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# DEBATES and PROCEEDINGS

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### **Bill No. 107 – The Wildfire Act, 2013**

**Mr. Forbes:** Thank you very much, Mr. Deputy Speaker. It's a pleasure to rise today and enter into the debate on Bill No. 107, *An Act Respecting the Prevention, Management, Control and Extinguishing of Fires*.

I think this is an important piece of legislation and one that has caused a lot of debate over the years here in Saskatchewan. So I want to make a few comments about this because I think people in Saskatchewan, if there's one thing that concerns folks is the whole issue around what happens when fires get out of control, particularly when you're in the forest fringe area. But in the North . . . But even in the South I know that, you know, we have a real treasure in Cypress Hills with our forest there is now well over 100 years. I think the last major fire that went through the Cypress Hills area was in the 1880s if I remember correctly, and there's been some work, some controlled burns, and a lot of logging to control the situation in Cypress Hills. But it will be a tragedy that I think the whole province will feel if that area has and experiences a major forest fire. And that's becoming much more of a reality.

We've seen news stories, whether it's in Colorado or California. We've had the stories here in British Columbia and even in Saskatchewan, in La Ronge, P.A. [Prince Albert]. And I know when you talk to the folks from the North how meaningful this is and when they talk of just being in their homes and hearing the fires, and it's a traumatic event. While we can talk about the capital investments, clearly that's huge, but on a personal note, it's scary. It is one of the most scariest things I think imaginable, but fortunately I've not had that experience. But talking to others, it's incredible.

And we also think, even though people lose their lives fighting fires . . . I think of the 21 firefighters killed in Montana this summer who were fighting a fire. And they were trained. They were the experts in forest fires and they were the elite of forest fire fighters and were caught in a fire that went back on them. And it should never have happened, but these are major, major disasters when they do happen. And so it's important that we

consider this.

And, Mr. Deputy Speaker, I know you and I have had this discussion many times over the years about forest fires, going back a while. So it's good that we keep revisiting this. And I will want to say that I hope the minister has consulted well on this area. I know that particularly the RMs [rural municipality] that are on the forest fringe are vulnerable to significant costs. And I know when the Minister of Environment launched his consultations this spring, I understand that it caused quite a lot of concerns. And so they've retained the original 4.5 kilometre buffer zone and that has not changed, and that SARM has come on board with that. But clearly it sounds like he did get an earful this spring when he launched his consultations about this. The media stories are quite explicit about the fact that the RMs, the reeves, were just not willing and the costs were just too much. And I know that and I understand that. In my former role as an Environment minister, the costs were huge.

But I do want to say — and again it's a concern that we have with all the bills about who was consulted, glad to hear SARM was consulted — how were the northerners consulted? What was happening with that? And of course I imagine the mining association was consulted as well. Clearly mining in the North is a huge concern, because a lot can be lost by a wildfire, and of course that's the home to our uranium mines and gold mines. And so it's very important that that doesn't . . . that all the due precautions and wherewithals is taken into account.

And of course for the northerners, whether they be First Nations or Métis in the North, it's hugely important that this be taken into account and that they are consulted with how best to recognize their own property and their homes, their traplines, their sources of incomes. And how will that be protected? And so I hope that there's been due diligence in terms of consultations with the folks in the North. I know that this is a hugely important issue for them and is very telling when a forest goes through and the change in the landscape is stark and people are deeply, deeply concerned.

Having said that though, we do have to acknowledge that there is a role of fire in the ecology of forests. And as forests age, it's important that they renew in as natural a state as they possibly can, and fire is a natural part of the ecology. The unfortunate part though is that 50 per cent of the fires are caused by humans. And that's not part of the natural ecology. So that's a bigger problem, and the fact that humans cause fires closer to humans, to other humans. And so that's the other, bigger problem is that they're around homes or around commercial enterprises. And so we have to make sure that we can do more on that in terms of a pre-emptive stage.

And I do want to take a minute to review the minister's comments, because I do think that there were some concerns. And he talks about the legislation requiring “all industries, including public utilities working in provincial forests or designated parkland, to complete fire prevention preparedness procedures that will . . . decrease the number, cost, and area burned by industry-caused fires.”

That sounds very good and that's really an important part, but how do we put teeth to

that? That's hugely important, that somehow we have to make sure that happens. And so this is why I go over to the next part, where they're talking about getting rid of permits. So again, and I talked about this earlier today in terms of fire permits and how that gives us a view into what's actually happening in terms of who's burning what, when, and how that can help us in terms of better planning. But as the minister talks about the new proposed wildfire Act:

. . . will also enhance client service and reduce government administration by moving from a system currently requiring permits for all burning activities to a risk-based notification system. Only the highest risk activities will require permits in the future, Mr. Speaker. The remainder will require either a burn notification or no notification at all, if identified as a low risk. The ministry notification process will avoid the false dispatch of costly resources.

