

HANSARD

NOVA SCOTIA HOUSE OF ASSEMBLY

COMMITTEE

ON

PUBLIC ACCOUNTS

Wednesday, October 3, 2012

LEGISLATIVE CHAMBER

Land Purchases and Land Protection

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Public Accounts Committee

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[Mr. Graham Steele replaced Mr. Howard Epstein]
[Mr. Jim Boudreau replaced Mr. Clarrie MacKinnon]
[Mr. Andrew Younger replaced Hon. Manning MacDonald]
[Mr. Eddie Orrell replaced Mr. Chuck Porter]

In Attendance:

Mrs. Darlene Henry
Legislative Committee Clerk

Mr. Terry Spicer
Assistant Auditor General

Mr. Gordon Hebb
Chief Legislative Counsel

WITNESSES

Department of Environment

Ms. Sara Jane Snook, Deputy Minister
Mr. Peter Labor, Director, Protected Areas and Wetlands
Mr. Weldon Myers, Director of Financial Services

Department of Natural Resources

Mr. Duff Montgomerie, Deputy Minister
Ms. Gretchen Pohlkamp, Executive Director, Natural Resources



House of Assembly
Nova Scotia

HALIFAX, WEDNESDAY, OCTOBER 3, 2012

STANDING COMMITTEE ON PUBLIC ACCOUNTS

9:00 A.M.

CHAIRMAN
Hon. Keith Colwell

VICE-CHAIRMAN
Mr. Howard Epstein

MR. CHAIRMAN: Good morning everyone. I'd like to call the meeting to order. I'd like to start by having everyone introduce themselves and I'll start with the NDP.

[The committee members introduced themselves.]

MR. CHAIRMAN: Good morning everyone. I'm Keith Colwell, chairman of the committee. I'd like to start by asking whichever one of the departments would like to go with the presentations first - maybe Environment first?

MS. SARA JANE SNOOK: Good morning everyone. Thank you for inviting us here today to talk about Nova Scotia's commitment to land protection and our progress in achieving the province's 12 per cent goal.

Joining me this morning is Mr. Peter Labor, director of our Protected Areas and Wetlands Branch with the Department of Environment, and you've already heard Deputy Montgomerie, Gretchen Pohlkamp and Weldon Myers introduce themselves.

Like all Nova Scotians, we value our environmentally significant lands and we want to ensure that they are protected now and for future generations. This desire, along with a legislated target, drives much of the work we do within our departments. Nova Scotians and visitors have long enjoyed the province's extensive coastline, scenic views and numerous beaches, as well as our diverse forests, lakes and rivers. Our province's natural beauty is a big part of what makes Nova Scotia a great place for families to live and work.

We want to ensure that as much land as possible is available for Nova Scotians to use and enjoy now and into the future. To achieve this, the province committed to protect 12 per cent of Nova Scotia's land by 2015. This commitment became law in 2007 when government passed the Environmental Goals and Sustainable Prosperity Act. I am happy to report that we are making excellent progress towards achieving Nova Scotia's land protection goal. As of today, about 9.4 per cent of the province has been legally protected.

A tremendous amount of work has gone into designating our most precious lands and identifying the further lands required. A review of Crown and large forest lands was conducted to identify the best options for protection; interdepartmental committees were established to coordinate planning and decision-making; a multi-phase planning and consultation process was established and extensive public and stakeholder consultations were held.

Our work to protect Nova Scotia's lands is supported, in part, through funding agreements with the Nature Conservancy of Canada and the Nova Scotia Nature Trust. These funding agreements enable the organizations to purchase lands that help us meet our goal. Our process for protection takes into account economic impacts on resources and other industries and potential effects on land use interests. That is why we have consulted and continued to engage with representatives in forestry, mining, petroleum and other industries, as well as off-highway vehicle groups, hunting and angling associations, municipalities and others.

Working with Nova Scotians, we are able to identify and protect sensitive lands while supporting a prosperous and sustainable economy. Over the past three years, the province alone has protected more than 54,000 hectares of land. Our work continues as we move forward in identifying the remaining 2.6 per cent of lands required to reach our goal.

Nova Scotia's protected areas are being protected by and for Nova Scotians. We are pleased to be here today to discuss our progress and our plans for moving forward in achieving the province's 12 per cent goal. Thanks.

MR. CHAIRMAN: Thank you. Mr. Montgomerie.

MR. DUFF MONTGOMERIE: Thank you, Mr. Chairman. Nova Scotians feel very strongly about their land and, more importantly, how it gets used. As members know, the

Department of Natural Resources and the Department of Environment share the mandate of protecting those lands. Fundamental to the province's Natural Resources Strategy is the conservation and sustainable use of biodiversity, including forests and parks. Provincial park lands, which represent approximately 0.5 per cent of Nova Scotia's land base, are part of the 12 per cent protected areas and play a very important role in the diverse mix of life in our province's biodiversity.

Our two departments work closely in selecting, purchasing and designating lands. Existing Crown land, which is under the authority of Natural Resources, has made up the largest portion of those protected lands. Our department is also responsible for managing provincial parks, which are part of the protected areas system. Nova Scotians continually tell us they want land protected and preserved for future generations, for their recreational and traditional uses, for parks protection, forestry, for wildlife management and for Aboriginal uses.

We want to ensure that Nova Scotians have access to more land in order that they can use, enjoy and protect it now and for future generations. This is particularly important here in our province, where we have the second-lowest percentage of Crown land in all of Canada. Only 32 per cent of Nova Scotia, 4.2 million acres, is owned by the province. This is the second-lowest level of government land ownership in Canada, just ahead of P.E.I. We also have the second-smallest land base.

The size of Nova Scotia land base cannot be changed; however, we can change the amount of land that is owned by the province. Having more of our land under provincial control is an important goal. Increasing the provincial land base allows us to manage the land for the benefit of all Nova Scotians. Beyond protecting the ecological value of our lands we also need to ensure the sustainable use of this resource for individuals who depend upon it to grow their companies and provide good jobs for Nova Scotians, here and into the future.

Government land purchases continue to be praised by many people and many diverse groups in Nova Scotia. We've worked with many Nova Scotians to select the best land, including stakeholders in the forestry industry, environmental groups, the Mi'kmaq and local communities. We've negotiated good deals and will work to ensure any future land purchases are made for the right reasons.

Our land purchases have brought us much closer to our goal of protecting the 12 per cent of the provincial land mass by 2015. We look forward to continuing our work with the Department of Environment in reaching this goal. Thank you, Mr. Chairman.

MR. CHAIRMAN: Thank you. The first round of questioning will be Mr. Younger for 20 minutes.

MR. ANDREW YOUNGER: Thank you for the presentations. I think I might direct at least my first couple of questions generally, because I'm not sure if Environment or Natural Resources is best to answer them. You have been going through a process to identify potential protected lands to reach the 12 per cent. I'm wondering, I recognize that not all of the lands that have been nominated by people would be protected, but what percentage of the province would you consider has been nominated? Do you have any sense of that? I assume it's probably more than 12 per cent.

MS. SNOOK: Yes, we have identified the last 2.6 per cent that we need to meet the 12 per cent goal. The staff have selected more than we need to make that 2.6 per cent so we can go out and consult and see which is the most advantageous to Nova Scotians and to also consider what other impacts those lands would have on the economy.

MR. YOUNGER: Okay, I hadn't realized - and maybe I should have - that you had already identified the additional 2.6 per cent that you need.

MS. SNOOK: We have.

MR. YOUNGER: When will that consultation process begin?

MS. SNOOK: Staff have been working on that during the whole time I've been deputy, which is about a year and a half.

MR. YOUNGER: No, I know it's an ongoing process.

MS. SNOOK: I think they're just about ready. They're doing the final preparation this Fall and they plan to have the next consultation early in 2013.

MR. YOUNGER: Canada has now federally signed on to the United Nations Convention on Biological Diversity which actually commits Canada to a 17 per cent target. I'm just wondering how the province plans to deal with that issue now. Obviously, when this legislation was first introduced - I think Mark Parent was minister at the time - it would have been 12 per cent and now, federally, the Conservatives have signed on to the new one.

MS. SNOOK: We're very engaged in meeting our 12 per cent. We're challenged, as Deputy Montgomerie said, by the small amount of Crown land that we have in the province, so we're very focused on the 12 per cent goal. We recognize that Canada has hoped to achieve the 17 per cent, so we're lucky to be part of the federation because some provinces will have more than 17 per cent, which may help us a bit, and we may have other goals that we want to look at after we achieve our 12 per cent.

MR. YOUNGER: So when you look at reaching this 12 per cent, obviously there have been lands that have been nominated by individuals, community groups and all that sort of thing over the past year or so in that process, but there have also been lands - and the example that immediately comes to mind is Sable Island, where I think most people -

although it didn't have park status or things like that - let's say it was a quasi-protected status. There has been some talk that that land mass would be used to reach the 12 per cent - lands like that that people already felt were protected. Is that part of the intent? Do you understand what I'm getting at?

MS. SNOOK: I think so and I'd like to give Mr. Labor an opportunity to chat about that because he can talk very knowledgeably about it.

MR. PETER LABOR: To your question, as the deputy said, we've identified initially more land than is needed to meet the goal, and we've also had lands that have been proposed by the public, so part of our review process over the last year is looking at all of the lands that were released last June and the lands that have been proposed by the public as part of our consultation process to identify the best lands to meet our 12 per cent goal for that additional 2.6 per cent.

In addition to that, there have been various designations while we're going through this process of lands that will contribute to the 12 per cent goal. Sable Island is one of those; it contributes less than 0.1 per cent.

MR. YOUNGER: I recognize that it's a tiny area of land.

MR. LABOR: So as federal lands or privately protected lands are legally protected so they meet the definition of protected area under the Environmental Goals and Sustainable Prosperity Act, then they automatically contribute towards our 12 per cent target.

MR. YOUNGER: I guess what I'm getting at is that in some cases - I mean we'd have to go through and look at which lands get added, but some lands like that are really just a designation change rather than a practical use change. I wouldn't say Sable Island is additional protected land. I don't have any problem - well, I have concerns about the park status, but for other reasons. I have no problem with it being protected, but I think most people would say it's fundamentally protected under its old designation.

