thought that maybe since the current situation requires initiative on the part of the municipal authority, that's where it falls on the rocks. The municipal authority for a variety of reasons doesn't want to initiate the project: (a) because it has to be then responsible for perhaps up to 50 percent of the cost; (b) because in some cases then stands to lose a source of commercial industrial revenue. I wonder if that Abatement Project section might not be better served if it involved initiation by the province.

Obviously that would involve a greater financial consideration by the province, but that's precisely what the province is doing in the Weston lead cleanup in any case and it may well be that's what's required in other instances. When the hazard is seen to exist, it's not good enough simply to acknowledge it and talk to the municipal authorities or the owners of the particular facility. I think it may require the initiative of the province to go after them and say, we're not comfortable with it, therefore we're going to take the responsibility to see that it is moved, changed, cleaned up or whatever is necessary. I leave that with the Minister as something to look at because I think that it will probably have been brought forward by his department, or if it hasn't, will be at some point in the not too distant future.

The other area that I was going to ask about was with respect to getting back to the water quality standards with respect to the Town of Selkirk. I know that the First Minister, perhaps in the company of this Minister, has had some recent meetings with the town officials of Selkirk, part of the First Minister's constituency. I know that they are very concerned with respect to the quality of water in the Red River downstream of the City of Winnipeg. In fact, there was an article in the Winnipeg Sun about 10 days ago that indicated that in response to that meeting, the Premier was looking at the possibility of legislative change that would take the City of Winnipeg back under the umbrella of The Clean Environment Act. I just wonder where that proposal stands.

**MR. COWAN:** As the member indicated, I did meet with the Selkirk Council, or members of the Council along with the Mayor of Selkirk, a number of days ago in the presence of the First Minister and a number of other Cabinet Ministers. At that time we discussed the entire issue of water supply in the Selkirk area; we discussed the issue of the quality of water in the Red River. We discussed a number of other areas of concern involving environmental concerns. The result of that was some suggestion on the part of the council that it was unfair for the City of Winnipeg to be exempted from the provisions of The Clean Environment Act and for other municipalities, cities, towns, LGDs and governments within the Province of Manitoba not hav-

ing that same exemption. That gave cause to certain comments. Those comments at this time are exactly that — comments only. That is not to say that we would not like to sit down in the near future and discuss that process with the City of Winnipeg along with what is happening with the Red River and other environmental concerns which we share.

I would hesitate at this time to preempt those discussions by saying that we are going in with a particular bias. I, as Minister responsible for the Environment, have heard the comments of my First Minister and take them seriously. I've heard the comments of the Town Council and the Mayor and take them seriously, and I know that the City of Winnipeg will take very seriously our overtures to them to discuss this matter and we can sit down in a rational way and try to determine if in fact there is need for change. If we reach that conclusion, I'm certain then we can attempt to determine ways by which we can effect that change.

**MR. CHAIRMAN:** 5.(b)(1)—pass — the Member for Tuxedo.

**MR. FILMON:** Thank you, Mr. Chairman. Can the Minister indicate whether in fact this idea has been brought up or any discussions have been held with the City of Winnipeg or whether the First Minister's comments were just simply in response to the town officials of Selkirk advocating that this might be a good thing to do and that it might be one step towards the solution of their particular problem?

**MR. COWAN:** I have not had specific discussions with the City of Winnipeg on this item in a meaningful way. I say that, because I can't be certain that it hadn't been mentioned in passing, but I don't believe it was and we have not sat down and conducted what I would consider to be comprehensive discussions on it at any rate even if it was mentioned in passing. The comments of the First Minister were comments that were warranted by a very strong need being brought forward by the representatives of Selkirk in respect to the province being able to assist them with cleaning up the Red River, not only for water supply purposes, but for recreational purposes and aesthetic purposes, all of which are very important. So I think the comments were certainly warranted and well intentioned and I think that they do highlight the concerns of the people of Selkirk, for that reason, are well worth following through with by initiating discussions at the appropriate time.

**MR. FILMON:** Assuming that there is some overriding reason as to why the City of Winnipeg preferred not to be under The Clean Environment Act when the change was made back in the early '70s and again it predated our government's responsibilities in the province, would the Minister see that it might be something that would be imposed unilaterally in order to carry out the wishes of the downstream municipal jurisdictions who are concerned about the pollution which adds to the Red River waters between the south Perimeter and the north Perimeter?

**MR. COWAN:** Having not had significant discussions

at this time with the city in this regard, I would be hesitant to preempt those discussions or prejudice those discussions by suggesting that we were prepared to take unilateral action.

**MR. CHAIRMAN:** The Member for Niakwa.

**MR. ABE KOVNATS (Niakwa):** Thank you, Mr. Chairman. This morning, on listening to the radio, I was listening to a newscast where there were 2,000 General Motors cars sitting out in the docks of Halifax waiting to be shipped to Iran. It seems at this point that these cars do not have the proper emission controls and Iran has refused to accept them as a shipment. Is the Provincial Government taking any precautions to see that these cars, if they are not shipped to Iran because it seemed that Iran has already made a commitment that they will be buying the cars from Japan, other cars, are there any plans or precautions made by the Provincial Government to see that these cars are not dumped on the Province of Manitoba?

**MR. COWAN:** The Member for Niakwa has caught me unaware of the specific situation. I'm not, or nor have I been advised of any intention on the part of General Motors to ship these cars to the Province of Manitoba. However, the concern having been expressed by him, I feel it is incumbent upon me to contact the Federal Government to see if in fact they are aware of the situation and if they have taken any precautions to ensure that those cars would meet any federal standards before they were shipped internally within the country. It is a federal matter. I will contact them as a result of those concerns having been made known to me. I'll report back to the Member for Niakwa at the earliest convenience.

**MR. FILMON:** The Member for Niakwa has reminded me of another matter under the Vapant Project (phonetic) and conflict between zoning and environmental concerns and that is one that he has brought up in relation to the stockyards and the intensive livestock operations in his area with respect to the packing houses. They exist in the province in a number of locations, intensive livestock operations which cause concerns for the people of the immediate surrounding area, both with respect to the potential for surface water pollution from the effluence that occur and also for the potential pollution to groundwater sources as well as, I suppose, just the odour problem that many are familiar with. I wonder just whether or not the Minister has any views on what ought to be done with respect to the location and the pollution control considerations with respect to intensive livestock operations in the province?

