

**Mr. Nicol:** When this bill was before your committee in the last session there was some concern expressed in connection with clause 2, which speaks only of additions to existing national parks, that the provincial and federal governments could jointly create a very significant addition to a national park without the public being aware of that being the case. The same concern was voiced in the committee of the other place. There were a number of suggestions for an independent review, some of which followed along the lines of the independent review which takes place under the Expropriation Act. The members of the committee of the other place came to the conclusion that, along with the additional notices being given prior to proclamation, an independent review could take place in the form set out in the amending bill.

The whole thrust here was to have a review of the addition outside of the provincial and federal governments, and this is the form which they concluded would provide for that independent review. They took cognizance of the points which had been raised by our officials in both committees to the effect that there were very minor additions of two, five or ten acres which had no significance in a park of 1,800 square miles. This, really, was the thought process that went into both committees.

**The Chairman:** Are there any questions?

**Senator Cook:** I do not think that alters the position very much, Mr. Chairman. It is a good explanation, but I must say I am very taken, at first thought, with your suggestion. After all, if it is a significant addition, then we should obtain the position of the public on it.

**The Chairman:** This proclamation method should only be available in the case of an insignificant addition; otherwise, it should require legislation.

**Senator Gelinas:** We would have to define the words "significant" and "insignificant."

**The Chairman:** The addition would be to an existing national park, and the natural limitation, I should think, would be the extent or percentage of the geographic area involved. This is where the department might be of some assistance. I am not suggesting that we draft an amendment this morning, but I think we should indicate our thinking. If that, in fact, is the thinking of the committee, then we should ask these officials to go back and explain our position to the minister. We would like to have them express their views.

**Senator Gelinas:** May I ask the witness a question? We are talking about adding land to the present parks. How about deleting or returning land? Has it ever occurred?

**Mr. Nicol:** This was deliberately left out of the bill, advisedly. The minister and the government have taken the stand that if there is to be any deletion of any kind it must come before Parliament as a bill, which can then be debated. Clause 2 was designed to facilitate minor, and sometimes major, amendments, or significant additions to the park.

**The Chairman:** And the language they use, Senator Gélinas, is, "... where the area of the lands described in the proclamation"—that is, the proclamation relating to an addition—"is significant in relation to the park,"—

that is, to the park in respect of which the addition is being made. I think the language should just be in the reverse, so as to preserve the importance of the position of Parliament in dealing with this.

**Senator Beaubien:** Agreed.

**Senator Cook:** Could I ask a general question, anticipating what arguments might be advanced? We are coming into a new season for the operation of parks. Is there any urgency for this bill to be passed in view of your operation of the parks in this season? Is there anything in the bill which you want immediately?

**Mr. Nicol:** Yes. The housekeeping items, which have not been the subject of much comment in either committee, are very helpful to us. The other thing is that those parks which are identified in the other clauses in the bill do require the protection of the National Parks Act, and the sooner we get it the better.

**The Chairman:** They have not had it so far.

**Mr. Nicol:** They have not had it so far.

**The Chairman:** And they have been doing all right.

**Mr. Nicol:** We have not been doing all right, otherwise...

**The Chairman:** ...you might have been here sooner?

**Mr. Nicol:** Well, the last time amendments to this act were passed was in 1957, and we have, over that period of time, examined the boundaries of a number of existing parks with a view—and I think the explanation was given to the committee at the previous sessions—to bringing a rational boundary into effect rather than a surveyor's dream of very nice, straight lines; and this is true of a number of parks across Canada. Some of these additions are included in the description. Prince Edward Island, for example, has certain additions listed in the description. They come under one of the clauses, and I do not know whether it is 7 or 8.

**The Chairman:** I like your language, Mr. Nicol, about establishing the boundaries of the parks in a realistic way rather than following a surveyor's dream of where they should be.

**Senator Flynn:** Mr. Chairman, your suggestion probably would require an amendment to clause 2; but, on the other hand, by clause 10 we give the Governor in Council the right to proceed under the procedure set out in clause 2 with regard to five new parks there, in British Columbia, New Brunswick, Quebec, Newfoundland and Ontario, and the territory is not defined here. It would have to be decided by the department, with the concurrence, of course, of the province. But then the real procedure of establishing the park would come under the exclusive control of the Commons; we would be left out entirely, as far as these five intended parks are concerned. I agree with you that we should avoid confrontation. I am quite satisfied that they would not accept an amendment which would only deal with the status of the Senate; but we have got to be realistic. We are now giving them exclusive jurisdiction over the establishment of these five new parks.