The new designation is probably not a bad thing. Granted, that's only 0.1 per cent so it's kind of insignificant as a single piece, but in terms of principle, if you have quite a few of those parcels of land that people already feel are protected, then you're not really increasing the amount of effectively protected land in the province, right?

MS. SNOOK: There are not a lot of Sable Islands left in the 2.6 per cent, I don't think, if that's what you were worrying about. In fact, Peter can tell you what is in the 2.6 per cent and they're not already protected. You can tell that from our consultations because we get a lot of people that have other ideas about what the land should be used for. I think that consultation process has served us well in making sure that we're picking the right pieces and will serve us well in 2013.

MR. YOUNGER: Is it possible to get a list of - and I understand you probably don't have it with you right now - what makes up that 2.6 per cent?

MR. LABOR: The 2.6 per cent has not yet been identified. We internally are now getting to the point where we're ready to release for a second round of public consultation the lands being proposed to fulfill the 2.6 per cent, the gap between where we are now and where we need to be to reach 12 per cent. We certainly have lists of everything that contributes to the 9.4 per cent, which is our current protected areas. I have it with me. I could read it out for you.

MR. YOUNGER: That's okay. We actually have that on a map right here.

MS. SNOOK: It's on the map, yes, and it includes federally protected lands, provincially protected lands, and privately conserved lands. The 2.6 per cent will be the provincial proposal to advance to meet the 12 per cent goal and will consist of provincial Crown lands. We are working very closely with federal partners and others to ensure that we're aware if there are any other lands that would meet the definition so that we can account for that properly as we go into the last stages of the consultation to reach the 12 per cent.

MR. YOUNGER: Last year, the province made a substantial land purchase from the Bowater lands. How much, if any of that, is projected to be used towards the 12 per cent?

MR. LABOR: The province made a purchase earlier this year of about 10,000 hectares. The expectation is that over 7,000 hectares of that will contribute towards the 12 per cent goal.

MR. YOUNGER: Do you know offhand what you paid per acre for that? I know it was said at the time - I just don't remember offhand.

MR. LABOR: I'd best defer that to Gretchen Pohlkamp or to DNR to answer the acquisition question.

MS. GRETCHEN POHLKAMP: The land that we purchased from Bowater in 2011-12, we paid \$950 an acre for that.

MR. YOUNGER: When you're looking at the pricing - so the president of Bowater recently said that, or has been reported as saying, the value of that land was more like \$200 an acre, which is less than one-quarter of what the province paid. That has recently been reported by the Ecology Action Centre and a number of others who are obviously groups that support purchasing the lands, so it isn't people who are against purchasing it.

I'm wondering how the price of \$900-and some odd dollars - and I know it's an average price - was arrived at when they seemed to be quite happy, corporately.

MR. MONTGOMERIE: Yes, and I thank you for the question. In dealing with Resolute, as we looked at the future and potential of Liverpool and the mill in Bowater, part of the dynamic that we arrived at, recognizing some of the challenges they had over the short term to keep the mill operating - we looked at a way that would benefit the province and at the same time give support to Resolute, to keep the mill going in an appropriate manner.

In 2007 we purchased 25,000 acres from Bowater for about \$1,100 an acre, so from a couple of perspectives we felt that the \$925 per acre was fair. But more importantly, as we began to negotiate with Resolute - you have markers as you are dealing with companies like that, as to how real they are in the way they negotiate with you. Gretchen actually led an intergovernmental team - folks from different departments, like Environment - and also as well we had Mi'kmaq representation in negotiating for those acres. At the end of the day, we found Resolute's approach to us to be incredibly responsible; in fact, we were able to achieve 25,000 acres of high-value land. Many of our key and very diverse stakeholders have complimented the government for that particular deal.

Again, back to our Crown land percentage, the very low percentage we have - the fact that we were able to add these very valuable acres to our land bank, we also saw as a good investment for Nova Scotians.

MR. YOUNGER: I want to zero in on something you said there, which maybe I misunderstood. It sounded like you said that you were looking at a way to purchase the land, earlier, but also a way to support Resolute at the time, to keep the mill running. Are you saying that you knowingly overpaid, in terms of market - I'm not debating whether the land was valuable and I'm not an appraiser so I can't tell you whether it was \$1,100 or \$900 or \$200. What I'm saying is that the company has mused about the value having been \$200 and they got \$900, when they're speaking to shareholders.

I guess it's just really a question for me - there's a discrepancy there, right? It's great that under the previous administration you paid \$1,100 and you saved \$200 but if somebody else is saying well, you know, really it was actually only worth \$200 or maybe \$300, I'm just trying to find where that discrepancy is. What makes me concerned about that is, I just heard you say that part of it was to support keeping the mill open and that's obviously a policy decision.

I guess what I want to know is, are you saying that the department knowingly overpaid? Maybe you disagree with their \$200 and that's fine but maybe it was \$600, but you knowingly overpaid by a certain amount to try and support keeping the mill running; that's what it sounded like you just said.

MR. MONTGOMERIE: No, we did not knowingly overpay. Again, you are referencing public comments that I'm not familiar with. I am familiar in negotiations that were presently underway with Resolute around their land and I know they place an incredibly high value on the 525,000 acres that are remaining. So, in effect, we felt that given the sale in 2007 at \$1,100 an acre and the sale this time around and the ability to get prime land through the final deal, it was a good deal for Nova Scotia.

MR. YOUNGER: There is a difference in the value of the land, obviously - and it doesn't have to be Resolute, but there is a difference in the value of the land if the mill is operating or not operating, obviously. It has a higher value if there's more demand - there's obviously less demand in the province now.

I guess I'm trying to give you a way out.

MR. MONTGOMERIE: That makes me nervous.

MR. YOUNGER: Well no, no, I'm just wondering, does that explain part of the potential price? It could have had a higher value when it was purchased because it was conceived that the mill would be operating and now it's not, obviously, and there's less demand. I think we all understand there's less demand.

MR. MONTGOMERIE: I think in having been with DNR for a year and a half, particularly in the last year around the serious issues we faced on the mills front, I've become very familiar with the value of our lands.

MR. YOUNGER: I have no doubt.

MR. MONTGOMERIE: I take your point about if there's a mill operating versus if there isn't, but we've already seen incredible interest in those lands from various sources for future use. Access to fibre by any company, whether they're there or looking to come here, increases the value of that land.

MR. YOUNGER: That's not really true, though, because it depends on the use. I mean it's partially true because if there's more demand, there's more people interested. A perfect example is that Nova Scotia Power just put out an RFP - and anybody can go down to the library and get the paper - asking for 500,000 tons, I think is the number, of various types of wood for their biomass plant. When they were before the URB they committed they would only be seeking 185,000 tons.

Biomass is the single-lowest price available in the forest; in fact, depending on who you talk to, some guys will tell you - and women - they can't even get it to the road for the price that they're paid for biomass. There is a big difference if it's 10,000 acres valued at a biomass price - I'm not even going to try to remember, I used to know what the exact price

was. It's a lot lower than what it is for a pulp log, which is a lot lower than it is for a sawlog, and you probably know that better than I do.

I agree that there could be an increased demand, but it also depends on what that demand is. The single biggest demand that has just hit the market in Nova Scotia is biomass, which would lower the average price of forestry product in Nova Scotia.

MR. MONTGOMERIE: I take the honourable member's point and agree. I think what we're sort of differing on here is the fact that Port Hawkesbury is now operating and, as of yesterday, printing paper, I'm pleased to say, it has already caused a difference in the marketplace as to the product that comes off that land and what you can get for it. So if only Northern Pulp was left remaining, it's lower. People who are looking at the Bowater lands - I'm talking the remaining 550,000 - they view that from a business perspective as real potential, if they're able to operate or use that fibre which, in fact, will impact the marketplace and be of benefit to contractors and small-business operators in a positive way.

MR. YOUNGER: I agree, I don't disagree with you on that, but I would say - and obviously I don't know all the people who are looking at those lands, but we probably have all heard the rumours that maybe Emera is looking at it for making wood pellets to co-fire - maybe they are and maybe they're not, it's one of those rumours. We've heard that Northern Pulp is looking at it and maybe there are some guys looking at it for sawlogs for the housing market, who knows, but each one of those would obviously change the value of that land, because if I'm going to buy that land - and this affects the cost that you ultimately pay for the land used for protected areas - if I'm looking to buy that land to make sawlogs, then I'm willing to pay more because the money I'm going to get out of it is more than what I'm willing to pay for it to make wood pellets to co-fire in a coal-fired power plant, right?

I agree that the demand has increased slightly, but it's still less than two years ago when Bowater was running, Northern Pulp was running at full tilt, there was a bunch of other mills, and NewPage was running the paper mill and the supercalendered press, right?

MR. MONTGOMERIE: If I can go back to the original point of the 25,000 acres, at the end of that process I cannot begin to tell you how incredibly pleased we were with the high-value land that we were able to negotiate with Resolute. I'm very confident that it's higher than the \$900.

MR. YOUNGER: And as I said earlier, I'm not disputing whether the land that you picked up was high value. I don't know each one of the parcels. I know some of them were definitely very valuable and that's why I said that right off the top, I'm not disputing that. My concern is - and it is also reasonable that he spoke out of turn - when you hear the president saying to people, well, you know, the value is in around \$200 an acre, and we paid \$900 or \$1,100 a couple of years ago, you sit there and go, gee, even if he's not - that's why I was concerned about your statement where you said we were also trying to keep the

mill running, because obviously the mill didn't end up running. There may have been a public policy argument we could debate in terms of whether it was worth overpaying for land to keep a mill running, but you're saying that didn't happen. I take you at your word, but why the question exists to me is because of that statement, whether we were paying a little bit more to try and boost the viability of that mill.

What has also happened is when we talk about NewPage and them coming back on line and making paper yesterday brings up the price, but they're also paying less than - I guess it's Stern now, so Stern is paying less than NewPage was paying for fiber. I mean, that was part of that whole fiber issue that they had to bring the price down. I don't know what the price is they're paying, but they say they're paying less, and so that brings the average price down too. It's really just about a price point and I think I got the answer. You don't feel you overpaid for it and that's fine . . .

MR. MONTGOMERIE: If I can, I think a key point to make - and this is from DNR's perspective - regardless of a mill deal, the Bowater company traditionally in this province has been very stingy . . .