**MR. COWAN:** There are two issues at hand here, as there usually is when dealing with the location of industry which may have an effect on the environment in the area. The first issue is the present location of industry which has been ongoing for some time. The second issue is the future location of industry. I would assume from the nature of the member's question, that he's talking about the future location of such industry and industrial areas. He indicates to me that he's discussing both. That makes it a bit more difficult

to respond. It's always nice to talk about what can be done in the future; it's more difficult to address the issue of what we can do to undo some of the things which have been done in the past. We are now attempting to use what mechanisms are available to us as a Provincial Government in an Environmental Management division to ensure that odour emissions in the area are kept to a minimum, and other environmental contamination, or the potential for environmental contamination in the area is kept to a minimum.

We have identified a number of industries in the St. Boniface area that could generate odour emissions and are operating under orders issued by the Clean Environment Commission. They include the Canadian Gypsum Company; the Frank Fair Industries; Interprovincial Cooperatives; Burns Foods; Custom Abattoir; East-West Packers; J.M. Schneider; OK Packers; Midwest ByProducts Company; Shell Oil Company; A.J. Petfoods Ltd.; Canada Packers Ltd.; Manitoba Hog Marketing Commission and Public Markets Ltd. The orders which have been issued, have been issued to minimize the odour emissions in the area. It is my understanding that all or most of those, except perhaps for Shell Oil Company on a sporadic basis, are operating within the levels which have been prescribed for them by the Clean Environment Commission. That's not to say there might not be a violation of the levels from time to time as certain specific circumstances create difficulties of a technical nature, but for all purposes and intents, the odour emissions are being kept to within Clean Environment Commission standards.

Shell Oil Company, of course, has just recently announced that they are going to put into place a mechanism by which they can hopefully reduce their sulphur dioxide emissions by 50 percent. I would assume that will have some impact and effect on odour emissions in the area as well, although I'm not certain as to how great an effect they will have.

The problem with sewers which the Member for Niakwa brought to my attention previously, has been forwarded to the City of Winnipeg which is the body responsible for ensuring that problems do not occur in that regard, or in fact ensuring that if they do occur they are dealt with efficiently and expeditiously. At that time, I was of the understanding that the city would contact the Member for Niakwa. I would just ask him if that has taken place yet. —(Interjection)— He indicates that it has taken place. I am informed that those sewers as well can cause some odour problems. So, hopefully, with the city working on the problem and the province working on the problem, and innovative measures such as the one taken by Shell Oil coming forward, we may be able to reduce odours in the area. I would not want to create optimism that we will ever be able to eliminate odours in the area.

That brings us to the second part of the problem. That is, what do you do in future instances? I think we have to take into consideration when doing environmental impact assessments odours as well as more hazardous emissions arising from industrial plants. That's not to say that the odours don't create their own hazards, but there are some that are of much more immediate and much more dangerous and those are the ones upon which we usually focus.

The environment, however, is a quality of life and if

the quality of life is being violated by constant emissions of odours which make it unpleasant to be in the area then the environmental assessment reviews should be, in fact, addressing that issue as well. I could see that as being a part of the discussions when we sit down to develop the legislation and regulations, as the case may be, which we have discussed just previously this evening. It has to be a part of that. It has been in the past as well. I'm not suggesting that it's been a problem that's been totally ignored, but perhaps we have to be more specific in focusing on that, where we know there is a potential for conflict between residential users of an area, and industrial users of an area when it comes to odour emissions.

**MR. KOVNATS:** I would just like to advise the Honourable Minister that there is a little bit more urgency than what I had first suggested in these cars which lack the emission controls; rather than 2,000 there's 12,500 that are waiting to be shipped to some place in the world and I wouldn't want to see it happen to Manitoba. Just to get back to the odours that emulate from around the packing plants and the rendering plants: I wouldn't want the Honourable Minister to make any rash decisions in controlling these odours to the point where these plants might be closed. I have more of a concern of the employment factor of some of the people that are employed in the area. Rather than see the plants closed, I could put up with a little bit of smell and so can some of the residents of the area.

I would like to suggest that one of my constituents did come up with an idea how to remedy the situation and I'm going to pass it on to the Honourable Minister. Whereas you take some sort of an additive, something that maybe smells like lilacs and add it to the odours that emulate from the plants and then we would have the smell of lilacs all over the place. Honestly, it's not my idea, it was suggested to me and possibly there is some way that some sweet smelling additive can be added to this foul smelling substance that does come up. I offer it to the Honourable Minister at no cost to the government if they're able to do something about it.

**MR. COWAN:** It's certainly a unique suggestion, Sir, like a giant air-scenter that we place in the middle of St. Boniface area and mask the other smells. I'm not so certain that the technical aspects of it are such that it would warrant great consideration. However, if the member wants to bring forward more specific detail and data as to the potential use of such a system, we would forward that material to the appropriate bodies and individuals who are responsible for some of the odour emissions in the area.

**MR. FILMON:** I wonder if the Minister could give us some information on the W. M. Ward Technical Services Laboratory, just whether or not it is operating according to expectations, whether it's able to perform all the various functions that it was intended to when it was developed, and whether or not there are any concerns on the part of the department with respect to things that aren't working according to plans and so on.

**MR. COWAN:** I am told that generally it is meeting or exceeding expectations which were set for it. I don't have more specific detail available at this point, but certainly could get it for the member if he were interested in seeing the turnaround time on samples, or looking at the verification and accuracy rate of samples. All that information is available if he'd be interested in seeing it, I would provide it to him. That is a way by which of course we can determine whether or not we are meeting our goals in respect to the operation of that land. I understand that we are.

**MR. FILMON:** I suppose the easiest way to judge that is by whether or not the users are happy with it and I'm aware of the fact that there are considerable number of provincial departments who utilize the lab for testing on a contract basis, that there are a number of other civic jurisdictions and medical people and others who send samples to the lab and commission tests at the lab. I suppose if the user agencies and groups are happy with the turnaround time and the effectiveness of the tests and the efficiency of the operation, then that probably is a good indicator of whether or not it's working according to plan.

**MR. COWAN:** I have not been informed of any complaints by my colleagues either in Cabinet or out of Cabinet, nor am I told have staff been informed of significant complaints.

**MR. FILMON:** Among the user groups, I believe, are the Workplace Safety and Health Branch of the Department of Labour. Are they able to get their tests done on an efficient basis and are they satisfied with the information that's coming from the laboratory analyses?

