

Parks Canada Stands Alone

Throughout the years, Parks Canada—the parks service of the federal government—has been moved from one department to another, with no real status of its own. Like an orphan child, it has had to endure the vicissitudes of its foster-home department of the moment. This has ranged—apart from a few exceptional and welcome moments of positive attention—from benign neglect to indifference. All of that, however, is about to change: Bill C-29, a recent piece of federal legislation, will confer upon the parks service special operating agency status, making it a stand-alone federal agency freed from the constraints imposed by being housed in a government department.

With origins dating back to the latter part of the last century, the parks program was established in 1911 as the Dominion Parks Service, making it the longest-standing national parks program in the world. While its profile and status within the federal government have been modest, Parks Canada has enjoyed a high degree of recognition and support from the general public. Best known for the 38 national parks it administers as part of its mandate, Parks Canada also operates and interprets some 131 historic sites. Through the Historic Sites and Monuments Board of Canada, long affiliated with Parks Canada, more than 700 historic sites have been designated, and—with the exception of those within the ambit of Parks Canada—are owned and operated by the various levels of government, the private sector, or individual Canadians.

In recent years, Parks Canada—as the service has been well and widely known for the last quarter century or so—has migrated first from the departments of Indian Affairs and Northern Development to Environment Canada and, finally, to the relatively new cultural conglomerate known as Canadian Heritage. A number of factors—good,

bad, and indifferent—finally contributed to the decision to free Parks Canada from departmental control: the pressures of federal expenditure reductions and other downsizing pressures; rethinking government's purposes and most suitable structures; the Rubikian task of creating, *e pluribus unum*, the new Department of Canadian Heritage out of many diverse and not necessarily compatible elements—mimicking a model created and quickly rejected by Great Britain; and, finally, that rare commodity known as common sense. Accordingly, in the federal budget of March 1996, it was announced that a Parks Canada agency would be established, and that it would “provide better services to Canadians and visitors through simplified human resource and administrative rules and more flexible financial authorities.” The financial changes included the welcome provisions for revenue retention and rollover, which allows the agency to keep any revenues and year-end surpluses that, under the former system, would revert to federal coffers.

A ministerial round table, featuring a meeting between the Honourable Sheila Copps, Minister of Canadian Heritage, and various stakeholder organizations—including the Canadian

Nature Federation, The Canadian Parks and Wilderness Society, the World Wildlife Fund, and The Sierra Club of Canada—immediately followed the announcement. Further consultative meetings followed throughout the year in the national capital region and across Canada. However, this considerable amount of activity soon lost steam, and produced little in the way of results. As 1996 turned into 1997, interested parties were, justifiably, wondering what had become of this initiative.

Then, in the wake of the June 1997 federal elections, a new cabinet was formed and a new cabinet post created—Secretary of State (Parks), responsible to the Minister of Canadian Heritage. The Honourable Andy Mitchell, newly elected M.P. for Parry Sound-Muskoka, was named to the post. Known as something of a dragon slayer (he had defeated the pundits' choice, retired General Lewis Mackenzie, in the June election), Mitchell—a Montrealer by origin, a banker by profession, and a long-active member of the Parry Sound-Muskoka community—quickly rekindled the dying Parks Canada fire. In less than a month of his swearing-in ceremony, Mitchell organized a second round of national consultations, begin-



Secretary of State Andy Mitchell, at head of table, in consultation with stakeholders over the new Parks Canada mandate.

ning with a July 1997 meeting in Hull.

The consultative pace was refreshingly brisk. By autumn, drafting instructions were in the hands of the Department of Justice lawyers whose task it was to fashion the legislation giving the Parks Canada service distinct agency status. By early 1998, the drafting was complete, and on February 5, Minister Mitchell tabled the Parks Canada legislation—known as Bill C-29—in the House of Commons. When not in the House, Mitchell spent much

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of that day calling representatives of key stakeholder organizations, briefing them personally on the bill, and answering any questions they raised. Following tabling and first reading, Bill C-29 was referred to the House of Commons Standing Committee on Canadian Heritage for consideration and report.

The committee reviewed the bill and heard testimony from interested parties. As a result of the hearings process, the committee made several amendments to the draft legislation, most of which related to matters such as human resources and official languages. But the most telling change was to the title: originally called the Canadian Parks Agency, Bill C-29 was modified to the Parks Canada Agency.

To understand the significance of this name change, it helps to understand the background of the various stakeholders directly affected by Parks legislation. The two most prominent voices are from those concerned with environmental and conservation issues, and those with an interest in cultural heritage and historic sites. Throughout the two consultative rounds that led to the drafting of the legislation, and during the hearings undertaken by the Standing Committee on Canadian

Heritage to which the bill was referred, most of the emphasis was on the the natural or environmental component of the Parks Canada mandate. Those with an interest in the historic and cultural aspects were concerned that natural and environmental issues might predominate. The wording of the revised legislation gives considerable comfort in this regard, referring to the commemorative integrity of historic sites and to the protection of heritage railway stations and federal heritage buildings, for example. However, the initial draft title—Canadian Parks Agency—suggested a bias towards parks rather than historic sites, and during the hearings it was recommended—by Professor Richard Alway, Chair of the Historic Sites and Monuments Board of Canada, among others—that the long title of the new agency be amended to the Canadian Parks and Historic Sites Agency, to reflect the dual mandate of the service. It was generally acknowledged, however, that whatever the bill and resultant organization might be titled, the Canadian public would go on calling it Parks Canada, and the acceptable compromise, Parks Canada Agency, was struck by the standing committee.

Other concerns emerged during the various consultative stages. Those with an interest in cultural heritage matters wanted to know the fate of the Historic Sites and Monuments Board of Canada, the Federal Heritage Buildings Review Office, and other programs long associated with Parks Canada, such as those concerned with archaeology and heritage railway stations. Are they to leave the department and join the new agency? If so, will they enjoy equal or, preferably, greater protective powers? And if these functions *do* go to the new agency, how do they relate to the other heritage policy and program responsibilities of the Department of Canadian Heritage? The answers to these questions will be determined in the real world of practical, day-to-day experience.

Some—particularly those with an interest in natural heritage—expressed concern over governance. The new Parks Canada Agency will have a head who will report to the minister, but will

have neither a governing board—as most federal agencies do—nor an advisory board. Instead, there will be a biannual review process involving stakeholders. This is a novel and radical departure from the traditional accountability and governance mechanisms of federal agencies, particularly those in the cultural sector. Whether or not this approach will be an improvement remains to be seen.

Clearly, the new Parks Canada Agency will be closely monitored by both parks and historic sites elements to see if it functions as intended. In the meantime, this important program of the federal government has, at least, been given appropriate recognition, its own independent status, and the powers and the flexibility to carry out its vital mandate unfettered by departmental constraints. Secretary of State Mitchell has in record time rescued Parks Canada from its status as an adjunct program of the Department of Canadian Heritage and given it the opportunity to stand on its own, under new and better terms. Now all it needs is the chance to demonstrate that what appears good in theory will be good in practice. ♦

Editor's note: At the time of publication, Bill C-29 had passed second reading by the Senate. It is expected to be passed as law by the fall of 1998.

Brian Anthony, the executive director of the Heritage Canada Foundation, has had a long and distinguished career in the cultural sector. Heritage Canada was created 25 years ago to promote the preservation of the built heritage of Canada.

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