MR. CHAIRMAN: Order, please. Unfortunately, Mr. Younger's time has expired. Mr. MacMaster.

MR. ALLAN MACMASTER: Maybe I'll just continue the discussion around the Bowater land purchase. You had mentioned that the amount paid was about \$915 per acre. What was the original? We would have to go back in time, but what was the land originally - I don't know if it was sold to Bowater many years ago or if it was given to them by some way of agreement. Does the department know the reference point from which they originally transferred ownership of that land to Bowater?

MR. MONTGOMERIE: I'll try to answer first and Gretchen will correct me if I'm wrong or add to it. In 2007, we did purchase 25,000 acres from Bowater. We were able to at \$1,100 an acre. That was our reference point in 2011.

MR. MACMASTER: My father used to work on the railroad. He started when he was 18, which would have been around 1942 and he remembers making out shipments to the Mersey paper mill. Back then, of course, the mill was in operation; that's a long time ago. I guess I'm just trying to get a handle on whether Bowater, as a company back then, purchased land for its use. If it did so - obviously I realize you'd have to include an inflation factor to put it in today's dollars, but I'm just curious to know what they would have paid for the land back then.

MS. POHLKAMP: As far as I know, a large portion of their land was purchased from the George Eddy Company. If it came out of the Crown, it was granted many, many years ago so it isn't a Crown sale to Bowater; it was way in the past that it came out of the Crown. It was privately owned when Bowater acquired it.

I don't know the price because those prices aren't recorded in our registry. All we have is \$1 that is usually on a deed. When we were purchasing, we were looking at other appraisals and we looked at the 2007 purchase, which had appraisals done on it and we looked at some lands we appraised in 2010, which they were unwilling to sell us because they thought the price was too low. So those were the parameters in which we were working.

MR. MACMASTER: So the original sale would have been at the market value at the time, and that was between two private entities.

MS. POHLKAMP: Exactly.

MR. MACMASTER: I was just curious about that. It's something I always thought about. We talked a little bit about using the amount in 2007 as a reference point - is the evaluation process that we used to evaluate that land available for review? I know you've used a reference price from 2011, but there were probably other factors that you looked at as well. Your complete review of the factors that you looked at to review that price that you came out with at \$915 per acre - would that be available for review?

MS. POHLKAMP: What we were looking at was the land value so we had already been working on trying to identify lands as the Department of Environment and the Department of Natural Resources have been interested in Bowater lands for a number of years because that was part of the initial review for the 12 per cent, and they had some of the prime lands we were interested in. So we have really been inspecting and reviewing their lands for a number of years and we had picked out the lands that we really wanted, so when the opportunity came, we sat down with Bowater and we brought together our experts in forestry, from Environment, from Transportation and Infrastructure Renewal, from Aboriginal Affairs - the Mi'kmaq were involved.

We then looked at what would be the bare land value, what is the production value of the lands, is it in a class where the trees grow quickly or poorly, what kind of trees are on the land, how old are the trees, is there water, is it on a lake, is it on a river - those kinds of things which appraisers look at when they are valuing land. We try to break down the values that were associated with each parcel and ensure that the government was getting a good deal with the \$950 an acre.

It's kind of a process we went through for each parcel, evaluating the conditions and then assuring ourselves that the value was \$950 an acre.

MR. MACMASTER: I know I've heard from people who work in the forestry sector. They sometimes bemoan the fact that so much land is tied up and in the hands of one particular company. I know there would be a lot of entrepreneurs in that area of the province who work in the forestry sector. Is that something that you looked at as well, if the province was going to buy land and protect it - did you consider the impact on local

foresters who may want to have access to land that had been locked up for many, many years by Bowater?

MR. MONTGOMERIE: I think it's important to remind ourselves that when we started with Resolute and we made the arrangement to access 25,000 acres, it was to be negotiated with them out of their 600,000 or 575,000 acres, what those would be.

To Gretchen's point, by putting that team together, and to your question that we are able to, from different perspectives - environment, forestry and others - begin to see the key lands that we wanted out of that 575,000, we were incredibly successful. The 25,000 that we were able to achieve is basically what we asked for, quite frankly. So because of the great work Gretchen and her team did, we were able to go into these negotiations with a clear understanding of our objective and, more important, we were able to achieve those objectives.

MR. MACMASTER: So I guess roughly you've got about 5 per cent of the land; that's total land that's owned by Bowater. But it sounds like you are able to get the best land - the land that you really wanted to protect?

MR. MONTGOMERIE: And I think our diverse stakeholders have confirmed that, as an independent third source, if I may.

MR. MACMASTER: Okay. Was there an option to protect this land through regulation or conservational easements instead of outright purchasing it, given that the company was closing down?

MR. MONTGOMERIE: I think again part of the dynamic and the relationship with Resolute - and I'm not an apologist for companies by any means - they had been frank and forthright with our government about the things they were facing and some of the challenges. When it was determined - both from our perspective and theirs - that it was worth a risk to try to reopen the mill, part of the dynamic of those negotiations were around up front how we could assist the company and at the same time protect the interests of taxpayers. We felt the land purchase really was a good go-forward on behalf of Nova Scotians because they then moved to reopen the plant and move forward. Unfortunately the Euro went in the tank, which caused that to - but at the end of the day we invested those millions of dollars and have a sound return on that investment.

MR. MACMASTER: If we move away from Bowater and just in general instances where the government looks at land, are there processes or regulations around protecting land that allow you to obtain land without actually purchasing it?

MS. SNOOK: There's a variety of ways that we protect land and I'll let Peter tell you about the options that they have.

MR. LABOR: Thank you for the question. We do have a variety of tools available for protecting land and for protecting land that contributes to the 12 per cent goal. So the simplest is to have legal protection, through provincial legislation put over Crown land. We can also use several pieces of legislation - the Wilderness Areas Protection Act, for example - to protect land that is privately owned. We've done that in several instances where municipalities have had portions of their drinking-water supply areas protected under provincial legislation while they still maintained ownership of the land.

The Nature Reserves Protection Act also allows us to designate private land, so we have several nature reserves in the province where a private landowner has come forward and said they wanted to have their land conserved, and we look at the ecological values and agree that they are valuable and then protect those under provincial legislation.

We also have opportunities to protect land through working with private land conservation organizations. They have several tools they can use; one is by owning the land themselves so groups like the Nature Conservancy of Canada and the Nova Scotia Nature Trust own lands which, because of the way those trusts, those organizations are set up, those lands are conservation lands and contribute to our 12 per cent goal.

Then we also have the opportunity for conservation easements, so we have the provincial Conservation Easements Act that can be applied over lands, and that legally binds the lands to protection and those also contribute. So we have a pretty good tool kit for protecting lands. When it is non-Crown lands, then we work with private landowners who are interested in conservation, to arrive at which tool works best for them.

MR. MACMASTER: I actually recently wrote a letter to the department because I had a constituent who was concerned about access to beaches over private land, in cases where it was a traditional route for people to access the beach. I think with the new piece of legislation last year, there's an ability to open discussion with the landowner and to try to open up an easement for the general public, I guess, so they can still keep that traditional access route.

Have you had any problems with landowners who may not want to give up an easement on their property to allow general public access, for instance, to a beach?

MR. LABOR: The legislation you are referring to is the Community Easements Act. DNR has been the lead on that so I think Gretchen or Deputy Montgomerie would be in the best position to answer that question.

MS. POHLKAMP: The Community Easements Act was passed in the last sitting and we're working on regulations so it's not in force yet, so we don't have any actual application of the legislation. But it is a voluntary process so the landowner does have to be in agreement to give the easement or to sell the easement. That's one of the conditions because it's really an agreement between two private organizations or individuals.

MR. MACMASTER: Okay, thank you. Just moving back, we talked a bit about Bowater. I'd also like to ask a question about Pacific West, that just purchased the mill in Point Tupper. The province purchased land from them at a value of \$20 million - what was the amount per acre for that land?

MR. MONTGOMERIE: It was \$388 an acre.

MR. MACMASTER: Yes, I remember it was around \$400, so \$388. Again, just going back historically, I know the mill started in 1962; when that mill was first started, what did they pay for the land back then?

MR. MONTGOMERIE: Maybe for a reference point to the honourable member, in 2010 the province did pay more than \$500 per acre for land from NewPage - \$5 million for about 9,000 acres and it was high-value conservation land, there's no question. I don't know if Gretchen is aware of other sales.

MS. POHLKAMP: I'm not aware of the original ownership of those lands so I couldn't tell you what the previous purchase price was.

MR. MACMASTER: Is that something, Mr. Chairman, that we could ask to be provided, maybe in writing, to the committee, if you could look back to see who the former owners were and how the transaction took place and what the amount, on average, was per acre back then?

MS. POHLKAMP: The problem we have, as I mentioned previously, is sale prices are not recorded. They're not public information so there wouldn't be any way for us to know what the sale price of the land was. I could determine who the previous owner was, before all of the forestry companies, if that's what you're interested in.

MR. MACMASTER: Wouldn't a lot of that land have been Crown land, though, that was owned by the province?

MS. POHLKAMP: I'm not aware of the land coming out of the Crown recently.

MR. MACMASTER: This would have been back in the 1960s when the mill was set up.

MS. POHLKAMP: We'll check into it and get back to you.

MR. MACMASTER: Thank you. Moving away from that, just quickly on provincial parks, I know that you've conducted a review. I actually asked the minister if he would conduct a review so I was pleased when he did; sometimes you get what you ask for in here. When is that review scheduled to be released?

MR. MONTGOMERIE: I thank the honourable member for the question. Over the summer months, in fact, we did carry out a very exhaustive public consultation process around parks and it became abundantly clear how passionate Nova Scotians are about their parks and their use. We're now in the process of collating that information and stepping back to have a look at it, then it's our intent - through the central government, through policy board and others - to go that route and then go back out one more time to consult with Nova Scotians. I don't want to put a time frame in there, but I'm hoping later in the Fall. Well, early - I don't want to put a time frame because - hopefully before the next year.

MR. MACMASTER: That would involve, I guess, going back to the public, revealing what was discovered in the consultation and perhaps a proposed framework going forward.

MR. MONTGOMERIE: Absolutely.