**MR. COWAN:** I have not been advised of specific concerns on their part in this regard.

**MR. KOVNATS:** They might seem like picayune little things that I'm bringing up, but it has given me some concern so I'm going to come up with one other point. I have not smoked for over a year now and I'm not looking for any compliments, because what I lack in smoking I've probably picked up in drinking and chasing girls so there's no real advantage to my quitting smoking, but has the Honourable Minister or his department made any plans or is there anything in the future to control smoking in public places where it might be a little bit distasteful? You point here in the Chamber. I can put up with it. It doesn't seem to bother me that much, but my wife who has a touch of asthma finds it quite repulsive and very uncomfortable to be in a location where there's smoking, and we usually pick our places where we're going whether there's going to be smoking there or not smoking, so we do revolve around the smoking aspect. Is there any control being offered or any plans being made by the Provincial Government to assist the people who do have trouble breathing, either with asthma or allergies or things of that factor where they would be in a public place?

We're not looking to tell everybody you've got to quit smoking. I don't think that's the answer and I don't think even the people who find it uncomfortable

would believe that's the answer, but there's got to be some control so that there can be some relief for people who do have problems breathing with the smoke in different situations particularly in an enclosed area.

**MR. COWAN:** I don't believe that's a picayune issue at all, as the member suggested it might be. I think it's an extremely important issue and one which should be carefully considered. I almost feel like having the Sergeant-At-Arms remove all the ashtrays from the front of the desks because I too am a non-smoker who at one time smoked and has quit for many years. For that reason, I want to offer my personal congratulations to the Member for Niakwa.

As a matter of fact, I want to reinforce my personal congratulations because I believe that he made that announcement in these Chambers about a year ago late in the evening, when we were having the type of discussions which would drive one to smoke, and he was concerned about a bit of backsliding on his part if we didn't, in fact, move more quickly through the Estimates. So, at that time we offered him a round of applause for having accomplished what was at that stage a short tenure as a non-smoker. I'm especially pleased to be able to reinforce that this year now that he has completed one year. It's a difficult year. I don't know how difficult it was for him, but it certainly was for me. I can only offer him my experience that it gets easier after the first year and after the fifth year, it's as if you never smoked. Now, that's a very personal observation; however, I hope it holds true for him in that it does become easier and easier to avoid starting that habit once again.

Having said all that, the matter of smoking is actually one that falls under Public Health in the Department of Health, and I would talk to the Minister who has an ashtray in front of him from time to time, on that item. I think it's important. I think we have to as a government start approaching a positive interface with groups and individuals who wish to provide the type of smokeless sanctuary that they deserve and need sometimes, often because of health considerations, sometimes because of personal choice. But nonetheless, they should be free from that sort of smoky environment as much as possible if they so desire, so we have to look at options that are available to us.

I can't be more specific than to say that it's a personal interest of mine and one which I'm pleased to see we are gaining support with.

**MR. KOVNATS:** Not to prolong the situation, but to the Honourable Minister, it has been a very, very difficult year particularly through the change of government last November. I almost went back to smoking, but I didn't. I would just like to bring to the member's attention the reason that I did quit smoking. I was sitting in the Chair as Chairman of Committee and I looked over and I saw the Chairman of Manitoba Telephone System, Saul Miller, and Saul has got a great big blowtorch that he calls a lighter and he was lighting this thing. I was having one or two cigarettes and Saul was having nine or ten, and there was this ex-Minister smoking these cigarettes and the smoke was going up all over the place. I thought, "Could that

happen to me?" And I said, "Saul Miller, you're the cause of my quitting smoking." I thank Saul publicly right now because it reviled me to see him smoking and it wasn't going to happen to me. So, Saul, I give you credit for me quitting smoking and I would hope that anybody else that wants to quit smoking, just watch Saul Miller and you'll quit smoking.

**MR. CHAIRMAN:** 5.(b)(1)—pass; 5.(b)(2)—pass; 5.(b)—pass. 5.(c) Environmental Management Services. 5(c)(1)

The Member for Tuxedo.

**MR. FILMON:** Mr. Chairman, I fear that I've just done what I said I wasn't going to do and I've just passed the item that I was going to ask my next question on, but it occurred to me that I didn't ask the question during the discussion of the Ward Technical Services Lab, whether or not there is a provision for any additional equipment in these Estimates, and if so what additional equipment is planned and the reasons behind it?

**MR. COWAN:** I believe there is \$40,000 allocated in Acquisition and Construction for the provision of a machine for the lab. I'm not certain at this stage what that machine will be and we have left it rather open to the Environmental Management Division staff to determine what they feel is most necessary. There is also money in the Budget for upgrading some equipment and I believe there is some money included in the Budget for further . . . impingement equipment and some other equipment. I can get the specific details for the member at a later date. I will indicate to him that there is not a great deal in the Budget for new equipment and I think that's as much a result of my opinion that we should take this period of time to review what's available to us and how we can interface more with the equipment which is available in other jurisdictions and in other facilities within the province and come forward with a five-year, or a ten-year, or a three-three, or a two-year, whatever the case may be, capital purchase and replacement plan which allows us to look into the future and replace and purchase equipment from that perspective.

**MR. CHAIRMAN:** 5.(c)(1)—pass; 5(c)(2) Other Expenditures; 5.(c)(2)—pass; (c)—pass; 5.(d) Clean Environment Commission; 5.(d)(1) Salaries — the Honourable Member for Tuxedo.

**MR. FILMON:** Mr. Chairman, I wonder if the Minister could indicate whether he intends to make any change with respect to the membership on the Clean Environment Commission or its structure at the present time.

**MR. COWAN:** We are reviewing both and have not come to any conclusion as to whether there is a need for changes on individuals or change in structure at this time, but we certainly want to leave our options open. What we have done is indicate to the Clean Environment Commission that there are some important hearings that they have to undertake and that we are prepared to hold back any changes which we feel may or may not be necessary until they have com-

pleted those very important hearings. At the same time we want to look at ways by which we can make that operation more efficient, if that is possible. So, I would not rule out changes in either sense. I do tell the member that we have not made a concrete decision in either way.

**MR. FILMON:** I wonder if the Minister could indicate at the present time the schedule for the Burntwood River watershed hearings. Does he have staff who can make this information available to him at the present time?