So it would be interesting to know more about this. So how much have they actually lost due to false dispatches? I'm not sure if that's a problem. And of course we had concerns earlier in the spring about towers and whether they are watched by people, are manned, they had people in them or whether they were going to be remote controlled and will that be . . . is that going to be more cost efficient or not, or will there be more fires? And again this is fires that are caused by people, that humans cause. And so we're going to . . . This'll be very, very interesting to see. I have some questions about that in terms of how much this all costs and what's going to happen.

But my concern is really to get away from the idea of permits completely. I think that there is some . . . you know, how a fire, a forest condition can change pretty darn quick from being low to being medium or intermediate. And somebody may think, well it looks like it's low right now — and it all depends which way the wind blows — and so they think, I don't need to get a permit. So they go out the next morning and start the fire. And it's going to be interesting to see how this plays out, Mr. Deputy Speaker, because if they have no permit and they're not required to have one, then are they breaking the law? Or should they have got one? But why didn't they get one in the first place just to be safe? And I bet, I bet it'll be interesting to see, that many people will actually go get a permit just to be on the safe side. Because if you have no permit, then you may be more liable because these things change hourly or could change hourly. You know, is it the condition of the fire? Is it also weather condition?

Now I think, if I'm right, there's the 30-30-30 rule — if the temperature's 30, if the humidity is, you know, 30, and the wind. So you have three factors that really can cause a problem: humidity, wind, and temperature. And all of these . . . So how do you have a permit system that recognizes . . . or not a permit system, but a risk-based notification system when all of those could be factors? Or are you going to have zones to say, listen, this Act doesn't apply in this area because it's just too complex. It's going to be something for locals to be really knowledgeable for. And I think they're just going to have to get to know their conservation officer very well in terms of what's happening here.

So I have some questions about that, Mr. Speaker. I think that's going to be one that's

going to be problematic. I know that this government has made lean as part of their mandate and are cutting back on personnel. But this is a place where, you know, when you have a disaster . . . And we're seeing more and more of these disasters, and I think if you have only one disaster and it's caused because of this lean initiative, that is tragic. And if it's going to be a major forest fire and it's because they've decided to go to a risk-based notification system and they should have been using permits, this is going to be a real problem.

Mr. Speaker, again I just want to say about the comment that the minister talked about, fully supported by SARM. And of course that's a good thing. And as has been noted in the spring about how vocal SARM was . . . and in fact we raised questions in the House about this. And the minister, you know, is trying to backpedal on that a bit saying, well you know, it's not quite right. But clearly the reeves made their points loud and clear, and it's a good thing they listened.

But I want to make a point that, has the minister consulted with all the affected stakeholders? And I'm thinking of the northerners, the reserves, the hamlets, the Métis villages, and of course the commercial interests as well, but also the conservation interest too. And of course, you know, I think that's critically important.

I want to talk just a minute too about the fact the minister recognizes that our province will align with other legislation in other provinces — I assume that's what he means, Canadian wildlife partner jurisdictions — and treat resource stakeholders consistently, including industries under the US [United States] partnership agreement. And so I'm not . . . Again we'll have questions about that, because I'm not quite sure. He's vague in terms of, is he talking about other provinces?

You know, one of the strengths of our interjurisdictional agreements, interprovincial agreements is how we can respond to other provinces' needs if things are going well here in Saskatchewan. If fires are not at their high peak, we can go help other provinces — in fact, other states. And when things are not going well here, we can count on support from other provinces. And so I'm curious to know if that agreement is still in place, and can we count on that? That's really important that we have that ability to do that. But I have some . . . I want to make sure that that is the case, that there's no sort of investing all our eggs on the New West Agreement and saying that's good enough.

I know there is a lot of talent, a lot of skills, a lot of knowledge in forest fire fighting right across the country. And if we don't make use of that, it will be at our loss, and we need to make sure that we do take advantage of that. And so when he's talking about making this fit and align with other jurisdictions, I hope that means other provinces and also the Canadian government in their areas because they also are significant players in this.

So, Mr. Deputy Speaker, I have a lot of questions about this. I think this is interesting that we've brought this up, and we do have some concerns about what the implications are for RMs, for corporations, and this type of thing. We have concerns about what does this mean in terms of the results-based platform that they have. And I think I have some real concerns about what, in terms of not issuing some permits or the different levels of what

that will be required, there may be unintended confusion. And I hope people are safe more than they are sorry, but the government needs to take some real leadership in this.

And so with that, Mr. Deputy Speaker, I know others will want to talk about other topics here so I'm going to be taking my seat. And so with that, Mr. Speaker, I will be now moving adjournment on Bill 107, *The Wildfire Act*. Thank you.