MR. MACMASTER: I know I have some parks in my area and the passion is there amongst the local people for those parks. That is the main reason why I had asked that a review be conducted - just to make sure that everybody is on the same page, so that's good.

Just a question about donated land versus purchased land. I've been reading the papers the last number of years; there are people coming forward donating fairly large tracts of private land to the province because they want to see it protected. How would you decide the value per acre on those properties?

MS. POHLKAMP: When land is donated, we still review it from the perspective of departmental programs. We have an integrated resource management review that we do on all of our lands and that is one of the things we do to see if it's going to contribute to the values that we're looking for. When land is donated, because we're not paying for it, we don't need to do an appraisal or valuation in that sense. So we don't need to put a value for budgetary purposes.

MR. MACMASTER: Just to clarify, there are instances, as you say, where the land is donated. Obviously, that is preferred by the province - it's a lot cheaper that way. How do you negotiate that? How do you encourage people to donate versus sell their property to the province? Are there incentives or things that you tell people before they donate? For a lot of these people, there is great value in them knowing that land will never be used again.

MS. POHLKAMP: I'll defer this one to the Department of Environment.

MS. SNOOK: We have people on the protected areas team who work with the private land owners around donations, so I'll let Peter talk to that.

MR. LABOR: One of the key parts of our program is working with private land owners to help them make the decision to protect their land. In doing that, we provide a

number of incentives, some of which have been developed fairly recently. There was a brochure, I believe, in your package on private land conservation in Nova Scotia and it outlines some of the federal tax incentive programs. We make sure we go through those with individuals as well. We let them know their opportunities for donating their land to the province and also the opportunities they would have working with Nature Conservancy of Canada, Nova Scotia Nature Trust, or other land conservation organizations.

We also have fairly recent legislation passed in Nova Scotia called the Conservation Property Tax Exemption Act - for lands that qualify for protection, land owners are now exempt from paying their municipal property taxes and the province pays a grant in lieu to those municipalities for any lands falling under that. That has been a great incentive in particular for land conservation organizations that hold a lot of land that qualifies for protection, but it's another thing that we can do for private landowners who have tax concerns so we can add that with federal tax benefits as part of an incentive as well.

MR. MACMASTER: So they maintain ownership, but they don't have to pay the property tax as a reward for putting the land, I guess you could say, in protected hands with the province.

MR. LABOR: As long as it qualified under a legally-binding agreement like a conservation easement or ownership of a nature conservancy-type organization, then they can still maintain ownership. One of the keys for qualifying for legal protection is that it has to have a binding mechanism placed over the land that carries the land through from one landowner to another, so we have to have that in place. We keep a tally of which are the qualifying lands each year for calculating those tax benefits.

MR. MACMASTER: In the case where private lands are purchased, is the process available for review, as to how you'd put a valuation on land where the province decides it does want to purchase land from a private landholder?

MS. POHLKAMP: The normal process we follow when we're speaking to landowners is we negotiate a price with them and then we do an appraisal to verify that the price is a reasonable price. Our agreements of purchase and sale . . .

MR. CHAIRMAN: Order, please. Mr. MacMaster's time has expired. Mr. Ramey.

MR. GARY RAMEY: Thank you very much for coming in this morning. It doesn't matter to me who answers my questions - whoever you think is the appropriate person. In listening to the questions so far it becomes apparent to me that most people, at least over here, don't know very much about the value of land. I'm from southwestern Nova Scotia where some of these lands are. Am I correct in assuming the Bowater lands are mainly in the area around St. Margarets Bay, Queens County and Annapolis County?

MS. POHLKAMP: Yes, they own lands in the southwestern counties and you mentioned several of them. There's a little bit in Shelburne County, some in Digby County, but mostly those southern counties. (Interruption) And yes, Annapolis.

MR. RAMEY: And in the 2007 purchase, which I think went for - did I get it right, \$1,100 an acre?

MS. POHLKAMP: Yes.

MR. RAMEY: Where were those lands?

MS. POHLKAMP: Most of those lands were along the Mersey River and in that area of Queens County. They were very high-value lands that the province was interested in for conservation. There were also some Mi'kmaq interests in some of those lands.

MR. RAMEY: So there were indigenous interests as well as high-value land.

MS. POHLKAMP: Yes.

MR. RAMEY: Did that land have mature trees? Was it managed land?

MS. POHLKAMP: It was all high value so large trees, old growth, those sorts of things, yes.

MR. RAMEY: I recently went to an area near the Tobeatic - I guess the Lake Rossignol area - and I saw a tree that was lying on the ground that blew over from natural causes that was probably the best part of 12-feet or 15-feet high. You couldn't climb up on it without getting - I had to climb up a tree to get on top of it, so there's some significant wood down there. Did these lands have access roads to them? Were there any access roads to this land?

MS. POHLKAMP: Do you mean in the lands purchased in 2007?

MR. RAMEY: Yes.

MS. POHLKAMP: Do you know that, Peter? I'll defer to NSE, they've been looking at all these lands very closely.

MR. LABOR: Many of the lands we purchased in 2007 were behind the gated road system for Bowater, and one of the reasons that they were in such high quality was they were lands that had been administratively set aside by Bowater staff themselves because of their high-quality, old-growth features. We had sort of a once-in-a-lifetime opportunity to acquire lands that had been managed for their ecological values by the company. A few of

the lands were accessible by public road, like the lands along the Mersey River, but many of them were accessible only through the gated Bowater road system.

MR. RAMEY: One of the things that I did admire about the Bowater company was that I thought they were quite responsible stewards of the land. I know large companies often get slagged for the opposite, but my understanding of what they did was that was not the case; they were good stewards of the land. I'm a woodlot owner as well, I don't know how many people over here own woodland, but I do. I would not sell my land for \$950 an acre to anybody. So if you got Bowater-managed land with access roads and mature trees on it for \$950, good on you and I think it's very important that everybody realize that. I think that people who don't get it maybe are people who don't value land.

I can remember a debate in the House here, and I won't say who was speaking but it was November 15, 2010 - I remember the date because I wrote it down. Somebody who was speaking in the Opposition asked, why are you guys buying dirt? They were referring to our government for purchasing good-quality land that Nova Scotians wanted and they were calling it "dirt". I couldn't say anything because I'm a backbencher but I remember taking great umbrage - I was not impressed, did not like it. I recollect that if you think that the beautiful land that is down in that area of Nova Scotia is dirt, obviously you are not going to think it's worth very much money.

The other thing is the enormous cost of putting roads in on woodland, good roads that are accessible most of the year if you want to use them. That adds a significant amount to the value of the land.

The last purchase, I guess, in 2012 - where were those lands mainly located? In Queens County again, am I correct or not?

MS. POHLKAMP: The lands we purchased in 2011-12, which closed in March, were actually spread through the whole lands that they own. We were again looking for the highest value lands that had been identified through the Colin Stewart Forest Forum and the work of the departments on protection and also lands that would address some of our forestry requirements and lands of Mi'kmaq interest. So we had some in Queens, some in Annapolis, some in Lunenburg, so they were spread all over.

MR. RAMEY: I don't know who this question should go to, but is it a correct statement to say that the quality of wood growing on land in Nova Scotia varies significantly, depending on what part of the province you are in?

MS. POHLKAMP: I would agree with that statement. Our staff looks at the growing value of the land; that's one of the features that we consider when we're valuing land. For example, the St. Margaret's Bay area - that's a very high growth area, it grows very well and it grows more quickly than some other areas of the province. The southwest is a good growing area.

MR. RAMEY: And that's related to soil and climatic conditions?

MS. POHLKAMP: Right, and types of minerals in the soil, that sort of thing.

MR. RAMEY: So would you further agree that some of the most prime woodland we have would be in southwestern Nova Scotia?

MS. POHLKAMP: I would agree with that.

MR. RAMEY: Well I would, too. That's why I think, good on you for getting some of it back.

You know I guess I'm sort of gobsmacked by people who think that we shouldn't try to get some of these high-quality lands back. I've just been out with Minister Parker but I've been out on my own a number of times with my colleagues Vicki Conrad - I'm sorry, I should perhaps identify them by their ridings, the member for Queens and the member for Lunenburg. I'm the member for Lunenburg West; I'm sandwiched between the two. We've been listening to sawmill operators, people who are very interested in indigenous areas, ecology folks, private woodlot owners, people who manage community woodlots.

I've been to countless meetings down in that area because we now know there's another 550,000 acres of beautiful land down there waiting for somebody to come in and do something with it. I haven't been to one of those meetings where I heard anything from anybody, except the fact that they were desperately interested in seeing if we could acquire it. It doesn't seem to matter who you talk to - people in general would really love to have that land back. As you said, we don't own very much land here in Nova Scotia - people like me own most of it - so I know there's a huge push to get some of it back and I'm sure we'll be hearing more about that over the next little while.

One of my colleagues when they were asking questions, asked a question - I wasn't completely sure I got the answer on this - and it related to how are landowners or cottage owners consulted when a piece of land is identified for possible protection? They own something there in the middle of it and it wasn't before. Mr. MacMaster brought it up about a beach somewhere. Could you just tell me a little more about that?

MS. SNOOK: The team has done extensive consultations around the province and I'll let Peter explain to you what some of the opportunities have been for Nova Scotians to get that information and to make comments.

MR. LABOR: One of the key things we look at as we're identifying lands for protection is not only whether or not they should be protected, which is certainly a part of our process, but how we do protection in a way that we conserve the high ecological values but also minimize our impacts on either adjacent landowners or the users of the land.

Specifically addressing your question about private landowners, we have provisions in legislation that allow us to provide access to private landowners who might otherwise be inconvenienced by land designation around them. Typically that comes up when we are looking at vehicle access through wilderness areas - wilderness areas make up the vast majority by area of our protected area system. We have provisions in the Wilderness Areas Protection Act to licence access as needed by the private landowner, but through our planning process, we tried to avoid even needing to use that by looking at the private landowners' interests, by using boundary design, for example, to exclude main access routes.

If the private landowner is interested in conserving their land, as they often are because quite often these isolated parcels are something that people have held onto because they value them in their intact, natural condition, then we can also work with private landowners to speak to them about their options for private land conservation.