**MR. COWAN:** I can get that detailed information sent in to me and get it back to the member during the course of the evening or tomorrow if necessary.

**MR. CHAIRMAN:** 5.(d)(1)—pass; 5.(d)(2) Other Expenditures; 5.(d)(2)—pass; 5.(d)—pass; 5.(e) Manitoba Environmental Council; 5.(e)(1) Salaries — the Member for Tuxedo.

**MR. FILMON:** I wonder if the Minister could indicate whether he is satisfied with the Manitoba Environmental Council, the way it is struck, and the way that it operates with respect to its current workings. Is he satisfied that it is of maximum benefit to the government and to him as Minister in its present form?

**MR. COWAN:** I've addressed the group's annual meeting, their 10th annual meeting actually. I've had discussions with the chairperson in respect to the way in which the group is structured and the activities which the group undertakes. During the course of those discussions, he indicated to me that they would like a review of what they are mandated to do and how they are supported by the Provincial Government. I have suggested to him that review is appropriate. I have asked him to sit down with the council and for them to internally discuss ways and means by which they can maximize their activities and provide the type of support and advice which they believe is necessary to the Minister and the government of the day, whomever that may be. They will be undertaking that task, I believe. I'm looking forward to reviewing their recommendations with them. They may be asking for more money and that's where it all boils down. They have discussed different office space and different clerical help, not different in respect to individuals but more clerical help and other support mechanisms which they feel are necessary to them.

Rather than make ad hoc specific changes without an overview, I've asked them to think about where they want to go and how they want to get there. I will review that overview and deal with the recommendations from a ministerial prerogative and hopefully we can agree on a system whereby they are pleased with what they have been mandated to do and the government is pleased with how they are accomplishing that. It may mean some changes but they would certainly not be changes that would be made without their full consultation, participation and support.

**MR. CHAIRMAN:** The Honourable Member for Turtle Mountain.

**MR. RANSOM:** Mr. Chairman, this seems like an item that would allow a little bit of latitude. One specific question, first of all, Mr. Chairman, does the Minister anticipate providing funds to advocate groups to appear before the Clean Environment Commission or any other group that may be set up to deal with socio-economic matters? We've seen the Minister of Consumer Affairs and Urban Affairs provide funding for advocate groups, I'm wondering if that's a principle that the Minister plans to extend.

**MR. COWAN:** I regret to inform the member that I did not have an opportunity to read the state of the Environment Report on the train going to Churchill this weekend as I indicated to him I would. I offer that information to him in passing. I now will have to come back to him at a different time and provide my comments and suggestions and discuss it with him. However, at the same time, I'm informed that he hasn't received his copy yet, so perhaps we can get that copy over to him in the next couple of days, hopefully. I can have an opportunity to read the report in the next couple of weeks, hopefully, and we can discuss it at that time. I just wanted to make certain the record was clear in that regard.

In respect to his specific question about the funding of the advocacy groups, it is something that I have asked the department to look at from the perspective of enhancing the environmental assessment review process in the province. Other jurisdictions, in fact, do have funding of environmental groups and advocate groups in proponent and opponent groups for hearings. They vary greatly; they are costly in some instances, less costly in other instances. It's an area which I am not certain as a Minister as to how we can proceed; however, my approach to it is that there may be room for a limited funding of such groups in specific instances. The difficulty is to put in place a system that clearly defines what instances this would be allowed and exactly how much funding would be allowed and who would get it, because those are very significant questions that have to be addressed. I would like to see it happen if he's asking me for a personal opinion. I'm not certain how to make it happen. That's my opinion as a Minister.

**MR. CHAIRMAN:** The Member for Turtle Mountain.

**MR. RANSOM:** Mr. Chairman, the Minister has been involved, at least to some extent, with the discussions concerning Garrison and the efforts to establish a presence in Washington, etc. I have been involved in raising some questions with the Minister of Natural Resources and during the course of the questioning and the responses, there seemed to be some indication that perhaps the government was moving away from a reliance on the Boundary Waters Treaty and the mechanism of the International Joint Commission; that the government was going beyond that and was going to start to rely more on the presence of lobbyists in Washington, for example, than they would be relying on the recommendations of the International Joint Commission. I wonder if the Minister could tell me whether that's a reasonably accurate perception of what's happening. If not, perhaps he could reassure me as to what

their specific policies are.

**MR. COWAN:** I don't sense that as happening. What I do sense happening is we are supplementing our reliance upon that commission with our other activities. I don't see the two as being contradictory nor conflicting.

The International Joint Commission, of course, has come forward with a significant report and recommendations some time ago in respect to the Garrison. We are standing behind those recommendations. We think that they were valuable and in fact did address the issue carefully and in a considered way. We also are aware of the provisions of the 1909 Treaty, I believe it was — I could be off by a year or two — The Boundary Waters Treaty Act. I believe it was 1909 and we are also aware of what happens to treaties and agreements from time to time, so we take that into consideration.

We have developed the approach which we have put in place because we believe not that those treaties, commissions and reports are not of great value to us, but that we can play an even more vital role in providing information to United States decision-makers by involving ourselves in some of the activities in Washington through our lobbyists and through our persons seconded to the Canadian Embassy. The two are not contradictory in my opinion. At the same time, we've set up the Federal-Provincial Cabinet Committee which allows us another approach and another window to dealing with this problem, and I don't believe that is contradictory with the others as well.

**MR. RANSOM:** Mr. Chairman, I agree that the importance of The Boundary Waters Treaty and the International Joint Commission as a mechanism for making judgments in respect to the application of The Boundary Waters Treaty, and that's what our government relied upon during our period of time to prevent aspects of Garrison that would be potentially damaging to Manitoba's interests from proceeding. I believe that's the same position that the previous New Democratic government took in Manitoba, as well, is that they insisted that the Boundary Waters Treaty be observed. It was only during our administration that there was an actual report that became available from the International Joint Commission which arose out of hearings and out of technical studies done by some of the best, the most knowledgeable people in both the United States and Canada. A report was put forward and we always based our position on that report and on the Boundary Waters Treaty that backed it up.

We always avoided getting into areas of lobbying with the U.S. people in the sense that lobbying is understood in the U.S. Because we argued and I think the previous New Democratic administration argued that once you take the question out of the arena of international relations and put it into the arena of the lobbying that goes on in the Congress of the United States is that we would be in a much weakened position; that we would have far less chance of winning a lobby battle in Congress than we would have of getting the U.S. to recognize the Boundary Waters Treaty and to observe their obligations under that treaty.

