

**REVISED BRIEF REGARDING BILL C-20,
AN ACT TO AMEND THE NATIONAL CAPITAL ACT AND OTHER ACTS
TO THE STANDING COMMITTEE ON TRANSPORT, INFRASTRUCTURE AND COMMUNITIES**

**SUBMITTED BY
THE CANADIAN PARKS AND WILDERNESS SOCIETY, OTTAWA VALLEY CHAPTER
November 12, 2009**

ANALYSIS OF BILL C-20

The Ottawa Valley Chapter of the Canadian Parks and Wilderness Society (CPAWS-OV) has studied Bill C-37, and we welcome this opportunity to express our views on this Bill.

Nearly four decades after our organization was founded out of grave concern for the future of Gatineau Park, CPAWS-OV remains very concerned. Unfortunately Bill C-37 does not provide the necessary legislative framework to ensure the park's boundaries, ecological integrity and protection for future generations.

While recognizing it is beyond the scope of Bill C-37, CPAWS-OV believes that the optimal way to protect Gatineau Park would be to establish it as a national park of Canada under the National Parks Act.

CPAWS-OV has consistently argued that any legislation pertaining to Gatineau Park must include clear and effective provisions to

- 1) officially create Gatineau Park in the legislative context;
- 2) protect and enhance the ecological integrity of the park; and
- 3) legislate the park's boundaries, and require that any modifications to these boundaries must be authorized by Parliament.

A critical review of Bill C-37 reveals grave deficiencies on all three of these critical issues.

After having had the opportunity to appear before the Committee and to meet with Committee members, we have revised this brief to further clarify our position.

1) Legal Status of Gatineau Park

Bill C-37 does not confer Gatineau Park with formal, legal status as a park. Gatineau Park remains a park in name only. To help ensure its protection for future generations, Gatineau Park must be formally created and defined as a park.

The World Conservation Union (IUCN) defines a Category II protected area as “a protected area managed mainly for ecosystem protection and recreation.” In its 2005 Master Plan, the National Capital Commission (NCC) has already committed to managing Gatineau Park as a Category II protected area.

We call upon the Committee to amend Bill C-37, in Paragraph 2.(2), by

- a) replacing the word “area” with the word “park” (Page 2, Line 18).**
- b) adding the definition of “park”**

The amended Bill will read as follows:

(2) Section 2 of the Act is amended by adding the following in alphabetical order:

“Gatineau Park” means the park whose boundaries are described in Schedule 2;

“Park” means a Category II protected area, as defined by IUCN, the World Conservation Union;

“National Interest Land Mass” means the collection of real property and immovables, or portions of them, designated by the Commission under section 10.2;

We further call upon the Committee to amend Bill C-37 by adding two new paragraphs stating the following:

- c) “There is hereby established a park named Gatineau Park, the boundaries of which are set out in Schedule 2.”**
- d) “Gatineau Park is hereby dedicated to the people of Canada for their benefit, education and enjoyment, and it shall be managed, maintained and made use of so as to leave it unimpaired for the enjoyment of future generations.”**

2) Ecological Integrity

Bill C-37 makes only weak and vague references to the ecological integrity of Gatineau Park. It cannot be overemphasized that the recreational values of Gatineau Park stem from its natural environment. The Bill does not require that the park be managed first and foremost for its ecological integrity. It does not address the need to manage the park's greater ecosystem. It does not provide for the establishment of a buffer zone around the park. It does not provide the legal means to control development of private property within the park. It does not prevent further fragmentation of park ecosystems by new highways, utility corridors, and other infrastructure. The people of Canada expect that Gatineau Park will be managed to the same standards of ecological integrity and will enjoy the same legal protection that all our national parks of Canada presently enjoy.

We therefore call upon the Committee to amend Bill C-37 as follows:

a) In Paragraph 10.4 (2), replace "... give due regard to the maintenance of..." to "... ensure the maintenance and restoration of..." (Page 6, Lines 11-12)

The amended Bill will read as follows:

10.4 (2) The Commission shall ensure the maintenance and restoration of the ecological integrity, through the protection of natural resources and processes, of any property of the Commission that is an immovable located in Gatineau Park.

We further call upon the Committee to amend Bill C-37 by adding a new paragraph stating the following:

b) The National Capital Commission shall be given the right of first refusal to purchase, at fair market value, any private property located within the boundaries of Gatineau Park, except with respect to transfers of such property to immediate family members.

3) Park Boundaries

While Bill C-37 describes the park's boundaries, it allows these boundaries to be modified arbitrarily by Governor-in-Council, without the requirement for parliamentary approval. Canadians have every right to expect that the boundaries of Gatineau Park be enshrined in law in the same way that the boundaries of our national parks are legislated. It is imperative that changes to the boundaries of Gatineau Park be permitted only by statute, as is the stipulation for the national parks of Canada.

We therefore call upon the Committee to amend Clause 19 of Bill C-37 by replacing the words "Schedules 1 and 2" with the words "Schedule 1" (Page 10, Line 15).

The amended Bill will read as follows:

22.1 The Governor in Council may, by order, amend Schedule 1.

Summary

Gatineau Park is a national treasure – a beautiful wilderness of extraordinary biodiversity. Sadly, the park's ecological integrity is seriously threatened by various forms of development both inside and outside the park. Bill C-37 in its current form does not provide Gatineau Park with the protection it deserves. These amendments are critical to ensuring a basic measure of protection for Gatineau Park for the people of Canada and for future generations.

BILLS C-367 AND S-204

Two Bills currently before Parliament, Mr. Paul Dewar's Bill C-367 and retired Senator Mira Spivak's Bill S-204, would both provide Gatineau Park with the formal, legal protection lacking in Bill C-37.

CPAWS-OV considers it in the public interest that debate on Bills C-367 and S-204 be allowed to proceed in the House of Commons and in the Senate even as Bill C-37 proceeds through both the House of Commons and the Standing Committee on Transport, Infrastructure and Communities.

ABOUT CPAWS-OV

The Ottawa-Hull Chapter of the National and Provincial Parks Association (NPPAC) of Canada was established in 1970 by a group of local citizens who had become alarmed by major development plans for Gatineau Park. The NPPAC was later renamed the Canadian Parks and Wilderness Society (CPAWS), and the Ottawa chapter adopted the name Ottawa Valley (OV).

For many years CPAWS-OV has had a special interest in ecologically based management of Algonquin Park, southern Ontario's only sizable park.

A key focus of CPAWS-OV is the Algonquin-to-Adirondacks Conservation Initiative, a program to maintain and restore interconnected habitat for wildlife across the landscape that lies between and encompasses Algonquin Park in Ontario and Adirondack Park in New York State. This work has recently been incorporated within a broader CPAWS National campaign, called Eastern Woodlands, which seeks to maintain wilderness in the Algonquin-Adirondacks-northern Appalachians region.

In Quebec, CPAWS-OV is actively involved in promoting the creation of a large protected area in the Dumoine River watershed. The Dumoine River is the only undammed river in southwestern Quebec, and a critical link between the boreal forest and the Algonquin-to-Adirondacks region. The Dumoine campaign is part of a broader Chapter initiative to

establish significant protected areas and to maintain biological diversity across the Ottawa River watershed in Quebec, through the Quebec Protected Areas Strategy process.

Ranked as one of Canada's top ten charities by the Tides Canada Foundation, CPAWS has a network of 13 chapters (including the Ottawa Valley chapter) across Canada and more than 45,000 donors and supporters.

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