MR. RAMEY: Good because I was concerned about that. I live in an area near - and I imagine most people here would know where it is - Rissers Beach Provincial Park. It's just an absolute gem. Kudos to - I think it was a Liberal member, Mike Delorey, who was really instrumental in pushing to get that made a park. The reason I think it's so important, the work that you do - that was a beach that I went to countless times when I was a kid and countless times when I was a teenager, then it was sold to a person from the U.S. who immediately dozed up a couple of large gravel banks and put up a no trespassing sign. That was the end of the beach for thousands of people who had gone there over the years. To his credit, Mr. Delorey changed that up and now it's a place that people from all over our province enjoy, and a lot of people from outside.

That brings me to my next question because my colleague from Lunenburg, Pam Birdsall and I have been working with a community group called the Kingsburg Coastal Conservancy. We're trying to protect the West Ironbound Island, which is home to the Ironbound sheep, but also it is home to a large number of bird species; it's almost like a bird sanctuary. The reason I love that island and I think it's an important piece of property for us is, it's actually - there's an East Ironbound which is down toward the Chester area, and West Ironbound is right at the mouth of the LaHave River. Actually, if you stand in Dublin Bay and look out, you can see West Ironbound and then Moshers Head, which is on Moshers Island on the other side.

Again, it was owned by a person from out of province. The conservancy was able to buy - I'm trying to get it right here - I think they bought the eastern half a number of years ago and the owner agreed to maybe let the western half go, but they've been trying to purchase it. I know that DNR was working with that group, for a fact, because I came to one of the meetings quite a while ago with Ms. Pohlkamp and some other people, but I was just wondering if there is an update on what is going on there. I know my constituents would be very interested in knowing that.

MR. MONTGOMERIE: The department is pleased to be able to contribute towards the purchase of the land and is providing \$200,000 to assist. What is really the key point is the island will be managed under a stewardship agreement with the Kingsburg Coastal Conservancy which, as you well know, is committed to maintaining and protecting the natural environment of the island and, in fact, they are contributing \$187,500 and it is a win-win for Nova Scotia.

MR. RAMEY: So that's going ahead? Excellent. That's a beautiful, beautiful piece of property. I also would commend those folks - \$187,000 - and of course they've already purchased the other side so I think that's quite phenomenal.

I guess I have just one more question. How much time do I have left, Mr. Chairman?

MR. CHAIRMAN: You have until 10:08 a.m.

MR. RAMEY: Okay, I've probably got time for this, then. Somebody mentioned that there are three different designations of protected lands? Let me get it right, I wrote it down here somewhere: there are nature reserves, wilderness areas, and provincial parks and areas. Can you tell me right now what percentage falls into each of those categories here? It's kind of an awful question to ask, I realize that. I don't expect you to snap it right off the top of your head but even rough numbers would be (Interruption) Oh, we're going to get the actual numbers? Well that's quite amazing, really.

MR. LABOR: I have to put my glasses on. (Laughter)

MR. RAMEY: That's okay; you're allowed to do that.

MR. LABOR: I don't have the figure by percentage but I can give it to you by hectares and then somebody can do the math.

MR. RAMEY: Okay. How many acres are in a hectare?

MR. LABOR: Gretchen tells me 2.471. (Laughter)

MR. RAMEY: You're good because a lot of people don't know that but you do, so that's good. I knew that, too, but only as of this morning. (Laughter)

MR. LABOR: You notice that I often use hectares and Gretchen often uses acres so we have to convert all the time.

MR. RAMEY: I think that's the reason I just asked for the clarification because for anybody who may be witnessing this, a hectare is not a common designation, it's like

talking in rods, which I think are 16.5 feet or something but most people don't know it. Anyway, go ahead, sir.

MR. LABOR: Of the 9.4 per cent that is currently protected in Nova Scotia, that equals a little over 516,000 hectares. Of that 516,000 - I'm going to give you some round numbers - about 350,000 is provincial wilderness areas designated under the Wilderness Areas Protection Act; about 5,000 is nature reserves designated under the Special Places Protection Act; and a bit over 10,000 hectares are provincial parks.

Just for clarity, not all provincial parks contribute towards the 12 per cent so the provincial picnic parks, wayside parks, recreation areas, for example, do not contribute. All the provincial parks, where the primary purpose is on nature conservation and biodiversity do contribute.

MR. RAMEY: So would Rissers Beach Park, the one I just mentioned, be part of that?

MR. LABOR: I would have to check, I don't recall off the top of my head whether Rissers Beach - some beaches do and some beaches don't, depending on what their primary purpose is.

MR. RAMEY: So when we're talking nature reserves, which is one of the categories that is about 5,000, I think you said - that's where we have maybe special indigenous plants or Blanding's turtles or some species that we're concerned about not disturbing, am I right on that?

MR. LABOR: That's right. Nature reserves tend to be quite small and are focused on individual elements that require protection, whether it's a rare species, an outstanding old growth forest, a wetland of ecological significance. They are really feature-based and are the most protective of the designations, whereas wilderness areas, for example, are really intended to protect things, ecosystems and habitats at a landscape level. So they tend to be larger but less restrictive in types of the activities that can occur in them.

Just for clarity, anybody who is doing the math will note that the three numbers I gave you don't add up to the total because on top of that, we have federally qualifying lands, like national parks and national wildlife areas and then the land trust lands. Those would make up the balance of the protection. So Cape Breton Highlands National Park and Kejimikujik National Park contribute to the 12 per cent as well.

MR. RAMEY: Oh, do they? Okay, so they are rolled in there and those are large, very large tracts.

MR. RAMEY: I think you've told me that you've basically reached the 12 per cent, you can't really announce it yet, but you're in the final negotiations to get the last piece for

the 12 per cent, let alone the 17 per cent, if that ever happens or whatever. When you were trying to do that and apparently you're very close to doing that or you are going to do that now, what has been the biggest challenge that you faced in trying to do it? Is it the fiscal part, the money part or is it some other issues that are constantly nagging away at you as you were trying to do it?

MR. LABOR: It's a very complex process because we're trying to achieve several things. One of those is identifying and protecting the most ecologically important lands in the province and we're doing that from a limited land base. As has been referred to earlier, we have the lowest amount of Crown land – second-lowest in the country - and so without willing private landowners, our planning process is limited to what we can achieve on Crown land.

We've had a great boost in our ability to advance on the goal through some of the land acquisitions that have been made over the past three or four years because that has allowed us to reach outside the . . .

MR. CHAIRMAN: Order, please. Unfortunately, Mr. Ramey's time has expired. Mr. Younger, you have 14 minutes in this round.

MR. YOUNGER: Maybe I'll start with conflicts of land use. I know that some of the land - and this is inevitable so please don't take this as a criticism because I understand that this is inevitable in the process created - you're going to have lands identified and nominated by the public for protection that may be high-value mineral lands, maybe high-value forestry, other uses that don't mesh well with protected lands. I'm wondering how the process is addressing that.

MS. SNOOK: I was just going to say that it has taken an incredible amount of time for the protected areas team. I did want to clarify that all the lands have been identified where the 2.6 per cent will come from, and it's on that nice map that Mr. Labor gave you.

MR. YOUNGER: Are they included on that?

MS. SNOOK: Yes. Everything has been done very publicly and people have lots of opportunity to comment and discuss. That does bring hopefully all the variety of land use opportunities to the fore and they're able to be analyzed. I'll let Peter tell you how they actually do that.

MR. YOUNGER: On the map though, that is the nominated lands, right?

MS. SNOOK: That's what it is, yes. But I wanted to say, the 2.6 per cent will come from those, there won't be any surprises.

MR. YOUNGER: No, I realize that, but that's what makes me ask the question because - and I know you've already received some letters - I know that there are some parcels which have conflicting . . .

MS. SNOOK: Oh, absolutely.

MR. YOUNGER: So you are aware of that, yes. I have seen this map on-line, but we had people in my office saying, that's my land and I have a project here and that sort of thing. I'm wondering how you're dealing with that.

MS. SNOOK: It's great to have that on-line because it has provided a lot of access for people and you're right, there are conflicts, but they're very adept at dealing with them. Hopefully, we're getting the best value for Nova Scotians from each parcel.

MR. LABOR: Thank you for the question. It is something that takes a great deal of time, as we look at these lands. So on the map as we've referenced, we've purposely identified more land than was necessary to reach the 12 per cent goal. One of the reasons for that was so we had the flexibility to make changes to adapt to areas where there is high conflict.

Through that process, we have had numerous stakeholders come forward and identify areas where they have an interest, for example, of mineral development interest that overlies one of the 12 per cent review land areas. We've taken the opportunity to meet with many of those individuals and companies to understand more specifically what their interests are and whether there's an opportunity to avoid the conflict, for example, through boundary design or through some other types of mitigation and often that is the case.

We also have worked closely with other departments within government, particularly with the Department of Natural Resources and the Department of Energy, who have put together a high mineral potential and high petroleum potential and wind energy potential layers that we can use with our mapping analysis, so that not only are we identifying the areas where there is current potential conflict, but areas where there are high values for those other interests that would conflict with protected areas designation.

We have been looking at all of that because one of the tools that we have is to not move forward certain parcels of land where there is high potential for conflict. But we are prepared also that in the case where there is high ecological values that we feel really need to be brought to the forefront and potential conflict to bring forward those parcels to government for a decision where one use may supersede another. We are working through the process to minimize the number of those parcels that need to come forward for a government decision and I think for the vast majority, we'll be able to deal with through the process using the other tools that we have available.

MR. YOUNGER: If there is private land - and my colleague for Inverness sort of almost touched on this in a way - where somebody has put a conservation easement or is willing to do that, but intends to keep it in private hands, would that be a candidate site to be counted toward a protected area or would that be something entirely different?

MR. LABOR: If there's a legally binding mechanism such as a conservation easement or provincial legislation placed over private lands, then it counts toward the 12 per cent.

MR. YOUNGER: The example I'll give you - and Ms. Snook may be the best one to answer this because she's either met with the person or is meeting with them. Up in Beinn Bhreagh, I know that they're looking at the whole - part of it already has a conservation easement on it, but it's privately owned and obviously not accessible to the public without family members there. There's a part at the top that they're looking at making accessible to the public on an occasional basis, a few days a week, but which they were going to put a conservation easement on. Is that the kind of thing that would count toward the 12 per cent? I'm just trying to get a sense of what does and doesn't.