Now I rather fear that at the moment that perhaps the present government is moving more into the lob-

bying area, maybe starting to pick and choose among the recommendations of the International Joint Commission. I wonder if the Minister could tell us whether or not he accepts and stands behind the recommendations, the report, of the International Joint Commission in all its aspects.

**MR. COWAN:** As far as the report indicates that there should be no violation of the natural divide by outside waters, we stand behind the report and recommendations. The member asks specifically if I do and I can tell him that I do. I don't believe the approach which we are taking suggests that we are going to pick and choose out of that report; I don't think it in any way negates the value and the importance of that report. I think it is another window by which we can approach the problem.

It is a value judgment and it is one which we did not take on to ourselves lightly. We carefully considered the options which were available to us; we carefully considered the criticism which was provided in respect to those both by members of the Opposition and by the Federal Government. We dealt with those criticisms, we believe, in a positive way and we came forward with a plan which I think will work. We also considered the recommendations which were made to us by others which suggested that this was the proper way to approach the problem. We have done so, I think, in the right way, but no matter what the process may be, the end result is a value judgment on the part of the government.

There is no black and white; there is no right way and no wrong way that can stand categorically unto itself. We must in fact examine options; we must in fact examine the effects of those options if we decide to pursue them. We have done that. I believe that what we have done is provided us with a better mechanism to deal with this problem. I think we have done so in good faith and with the best of intentions. I think we have done so in the proper way, following the proper process. I think that we have put in place the mechanisms which will accomplish that which we wanted to accomplish, and that is the prevention of any violation of the natural divide by outside waters. We are not, by doing so, suggesting that we don't have the greatest faith and confidence in the recommendations of the Joint Commission, nor in the Boundary Waters Treaty which dates back to the early 1900s. We're not in any way suggesting that that is the case. We are not suggesting that we are going to work apart from the Federal Government, because we have indicated by the formation of a very high level Cabinet Committee that we intend to work very closely with them. But what we have done is added another facet to the fight, and I don't believe it detracts from our other activities. I, in fact, believe that it can be used to support those other activities.

**MR. RANSOM:** Mr. Chairman, I certainly hope that the Minister is correct in that. I would feel better if he could reassure me that his lobbyists in Washington, and his presence that he has in Washington, that will be taking the report of the International Joint Commission to congressmen and senators, will be saying to them, "What we want you to do is to recognize your obligations under the International Boundary Waters

Treaty. Here is the definitive report of the International Joint Commission; we insist that it is your obligation to live up to these recommendations." If that's the position they're going to be taking, then I can be reassured. But if his lobbyists are going to be going to congressmen and senators and saying, "There are certain recommendations that we think are good, and there are some recommendations that we don't think are good, and we're going to lobby you to vote the right way." Then, Mr. Chairman, I think that it's an entirely different ball game and it becomes one that we are much more likely to lose than if we insist on the Boundary Waters Treaty and the mechanism of the International Joint Commission. So I would ask the Minister specifically, does he stand behind the recommendations of the International Joint Commission, and especially the recommendations that deal with the Lonetree Reservoir?

**MR. COWAN:** I stand behind my understanding of those recommendations and those recommendations as I understand them as well which apply to the Lonetree Reservoir. I do not think that the lobbyists will be mandated nor directed to pick and choose as he or others see fit from those recommendations. I will have to consult with my other colleagues to ensure that is the case. But I would recommend to them that particular report's strength lies in its entirety. I think the Member for Turtle Mountain brings forward a good point. I'm not certain that it isn't a straw man, because I have not heard suggestions that otherwise would be the case, but I have not been in the other committee where perhaps those inferences may have been taken, justifiably or unjustifiably, so I can't comment upon that. But I do agree with him that the report's strength does lie in its totality and that when you start to break it down into individual segments, unless you are extremely justified in doing so and can provide evidence to the effect that the report is wrong to approach the problem in the way in which it does, then you may be creating difficulties. But my understanding of the report is that if applied in its totality, that the interests of in Manitoba would be well served.

**MR. RANSOM:** Mr. Chairman, I like the position that the Minister of the Environment is taking much better than I like the position that the Minister of Natural Resources is taking on this issue. I would strongly recommend to the Minister of the Environment that he have some immediate consultations with the Minister of Natural Resources and work out a mutual position, and I would hope a position that is the one that aligns itself with that which the Minister of the Environment has outlined. Because the Minister of Natural Resources is indicating that he doesn't accept the recommendation that deals with the Lonetree Reservoir, because it does, in fact, result in some transfer, it's located on the Divide. He naturally is looking at the concern of something that might happen in the future; that water could be transferred further across the divide and find its way into our rivers and cause the problems that none of us want to see happen. But I say again that once we move away from the recommendations of the International Joint Commission then we're going to place ourselves at the hands of lobbyists in the United States, of congressmen and

senators, and they don't have very many votes up here. Our strength, as far as I'm concerned, lies with the Boundary Waters Treaty and the mechanism of the International Joint Commission, and I simply recommend to the Minister that he have discussions with his colleague, the Minister of Natural Resources, as soon as possible and that they at least work out to the point where they have one position, and preferably a position that is closer to that which is outlined by the Minister of the Environment.

**MR. COWAN:** Well I want to make perfectly clear that the Minister responsible for Natural Resources is the lead Minister on this issue, and for that reason probably understands the entire process better than I do. —(Interjection)— Well, I can assure the Member for Turtle Mountain, who suggests that may not be the case, that probably is the case and I hope I don't reflect badly upon myself by doing so. As a matter of fact I know I don't reflect badly upon myself by doing so, because I know that he has a good awareness of the entire situation. It is my understanding though, that the report does suggest that there should be no violation of the Divide. The Lonetree Reservoir, as suggested in the latest semi-proposal, or proposal, however the case may be, does in fact violate the Divide to my understanding of the situation and for that reason would be looked at from that perspective. That is why I say that the report in its totality does allow for that considered approach.

**MR. CHAIRMAN:** 5.(e)(1)—pass; 5.(e)(2) Other Expenditures—pass; 5.(e)(2)—pass; 5.(e)—pass. That completes the Items under 5. Environmental Management.

THEREFORE BE IT RESOLVED THAT there be granted to Her Majesty a sum not exceeding \$7,353,600 for Northern Affairs, Environment and Workplace Safety and Health, Environmental Management for the fiscal year ending the 31st day of March, 1983—pass.

Continuing on Page 110, Resolution 119, Item 6, Workplace Safety and Health, specifically number 6.(a) Salaries—pass.

The Honourable Minister.

**MR. RANSOM:** Yes, perhaps I can give an opening statement and then have a response from the Opposition. I would indicate to the previous Attorney-General that this is an area where we could discuss Workers Compensation if he wished, or we could discuss The Minister's salary. I think both are appropriate. The member indicates he wants to do the Minister's salary, so we'll do that.

The Workplace Safety and Health Division is responsible for implementation of The Workplace, Safety and Health Act and its regulations. The Division's operations are divided into four basic functions: The Safety and Health Inspectorate, Educational Services, Industrial Hygiene, and Occupational Medicine. The Division's objectives are to eliminate unsafe work conditions; unsafe work practices and occupational diseases by direct inspection and by consultation with employers and employees. As well it is mandated to promote safety and health education among workers and employers. It also has in effect ways by

which it recognizes, evaluates and controls those environmental factors or stresses arising in or from the workplace which may cause sickness, impaired health and well-being, or significant discomfort among workers.

There is also an objective to promote the prevention of workplace induced diseases and illnesses. The division offers educational services and technical assistance to safety and health committees, which are designated, and to safety and health committees which operate on a voluntary basis. As well it offers that same educational support and technical assistance to employers and individual employees as required or requested.

Finally, it provides medical consultations support to workers, employers and other government departments as well as to industrial physicians and to the general public.

The Safety and Health Inspectorate Section inspects workplaces for visible or suspected hazards. In carrying out those functions, this Section conducts inspections of workplaces, issues orders and recommendations based upon these inspections, assists in the formation and development of safety and health committees in the workplace, and assists in training both labour and management in the recognition and abatement of workplace hazards.

The Educational Services Section plans and coordinates training and educational activities designed to protect worker's safety and health in the workplace. To do so it delivers training to industries and schools on the recognition and avoidance of workplace hazards; prepares and delivers training and educational materials for safety and health committees; prepares and delivers training educational materials for internal staff development within our own department; attempts to meet requests for information from the public in a general and a specific way. The division is also involved in monitoring developments in health and safety fields in this province and in other jurisdictions, and it assists in the development of legislation regulations from a technical perspective.

The Industrial Hygiene Section monitors and evaluates workplaces to ensure a healthy environment. In providing this service, it takes samples and measures the amount of dust fumes and/or gases in the workplace. It provides technical advice in the quality of the workplace and environment and recommends ways by which it can be improved. It carries out analyses of biological samples to determine the degree of worker exposure to contaminants.

The Occupational Medicine Section fulfills the following functions. It appraises the division of relevant issues or advancement in occupational medicine; it evaluates present or potential health concerns affecting workers and recommends preventative or corrective action to the division.

The Medical Section acts as a medical authority under the Workplace, Safety and Health relative to the examination and licensing of workers under the Manitoba Regulation 209/77, which is silicosis and lung function tests, I believe. It evaluates the medical implications of both the existing and proposed Workplace, Safety and Health Programs which are brought forward by employers or employees and their representative.

The Occupational Medical Section counsels the staff of the Division on medical matters relevant to the workers in the workplace. It provides medical consultations in the field of occupational medicine to industrial physicians, government departments and to the public. The Occupational Medical Section as well employs professional initiative to make recommendations on medical matters which are relevant and consistent with the goals in The Workplace, Safety and Health Act and it acts as a medical advisor to the Atomic Energy Control Board and a Medical Inspector under the Provincial X-Ray Regulation.

The Safety and Health Inspector Section carries out daily inspections of construction and industrial workplaces in the province. A total of 8,000 inspections were carried out resulting in the issuance of 6,824 improvement orders. As well, there were 61 Stop-Work Orders and 133 Stop-Work warnings issued last year. Section staff participated in 1,004, to be specific, meeting and training sessions which mainly involved safety and health committee matters in the workplace. They were not restricted to that however.

The Educational Services Section conducted 124 occupational health and safety seminars on industrial safety awareness and on industrial accidents investigation techniques, as well as a safety audit plant inspection procedures, entering into confined spaces and excavations procedures; safe work practices and procedures in lift truck operations; hazard recognition and electroplating industry; and chain, sling and wire rope hoisting inspection systems. This section conducted 66 Safety and Health Committee Seminars, both in part 1 and part 2 series, which are covered under the responsibilities of the Workplace, Safety and Health Inspections; monitoring and auditing of the workplace throughout the province. It also conducted 152 Accident Prevention Training Sessions in schools and community colleges; on the job training and in plant training was conducted in 144 specific industrial areas. Another 486 training and educational sessions were conducted throughout the province, in addition to 708 meetings in the industrial section and 208 meetings in the construction section.

The Industrial Hygiene Section; this is workers and management to improve health conditions in the workplace. One of the developments in this area is participation in drafting of a first-aid regulation, a hearing conservation regulation and an asbestos control regulation. These regulations have been circulated outside of the Workplace, Safety and Health Division for public comment. The program on carcinogens and other chronic illnesses is now under review and we hope to expand it in a very near future. A workshop was held by the Industrial Hygiene Section on hazards associated with the plating industry. It is anticipated this program will take on a higher profile in the very near future. Because of increasing concern over hazards associated with video display terminals and tubes, this section has increased its activities in this area. This, of course, is a concern of the Provincial Government as well, who is opting more and more into the use of VDT's.

The Occupational Medical Section continue to administer the silicosis regulation requiring prescribed occupational workers exposed to fibrogenic dust such as silica and asbestos to undergo annual

medical tests. There were 5,488 X-Rays and 5,439 lung function test given as a part of this program. Medical consultations were available to the industrial physicians; to the industries themselves; to workers; and to other interested parties. The occupational health problems in different work settings were frequently discussed and examined. Close co-operation with the medical officers of the Workers Compensation Board, the Mines Branch, the Environmental Management Division and the Health Department was maintained. Assistance and arranging for field trips for groups of medical students was provided and a detailed review of exposure records of the personnel exposed to ionizing radiation was carried on a quarterly basis. Over the past year, the division has been fairly active. In the upcoming year, it expects to provide further emphasis on training and operational procedures for a number of different activities throughout the province and we have addressed that with some increased staff.