MR. LABOR: Conservation easements are primarily focused on ecological biodiversity conservation. There are some older conservation easements that were for other purposes - it could be agricultural, and it could be heritage related - so those typically would not count toward the 12 per cent because their purpose is not biodiversity.

MR. YOUNGER: It probably was. I would suggest that there is one easement there now and I suspect it's a heritage one or heritage related. It is tied into the Bras d'Or Lakes biosphere so it's one of those complicated ones where it's probably there for heritage reasons and the associate history of that site, but it's also part of the biosphere.

MR. LABOR: We would certainly look at it, and I'd have to cheat and look at the map to see whether it counts right now, but we're certainly open to looking at what the primary reason is for conservation. Another thing that's worth noting is that when the Community Easements Act was introduced, there were also some subtle changes made to the Conservation Easements Act to clarify which properties should be contributing for ecological reasons versus other reasons, so that will improve the situation going forward.

MR. YOUNGER: That was in the last session of the Legislature that we did that, I remember that. How are you dealing with lands that were assumed to be provincial, but have no clear title on them?

MR. LABOR: We work with DNR on that, I think, so we'll let DNR take the first shot at that.

MS. POHLKAMP: I think you might be referring to the lands that are ungranted, unacknowledged Crown lands. We're working on a project now and we hope to finish that

soon to clear the title to those lands. We have a process in place where we review the occupation on the land and some changes were made to the Land Titles Clarification Act - maybe in the Fall of the previous sitting - to make sure that we could do that in an expedited way. Initially there were about 28,000 parcels that had a potential Crown claim to them and we're trying to clear that up very soon.

MR. YOUNGER: The reasons I ask is that there is a number of parcels like this that have been brought to my attention and I'm sure, members of the government and the department as well, but I'm sure that nobody is going to be surprised that the Department of Natural Resources here for protected lands is going to get away without a Shubenacadie Canal question, it's just not going to happen. (Laughter)

I'm going to pass this letter over - I mean we can make copies. The government already has it because it was actually written to Minister Parker, Minister Preyra and Minister Paris, so this isn't anything secret. This is just an example of one with a PID number. I'm not going to expect you to know about this parcel but it's an example of the kind of issue that I'm wondering how you're going to deal with, where there is land that everybody assumed was provincially owned but has now come up as an unknown owner and the neighbouring property owner is now trying to claim - I don't even really know what the legal term is, but almost like a successor right, saying well listen, I've taken care of this piece of land . . .

MS. POHLKAMP: Adverse possession?

MR. YOUNGER: Oh, there you go, thank you. Now they're trying to claim that, when everybody sort of assumed it was effectively provincial parkland and actually has historic resources on it and the whole bit. It's not the only one, it's sort of right along my riding so that's why I know about this one. There are other ones like this that have been addressed to me, elsewhere in the province.

I'll leave this with you, I mean you guys probably already have it.

MS. POHLKAMP: There's a variety of situations like that. Owner unknown lands are another category of lands. When the title ownership is unclear, then the municipalities can label them "owner unknown". There's a provision in the Municipal Government Act that permits the Department of Natural Resources to purchase those lands if we pay the taxes and the advertising costs.

MR. YOUNGER: Who would you purchase it from?

MS. POHLKAMP: We purchase them from the municipality. So the municipality gets the taxes and then we get a tax certificate and that becomes Crown land. We do that as often as we can, we constantly review the owner unknown lands to see which ones fit into our program requirements.

MR. YOUNGER: So all you would need to do in a piece like that, and I'm not asking you to commit because I know - Mr. Montgomerie has probably seen the letter but probably wouldn't know it offhand and I don't expect you to. But I mean it's a small parcel of land, I bet you the taxes are about \$1,000 on it, if I had to guess. The department would just have to go and pay whatever the tax bill, pay an advertisement, and it's yours?

MS. POHLKAMP: There's a process set out in the Municipal Government Act that DNR can follow. If there's another claimant, which you have indicated, then they have a process by which they can assert, so it goes through a title review. But yes, it is a way that we can acquire ownership of land that otherwise we can't.

MR. YOUNGER: My goodness, I'm almost prepared to give you the taxes now to go and buy it for the province.

MR. MONTGOMERIE: Okay. (Laughter)

MS. POHLKAMP: We take donations.

MR. YOUNGER: I'm assuming it's probably going to be about \$1,000. All right, we'll talk. It's a tiny piece of land so I can't imagine the tax - if that is the process, I actually assume it's probably actually fairly inexpensive. I could be absolutely wrong but just judging by the property taxes on the other lots around that area, I would say that is it.

I only have a couple more minutes. The other one I wanted to get at was First Nations, which was addressed earlier; what is their role in identifying the protected lands, or as part of the process, I guess?

MS. SNOOK: The First Nations have certainly been part of our consultation process. If you want to hear some details about the committee that has been struck between Nova Scotia and the Mi'kmaq - Gretchen or Peter.

MR. YOUNGER: I probably have a minute and a half so do I assume correctly that they would have a higher standing than the average Joe, the public, who is just submitting something?

MR. LABOR: I'll be brief so we don't run out of time halfway through. Yes, we have been working directly with the Mi'kmaq through the formal consultation process and the negotiation main table on the 12 per cent and land protection for several years now. They are engaged in the process at several stages. Also individual Nova Scotia Mi'kmaq can engage through the public consultations but we're working with the negotiation office and have actually set up a committee that reports back both to government and the Assembly of Nova Scotia Mi'kmaq Chiefs on a regular basis. So we meet with them bimonthly and are working through the process together.

MR. YOUNGER: There you go, you did answer that quickly. Have they identified specific lands that would have heritage value, in terms of Mi'kmaq history, as part of this process? Or is that being dealt with separately?

MR. LABOR: Yes, they have. They've primarily stuck with the process and identified their interests in relation to the 12 per cent lands that we've identified. But they have identified some additional lands that they feel there is value in, from an ecological perspective, and then other lands that they feel they have value in from a Mi'kmaq heritage perspective. We're not sure how to deal with those lands within the process, but we'll certainly work with our other departments, like Communities, Culture and Heritage, to see if there is a . . .

MR. CHAIRMAN: Order, please. Mr. Younger's time has expired. Mr. Orrell.

MR. EDDIE ORRELL: My understanding is there's 2.6 per cent left to reach our 12 per cent goal, which is about 189,000 hectares. You say you've identified some parcels of land already. How much of that is private versus public land that has been identified, and is it identified as more, I understand, and about how much more would have been identified to the present?

MR. LABOR: The gap of 2.6 per cent is about 150,000 hectares and the majority of that is Crown land. When we release those lands - probably early in 2013 - for the next round of public review, they will be released as proposed protected areas, so there has to be a pathway forward for them to actually be protected. We will not be releasing any privately owned lands where we don't have agreement from the landowner that they are willing to have those legally protected as part of the process. We would see all of those lands going forward being Crown-owned lands, or lands where we know there is a clear pathway for protection with agreement with the private landowner.

MR. ORRELL: So that 150,000 hectares then is pretty well guaranteed to be on line for the protected - it means it's Crown land?

MR. LABOR: That's correct. If there were additional purchases made by the province, in the meantime, where there are high values, then those lands would become Crown lands and then would be released as Crown lands as part of that process. For example, we have a budget this year with Nova Scotia Environment to purchase some lands and so we're working to expedite those purchases so that we can include those lands as part of our proposal that goes forward. They're private today; they'll be Crown when they're released, is part of the plan.

MR. ORRELL: Most of the land is public land; it's not private land.

MR. LABOR: That's correct.

MR. ORRELL: So we don't have to worry about getting to that goal and that 12 per cent should be achievable because of the Crown lands.

MR. LABOR: Yes.

MR. ORRELL: In the past, there have been some public consultations on the private land. How have they gone? Have they gone smoothly? Has there been push-back from anybody in the area?

MR. LABOR: Sorry, can you clarify the question?

MR. ORRELL: If there were private lands being acquired before, did the people come forward with those lands or did we approach them for those properties?

MR. LABOR: Typically it can happen both ways. The key is that any time that we even consider having private lands protected, it's with a willing landowner. In most circumstances for the province, the landowner comes forward to us, although there may be occasion where we identify a particularly ecologically important piece of land and we may contact the landowner just to see whether they have an interest in protection.

An example would be lands that are surrounded by existing protected areas. That would be a situation where we may contact the landowner. Often, conservation organizations like the Nature Conservancy and Nova Scotia Nature Trust may have campaigns in particular parts of the province where they are much more directly in contact with landowners, so it can happen both ways. The key is that we don't pressure landowners to protect or conserve their land. It's about them understanding their options and then being a willing landowner who is interested in conservation.

MR. ORRELL: Are we getting any push-back from neighbouring areas that those lands are being protected?

MR. LABOR: Yes, with interest to specific sites, we often have community organizations or individuals who are concerned with what the implications of protection may mean, particularly for their recreational use of the lands. We work very closely with those individuals or organizations to ensure that they understand what the implications are and we understand what their interests are, so we try to accommodate those to the greatest extent possible.

As part of our process over the last little over a year, we have had more than 700 comments from various individuals and organizations - 150 of which were from organizations. We've met directly with over half of those organizations face to face to talk about what their particular issues or concerns are and look at ways to accommodate those interests while meeting our goals.

MR. ORRELL: Are some of our woodlot owners concerned over this use of the land, the designation of this land?

MR. LABOR: We have not heard a lot from woodlot owners with concerns. We have had a few who had expressed concerns in relation to having woodlots that are near protected areas and concerns that a change in management regime over those lands - for example, not actively managing them or harvesting them - could have implications for adjacent woodlots. Science certainly doesn't support that area of concern in terms of pest, disease or blowdown, those sorts of things coming from protected areas. We have been talking to some individual woodlot owners; more typically their concerns are about access to their land.

MR. ORRELL: That was my next question, if there's an access issue.

MR. LABOR: We work with them on a case-by-case basis and certainly if they are private landowners whose access might be affected, our goal is to ensure that they can reasonably access their land for the purposes that they intend for it.

MR. ORRELL: With the newly acquired land from the Stern Group, NewPage, would the capital purchasing price of the land deals start to go down now over the next number of years - which means it's Crown Land that we're going to be conserving - or is there a budget for purchase of conservation lands?

MS. POHLKAMP: The government has traditionally allocated funds to the Department of Natural Resources for purchasing land, about \$1.5 million, and most recently, \$1 million to Aboriginal Affairs for the purchase of land. Environment has also had a budget of about \$1.5 million. When special occasions arise, there has been a program in place for the last five years called the Forestry Transition Program. We've had additional funds, \$4 million a year, for five years, to purchase surplus lands from forestry companies and then, for example, the NewPage purchase was an additional \$20 million or the Bowater purchase last year was an additional \$23.75 million. Those budgets are added to our base budget.

I think Mr. Labor pointed out, he has a \$6.5 million budget this year, but it's expected that as we're achieving the goal, protection purchases won't be as significant in the future. But just to remember, we aren't just buying land for protection, we're also buying land because we do have a very low Crown-land base and we are trying to ensure that we have sufficient land to meet our fibre requirements under forestry agreements and to do economic development and other activities that we use Crown land for.

MR. ORRELL: So you have been getting some support from Northern Pulp and NewPage for the purchase of the land for use for Crown, for fibre?

MS. POHLKAMP: Well, the land we purchased from NewPage, the 51,500 acres, that land is going to be used for forestry purposes and other economic development.

MR. ORRELL: I guess I'll go into a bit about the finance part of it and Mr. Ramey from Lunenburg kind of got into the process of the public and private land, but is there consideration about the recession and the strategy of getting on pace for this 12 per cent by 2015, as far as finances go?

MS. POHLKAMP: I'm sorry, I don't really understand the question.

MR. ORRELL: I'm just wondering if there's any consideration of the impact of the recession and the spending of the money to buy the Crown land or to buy the protected land by the 2015 deadline.

MS. POHLKAMP: I'll defer to Ms. Snook.

MS. SNOOK: We already have the land, as Peter mentioned, under Crown protection that is going forward for the 2.6 per cent, so there really wouldn't be an additional cost. There's almost a land budget where they're looking for additional pieces that are very prospective that when we can afford them we acquire. But the 2.6 per cent is already acquired so we're living within our means in that regard.

MR. ORRELL: Thank you. That's all.

MR. CHAIRMAN: Mr. MacMaster, do you have any questions?

MR. MACMASTER: No, I'm fine, Mr. Chairman.

MR. CHAIRMAN: Mr. Whynott.

MR. MAT WHYNOTT: Thanks for coming in today. I only have a few quick questions, more particular local questions in regard to the constituency I represent. I'm just looking at the map and you may not know the answer to this and I understand that, but it's more of an interest to me, and I'm going say that I'm not an expert on this and since I've been elected I've at least been able to understand it a little bit more. There's a piece of - it's coloured in green on the map so I would assume that's Crown land, is that correct?

MR. LABOR: There are several colours of green.

MR. WHYNOTT: Okay. In particular I'm looking at the Pockwock Lake region, which is where a lot of the municipality gets their water source from, for drinking water, those who are on city water. There's a piece of - there's two colours there, there's a green and a red. The red is potential protection, is that correct?

You mentioned earlier about other mechanisms that the Department of Environment has to protect lands and other sorts of things. When I look at that, is that to say that right now, currently, not all of the land surrounding Pockwock Lake is protected?

MR. LABOR: That's correct, there are several different types of protection in the province and that's often confusing to people. What we show on this map are the protection categories that contribute to the 12 per cent. Something like a drinking-water supply protected area under the Environment Act does not contribute to the 12 per cent because the main purpose of that is for preserving drinking-water quality.

We have several drinking-water supply areas that are also designated under provincial legislation that qualify them for the 12 per cent, because they have high biological or ecological values. So the Crown land that's shown there is part of the drinking-water supply area and is under regulations of the Environment Act to maintain water quality for public health and drinking water.

The area that's shown in red is the portion of that area that has high ecological values that are being considered viable for protection for biodiversity and ecological conservation. So we're working with Halifax water and the municipality, for example, to discuss whether the additional protection of a portion of those lands that contribute to the 12 per cent meshes with their wishes for the area and whether it adds value to the drinking-water supply protection as well. So that's an example of where those overlapping interests are and it can get quite complex.

MR. WHYNOTT: Yes, absolutely, and that's why I wanted to ask that question because just looking at it and for interest sake, when you look at it, for someone like me who is a layperson in this regard, it kind of makes you ask some questions.

The other thing I wanted to speak about is, Mr. Montgomerie, you talked about the consultation process, and hopefully over the next number of months the consultation process will begin. Really what I'm looking for is how does a group or an organization become involved in that consultation process?

MR. MONTGOMERIE: I assume the honourable member is referring to the parks.

MR. WHYNOTT: Yes.

MR. MONTGOMERIE: The consultation - right. There are several ways - as a matter of fact, we have established on the DNR Web site a place where Nova Scotians can access and make their comments. Again, it is our intent later on to go back out to the public one more time. I apologize, I'll get the Web site for you in that contact information. We welcome that because part of the dynamic about our parks review is they have not been reviewed since the parks were set up in the mid-1950s. It's obvious from demographics and

use and it's very important for us to look for a vision to government as to how those parks should look over the next decade.

MR. WHYNOTT: And just to follow up, I guess Ms. Snook as well, the consultation around the 12 per cent, I think you mentioned earlier that there's another round. Sorry, I may have missed when that's going to begin and the kind of timelines for that but, again, how does a group get involved with those consultations?

MS. SNOOK: In early 2013 we'll probably start those consultations. I have to say that the Web site is really excellent that they have put in the protected areas consultations. All the parcels will be posted there and people can contact the department through that and there will also be public sessions that they can attend.

Do you want to say any more about that, Peter?

MR. LABOR: I think at a high level we're going to be very engaged with people as we go into the next round of consultation and it will include opportunities for people, as individuals, to work through the Web site or other media, to contribute. Then we will have some form of face-to-face opportunity, particularly for the public, but we always provide the opportunity for organizations to approach us directly for one-on-one meetings where they have concerns or interests.

MR. WHYNOTT: You mentioned before around the fact that we have the second lowest amount of Crown land in the country. So in 2007, were we worse than we are now - obviously we are because we're protecting more, but as far as across the country? So why did we begin this process? Why did the Province of Nova Scotia begin this process? Was there a push from different organizations, from lobby groups? Was there some sort of a light bulb that went off in someone's head and said hey, let's do this because it is a good investment? Why?

MS. SNOOK: There was an international move to recognize that protecting land was very important. There's a little write-up in this little brochure that we included in your package that tells the organizations that were key in the late 1980s with setting the 12 per cent number. One of them was the World Wildlife Fund and the other was a commission on environment and development. I think that brought to the fore the importance of doing this for future generations and for biodiversity. Then it became part of the Environmental Goals and Sustainable Prosperity Act in 2007, here in Nova Scotia.

MR. WHYNOTT: Okay, fair enough, thank you. I think I'm going to turn things over to my colleague, Mr. Skabar.

MR. CHAIRMAN: Mr. Skabar.

MR. BRIAN SKABAR: Thank you very much. I have had the good fortune to have had some dealings with your department. Mr. Labor, we had met on a number of occasions. When I first took office in 2009, one of the very first delegations that came to my office was a group called Cumberland Wilderness. They had apparently been working for years and years and without a great deal of success.

Finally, what happened this year was the Kelley River and Raven Head Wilderness Areas were proclaimed. This was the largest addition to the protected areas to date, if I understand correctly. Could you give us an update on the status of this land and outline the process the government went through to determine that this land should be protected in the first place?

MR. LABOR: Sure. These were areas in the vicinity of Chignecto Game Sanctuary, which was an area really valued and treasured not only by people locally but by people across the province. So prior to them being looked at specifically as protected areas, we, working with the Department of Natural Resources, conducted a review, at the request of government, of the Crown lands in the vicinity of the game sanctuary to see what would be viable for legal protection.

We took about a year and a half to do that review, which led to the nomination of candidate protected areas there at Kelley River and Raven Head. We had an opportunity, because of our large land purchases of land associated with Raven Head - it was called Apple Head purchase - to include lands that had been recently purchased from Wagner, to our consideration for protection. Then we went through a nearly two-year process of public consultation and evaluation of those proposed protected areas, working with municipalities, individual organizations, off-highway vehicle users, bow hunters, people who love and value the land, as well as industry groups that had interests in those lands.

The outcome of that process of consultation and evaluation, we brought forward those two areas for designation. They received designation last year - I guess earlier this year - and we are now just awaiting the final deposit of the surveys for those areas in order for the designation to legally take effect under the Wilderness Areas Protection Act. We're hoping to have that survey work done this Fall so we can have the legally-binding designation take effect very soon.

MR. SKABAR: All things considered, I absolutely realize this was no picnic. The Cumberland wilderness is represented by one particular group and the Cumberland Trails Association were really concerned - the Cumberland Trails Association, the snowmobilers and the off-road vehicle organizations - that turning this into a protected area would severely limit their ability to use this land for recreational purposes.

By virtue of having taken this action - and likewise, I have to congratulate many of your staff, every single one that I met - somehow or other you got these guys to play nice with each other, which has never happened in the last who-knows-how-many years that

they've been talking about this. I just wanted to bring that to the attention of my fellow committee members, how that worked out. I love it when a plan comes together.

Likewise, as far as DNR goes, I'd like to also offer thanks to the department for giving some considerations when we bought some Irving land around Long Lake. There were, if I understand correctly, about 14 private cottages already owned there and about three that were leased. You were able to exercise some flexibility in allowing those remaining three, which were, to my understanding, less material in terms of land value. It might have been different if they were all leased and we were going to take over, but just to leave the three or four lease properties - well, to let them be, basically. Is that an issue with a lot of our land purchases or just the odd one here and there?

MR. MONTGOMERIE: I really thank the honourable member for his comments because since coming to the Department of Natural Resources, I continue to be amazed at the sensitivity that our collective teams have shown in dealing with those kinds of issues. As I said in my opening remarks, Nova Scotians are very passionate about their land and how it gets used. There are often differences of opinion of how the land should be used. I've seen many instances, for example, some that you've highlighted, where our staff have worked incredibly diligently with those opposing interests to try to bring a successful conclusion to meet government policy objectives. So yes, it happens and there is dialogue and negotiation that often has to take part, rather than a prescriptive - come in, do it our way or the highway.