We also want to develop and implement a program to train Safety and Health committee members to be able better to use testing equipment which may be available to them either through their employer or through the division. We would like to expand and refine the statistical system which we have in place to determine the effects of Safety and Health Programs as well as the requirements for new program.

A further development of the Safety Audit System which will be used on selected firms is being put in place. This will be brought in on a specific firm-by-firm basis as is required or requested either by the employers or the employees or upon the opinion of the division that it is necessary.

As well, we hope to produce and introduce and distribute a standardized law book for all hoisting equipment listed in Manitoba Regulation 205/77 as requiring such a law book.

The educational services wants to expand its activity in the training and education of Workplace Safety and Health Committees. At the same time, it wants to expand its activity with Management-Worker In-Service Training which is an important part of its function. As well, it intends to arrange Safety and Health Seminars and Programs throughout the province on a regular basis or an ad hoc basis as required or needed. We are also looking at developing internal educational programs which will enable us to provide the support necessary to the inspectorate staff and other staff of the division which they require in order to keep up with new information and data which is being made available to them on a regular basis.

The Industrial Hygiene Section is currently reviewing a noise regulation and an asbestos regulation that's out into the field for comments and discussion. That of course goes to the Advisory Council on Safety and Health and we hope to see some action taken in that regard in the future.

We are also providing for the inclusion of a Chief Occupational Medical Officer in this year's Estimates.

**MR. CHAIRMAN:** The Honourable Member for St. Norbert.

**MR. MERCIER:** Mr. Chairman, I thank the Minister for those comments. I note in perusing the answer cover-

ing the past Estimates, there's always been a great deal of discussion about the number of staff man years in this particular area, Mr. Chairman. I wonder if the Minister could indicate the increase in the number of staff man years that are provided in the Estimates.

**MR. COWAN:** The 1981-82 staff man years was 47; the 1982-83 request is 52, which accounts for an increase of five. The new positions will be a Chief Occupational Medical Officer I, a new Training and Education Officer I, two new Safety and Health Officers or Inspectors and one new Industrial Hygienist.

**MR. MERCIER:** Mr. Chairman, could the Minister indicate how many vacancies there are at present?

**MR. COWAN:** It is my understanding that there are three vacancies at the present time.

**MR. MERCIER:** In which areas are those, Mr. Chairman?

**MR. COWAN:** I'm sorry. It will take me one minute to get that information compiled. I understand as well that there are five in total.

It is my understanding that there is one vacancy at the Executive Director level, that there is a vacancy at the Safety and Health Officer level in Winnipeg, that there's another vacancy of a Safety and Health Officer in Winnipeg, that there is a vacancy of a clerk in Winnipeg and the vacancy of a person to work in the Carcinogenic and Chronic Exposure Program in Winnipeg.

**MR. MERCIER:** Mr. Chairman, are those all being advertised through the Civil Service Commission?

**MR. COWAN:** Three of them are advertised at the present time through the Civil Service Commission and one will be in the near future, and the other, I believe, is being reassigned.

**MR. MERCIER:** Mr. Chairman, can the Minister advise if a Safety and Health Officer position was recently filled without being advertised through the Civil Service Commission?

**MR. COWAN:** It is my understanding that there was an upgrading of an individual from the division from one position to another and that was done so internally.

**MR. MERCIER:** Can the Minister advise what that person's experience was? What qualified that person to become a Safety and Health Officer?

**MR. COWAN:** I can give the member some general background on it. The individual, which we are discussing, approached the division in May of 1979 and wanted to know what the policy was in respect to hiring female inspectors in the division. At that time, we indicated that there was no discriminatory policy at all and if she was interested in that position that she was welcome to compete for any vacant position. She was also told at that time that she would have to upgrade her qualifications if she expected to compete

in a regular way in respect to any vacancies. She competed in June of 1980 for a vacant Safety and Health Officer position and was rejected for lack of experience in comparison with the successful candidate. She then approached the director of the division and asked how she could acquire the necessary experience. She was informed that opportunities would be made available for her to accompany Safety and Health Officers on inspections as well as to attend appropriate educational course. She did so and the department provided some financial assistance towards the cost of those educational course, I understand. I could get more specific detail on that if it's required.

Again, in November of 1980, the candidate competed for a vacant Safety and Health Officer position and was rejected for insufficient experience in comparison with the selected candidate. At that time, she approached the Manitoba Government Employees' Association to assist her in determining where she stood relative to her potential for position. Meetings were held and at that time a development plan was agreed to between the MGEA, the individual in question and the director which would extend over a 12-month period. She was told at that time that should she successfully complete this 12-month development period she would be considered for an appointment as a safety and health officer.

In February, 1982, the department was advised that a vacant safety and health officer's position in Winnipeg could be filled and this individual's performance was evaluated, and it was determined that she had met the requirements of the 12-month development plan. She was offered the available position; she accepted. She is now on a standard six-month probationary period for a new promotion. Since December of 1980, she has taken a number of courses which provide her with experience in public speaking and in written communications. As well as motivational seminars, she has attended departmental seminars—I believe four different ones. She has also attended a number of conferences; took an occupational health course at Red River College which I understand she is still attending or may have just recently completed. It's my understanding that she's just recently completing it. She's also gone to departmental seminars on respiratory equipment, electroplating, confined entry and a number which were held last fall. She is a member of the Canadian Society of Safety Engineering; she's a member of the Department of Labour Safety and Health Committee; and she attended the "Essential Management" course and received a certificate from February 1 to February 5 of this year.

**MR. MERCIER:** Mr. Chairman, I can't judge myself whether the person is qualified or not to fill the position, but I would ask the Minister to respond as to whether or not he would feel more comfortable if the position were advertised through the Civil Service and other people who desire that type of job, particularly journeymen trades people with their experience might also have an opportunity to apply for it, and the successful applicant could have then gone through a selection procedure. I don't begrudge anybody working and improving their qualifications to move up in their classification remuneration, etc.