MR. SKABAR: I'm glad that we don't have necessarily a one-size-fits-all kind of policy on that.

I don't know who this question should be directed to, but when we determine what kind of land is coming up with the remaining percentage of . . .

MR. CHAIRMAN: Order, please. Unfortunately, your time has expired. Your 14 minutes are up.

I'd like to thank the guests for coming today and I'll give you both - perhaps Ms. Snook first - an opportunity for any wrap-up comments you would like to make or anything that we left lingering when you were cut off.

MS. SNOOK: Thank you, Mr. Chairman. We are glad to have had the opportunity to answer your questions today about our protected areas program and to share with you the great progress that is being made to protect our valuable spaces. Parks and protected areas are important in maintaining our natural heritage. They safeguard our best remaining natural areas and are part of what makes Nova Scotia such a great place to live. We want to ensure that as much land as possible is available for Nova Scotians to use and enjoy now and into the future.

A great deal of work has been done to get us where we are today. I also appreciate that many of you have commented on the great job the team has done between Natural Resources and Environment. The staff are very dedicated to this area and are doing a fabulous job and have worked very hard. It made it very easy for Deputy Montgomerie and myself to participate today.

About 9.4 per cent of the province is now legally protected and we are well within reach of the province's 12 per cent land protection goal. Our progress is due in large part to the involvement of Nova Scotians. They have expressed their interest in preserving our most valuable natural spaces and have been engaged throughout the process. In fact, we have met with and heard from thousands of Nova Scotians over the past few years about 12 per cent lands. We have received great feedback in terms of both the need to protect and preserve our land, and to ensure its availability for individuals who depend on it to grow their companies and provide good jobs for Nova Scotians. Together with the input of Nova Scotians, we are protecting sensitive lands while supporting a prosperous and sustainable economy.

Our next step is to develop a proposed parks and protected area plan reflecting what we've heard from Nova Scotians during the recent 12 per cent lands review. We are aiming to release this plan in early 2013. Once this is released, Nova Scotians will again be asked to provide input.

We look forward to working with you and all Nova Scotians as we complete this process and designate the remaining lands needed to achieve the province's goal. Thanks very much.

MR. CHAIRMAN: Mr. Montgomerie.

MR. MONTGOMERIE: Very briefly, I want to echo my colleague's comments in many ways and be a little selfish, as Deputy Minister of the Department of Natural Resources, to once again say to the honourable members, the lack of Crown land that we face has always been and will continue to be a challenge. The fact is that in the last decade successive governments, including this one obviously, have really committed to trying to add to that base in a very constructive and positive way. I thank the honourable members for their questions.

MR. CHAIRMAN: Thank you very much. I'd like to thank both departments for coming and providing us with all that information. There were at least a couple of things that were asked for and committed to by the departments: a list of the 2.6 per cent of land that Mr. Younger asked for that was committed to providing - the clerk, by the way, will give you more detailed information on this; and also the value of the land sale in the 1960s around Mr. MacMaster's question. Is there anything else from the clerk? Did I miss anything? No. Okay, thank you very much.

We're going to continue our meeting. You're welcome to stay if you want but there is no need to. So with that said, I want to go into the next part of our meeting which, I guess, the first one on our list under Committee Business is the Record of Decision. Now we have several topics here that have been moved forward by the subcommittee. All of them, except one, were by unanimous consent by the subcommittee. How would the committee like to handle that? Mr. Whynott.

MR. WHYNOTT: Thank you very much, Mr. Chairman. I'd like to move the topics on the Record of Decision by the subcommittee for future Public Accounts Committee meetings, as presented, with the exception of the Office of Policy and Priorities.

MR. CHAIRMAN: Mr. Younger.

MR. YOUNGER: Thank you, Mr. Chairman. I don't know whether we want to do that and then have a separate vote on the other one. We can do it either way, I guess. I was not obviously at the subcommittee meeting, but I guess it's a little bit surprising that the government wouldn't accept having the Public Accounts Committee review the Office of Policy and Priorities since that seems to be very squarely within the mandate of the Public Accounts Committee and their primary role. It also seems to be a bit odd, given the previous statements by the NDP when they were in Opposition, that all these sorts of areas should be under the review of the Public Accounts Committee.

I wasn't at your subcommittee meeting, obviously, Mr. Chairman, so I don't know what the discussion was there, but I think it would be informative to know because that seems to be, as I say, squarely in the mandate of this committee.

MR. CHAIRMAN: Mr. MacMaster.

MR. MACMASTER: Thank you, Mr. Chairman. I was at the subcommittee meeting and knew that this was going to be brought back before the larger committee. We did approve it at the subcommittee level but, as you know, the government often brings back things that it doesn't want to talk about, to the broader committee here, so that it has the power to vote them down. So we're seeing it again.

I don't see anything wrong with calling the Office of Policy and Priorities for questioning. The purpose of this committee is to examine public expenditure, tax dollars are used to fund this office. It would be nice to have an update on what's happening in that office and, if we have questions, to be able to ask them, just like we do of any other office or department in government that spends taxpayers' dollars.

We have no problem with this coming before the committee but obviously the government does and it looks like they are going to use their majority on the committee, once again, to stop us from having the opportunity. Thank you.

MR. CHAIRMAN: Mr. Younger.

MR. YOUNGER: Since it's obviously going to be an issue, maybe we can vote on the unanimous ones because that's simple, and maybe we could have a recorded vote on the Policy and Priorities.

MR. CHAIRMAN: Mr. Whynott.

MR. WHYNOTT: I put forward a motion, so I would ask for the question, please.

MR. CHAIRMAN: Mr. Younger.

MR. YOUNGER: I guess I'm seeking clarity on the motion. The motion as I understood it from Mr. Whynott was to vote on all of the items with the exception of that one. I'm just trying to (Interruption)

If that's the motion that we're going to have, then I would ask for a recorded vote on that motion because obviously, we do not accept that motion given that it has the exclusion of that particular department.

MR. CHAIRMAN: Mr. MacMaster.

MR. MACMASTER: I agree.

MR. CHAIRMAN: Mr. Whynott.

MR. WHYNOTT: Mr. Chairman, what I asked for was the adoption - I moved the topics as presented with the exception of the Office of Policy and Priorities, that was the motion.

MR. CHAIRMAN: So my understanding, to make it clear, is that it has been moved that all, except for the Office of Policy and Priorities, is what we're going to vote on first, is that what the motion is? (Interruption)

MR. WHYNOTT: That's the motion.

MR. CHAIRMAN: Okay, that's the motion, excluding the one from Policy and Priorities and we'll talk about that after the initial . . .

MR. WHYNOTT: No, one motion.

MR. CHAIRMAN: One motion? There has been a call for a recorded vote.

MR. MACMASTER: Mr. Chairman, I'm a little confused on the motion because I understand that it has been taken - I think I'm going to vote No. It's not going to make a difference anyway, so you can record my vote as No.

YEAS

Mr. Boudreau
Mr. Whynott
Mr. Skabar
Mr. Ramey
Mr. Steele

NAYS

Mr. Younger
Mr. MacMaster
Mr. Orrell

MR. CHAIRMAN: And my vote is No.

For, 5. Against, 4.

The motion is carried.

Those items will be put in the agenda and with the indulgence and concurrence of the committee, I think if we could leave that to the clerk to set up the earliest possible date. Maybe I could ask the clerk to make some comments on that because she has been doing some work on it already.

MRS. DARLENE HENRY (Legislative Committee Clerk): It's just that the next meeting date will probably not be until the 24th, giving time for people to respond and getting a briefing package ready.

MR. CHAIRMAN: Would that be satisfactory with the committee? I understand the Progressive Conservative caucus has an out-of-town caucus before the 24th, as well, which will take another day. If we can plan around the first meeting on the 24th and leave it to the discretion of the clerk to align whichever ones we can get, considering the Legislature is going to be in place about that time. So that handles that.

Also, at our subcommittee meeting we talked about report chapters in advance of the meeting. This is something we talked about and unanimously agreed to in the subcommittee, that a week prior to a decision where the Auditor General's information - when we are going to ask questions on an Auditor General's Report, the Auditor General can give us an in camera briefing the week before for a half-hour, prior to the next week's meeting, to give the committee an understanding of where the Auditor General is coming from and just to really refresh our memory on it because some of these things are quite old on our books, let's put it that way. Does the committee agree with that? Mr. Whynott.

MR. WHYNOTT: This is simply a question and again, I wasn't at the subcommittee meeting, but is that for every chapter that is brought forward or unless the committee requests it?

MR. CHAIRMAN: It would be for every chapter and it would not necessarily be for half an hour, but we'll allow a half-hour for it - it may be very short.

Is it agreed?

It is agreed.

There is a letter from Mr. d'Entremont which has been distributed to everyone. It has been requested by the PC caucus that it not be called today.

In our subcommittee, again, there was the elimination of the half-hour lockdown for in camera briefings by the Auditor General. In other words, we took the opportunity to read the report and then we ask questions. We're proposing to eliminate the reading part of the report and let the Auditor General do a more in-depth briefing in camera to the committee and then the committee can ask questions on it. It would just save us an extra half-hour and let the Auditor General go right into it and we can read it afterward.

Is it agreed?

It is agreed.

The use of cellphones. I think we're already doing this, but it's something that had been brought up that the cellphones continue to be allowed like they were, but the ringers be placed on vibrate and nobody have any conversations in the Chamber. I can't recall a time that has ever been a problem, but just wanted to make it part of the record.

The annual report is about to be signed. If everybody is in agreement with that - Mr. Whynott.

MR. WHYNOTT: I'd like to move that the annual report for the Public Accounts Committee be accepted as presented to us by e-mail, I believe it was.

MR. CHAIRMAN: Seconded by Mr. Younger.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

Our next meeting will be approximately on the 24th and we will advise the committee as quickly as we possibly can. A motion to adjourn would be in order.

MR. WHYNOTT: Mr. Chairman, I so move.

MR. CHAIRMAN: We stand adjourned.

[The committee adjourned at 10:56 a.m.]