**MR. COWAN:** I accept the member's advice. In this instance, it was an internal promotion and on the basis of a very clearly defined program and one which I hope will work out. As is indicated, this individual is still within the probationary period. I have no indication that she is not performing satisfactory and for that reason the decision appears to have been a good decision. However, there were two other positions which are advertised through the Civil Service Commission in which we don't intend to bring forward, or at least we have not developed this type of program to bring forward a person on an internal promotion. So we are in the vast majority of instances going through the Civil Service Commission. I understand that the Commission guidelines allow for this sort of internal promotion and that we have followed them. It's not a standard practice but it's one which I believe has an historical basis and has worked out well for us, but the other two are now out and bulletined by the Civil Service Commission.

**MR. MERCIER:** Is the Chief Medical Officer's position being advertised through the Civil Service Commission and outside of the Civil Service? The Chief Medical Officer's position, has that been advertised?

**MR. COWAN:** It's my understanding, by the way, correct the record that the two bulletins which are going to the Civil Service Commission have been closed and the selection process is in place now and it's just a matter of timing. We have been developing a job description and the proper wording for a bulletin for the Chief Occupational Medical Officer. I'm informed that it will be going through the Commission as well as outside of the province as well. It will be advertised outside of the province but going through the Commission.

**MR. MERCIER:** Is the Minister saying the Civil Service Commission will be making a recommendation as to who will fill that position?

**MR. COWAN:** Firstly, it has to be advertised and bulletined and then it will go through the normal process.

**MR. MERCIER:** Mr. Chairman, I believe the Minister in his opening remarks was describing the activities of the department as they have been during the past year. He indicated a couple of areas that he wanted to emphasize in the coming year, I think, to expand on the carcinogenic program that the previous Minister had started in 1980, could he indicate the other changes or perhaps emphasis or new directions he wishes to take in the coming year?

**MR. COWAN:** I want to look at our training component within the division to ensure that we are able to provide the type of training which is becoming more and more necessary as we expand our activities and as there is an increased worker and public and employer awareness of problems which can arise in the workplace in respect to safety and health. We would like to look at increasing the numbers of safety and health committees and the ways by which that can be done. The Advisory Council has been asked to review that matter and to come back with a recom-

mentation which will be dealt with in the appropriate way and in the usual way.

The other area which we would like to look at making some changes is in respect to the right to refuse to perform unsafe and unhealthy work. What we have found is that there is some confusion in respect to the way in which the legislation is written. I note that it was written previous to the last administration's involvement in that area, and over the number of years we have been able to build up a bank of experience which indicates to us that it's not being fully utilized and that there is a great deal of hesitancy to use it because of the way in which the legislative language is put forward, so we want to look at that. It would not mean a significant change in what is there; it would just mean a change in the way in which it is presented.

We would also like to look at what is commonly called right-to-know legislation or legislation which provides mechanisms to get into the workplace data on specific hazards which may be potential problems in that particular workplace. This is the most difficult of our task because we have to deal with so many different aspects of the problem. We have to deal with proprietary rights for information; we have to deal with contradictory information which is coming from different sources but is well founded in each instance and for that reason allows for confusion to exist. We have to deal with ways by which we take very technical and scientific data and condense it into usable information. That's extremely difficult, but again it's possible, I believe.

We also want to look at ways by which we know that employers who want this information have it available to them, because that's not always the case and they have a great deal of difficulty in disseminating information which they don't have, so we can't legislatively or regulatorily require them to disseminate information if we don't provide them with some mechanism by which they can obtain that information.

Involved in this as well is the initiation of a computer terminal with the Canadian Center for Occupational Safety and Health. This terminal would be hooked up to their main frame computer and would provide an opportunity for the division and other interested parties in the province to gain quick access to specific information. We are now looking at entering into a contract with them which would involve sending three people representing labour, three people representing employer's organizations and three people representing the province to their Center for training. We have not in fact completed those negotiations yet, but it is an option which we are looking carefully at and we feel could provide us with greater access to information and that's all part of the process of expanding the right to know.

Those are some of the initiatives to which we are looking in this year. There may be others that become apparent as we move through the process of reviewing the activities of the division, but the cost factors are the ones which we've outlined.

**MR. MERCIER:** Mr. Chairman, I wonder if the Minister can indicate how many committees there are now?

**MR. COWAN:** There are approximately 438. It's strange to use an approximate term when addressing

such a specific figure. However, some of them are functioning; some of them are not functioning. There is always a change in the number of actually operating committees, but as far as designations are concerned, there are approximately 438 workplaces designated.

**MR. MERCIER:** Mr. Chairman, I think the Minister while in Opposition expressed concern that there were not enough committees existing and he expressed that for some years, and I note in one of the government's election documents that they stated that Workplace Health and Safety Committees would be established at all but the smallest workplaces. It's signed by his leader, perhaps he wasn't consulted, Mr. Chairman, but I wonder if he could describe how he intends to achieve this objective.

**MR. COWAN:** I can assure the member I was consulted and hopefully I was influential in my comments because that is my basic approach to that area. I have almost immediately upon assuming office or very shortly after assuming my position, asked the Advisory Council to come forward with specific recommendations in a number of areas. They had come forward in the past with recommendations on this area which outlined a plan whereby workplaces would be designated on the basis of size, and in some instances we would go towards worker representatives rather than Workplace Safety and Health committees.

We've also run into some concerns in respect to construction committees and we're dealing with that. The Advisory Council have a subcommittee dealing with that and we're approaching what I believe is a solution to that. We will then sit down with that information and determine how to stage the implementation of those recommendations. I might add that recommendation was by and large a unanimous recommendation on the part of the Advisory Council except where it came to dealing with office workplaces, I believe, so it is one which has the support of both the employers and the employees. I didn't understand that fully until today when I had a staff meeting with the Workplace Safety and Health Division employees and they suggested to me that the employers wanted this overall designation because it, in fact, removed a competitive edge which certain employers had because they did not, in fact, have a Safety and Health Committee designated for their workplace and the employer right next to them which might be involved in the same operation did, and therefore one had to have the committee in place and the other didn't. So, they felt that by making these committees apply to all workplaces that it would be an appropriate way to remove that competitive advantage or disadvantage as the case may be.

What we will do is work towards that goal. I don't know at this point whether you can just bring them all onstream at the same time. I think that may be difficult to do, but we can in a significant way stage the development of those committees and the designation of those committees into the system. I hope that answers the member's question.

I also that the other committee has adjourned and in keeping with the practice which we've set up pre-

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viously, I would wonder if there'd be an inclination on the part of the members opposite to adjourn as well.

**MR. CHAIRMAN:** Committee rise