

ECO-JOURNAL

Volume 4, Number 4

July-August, 1994

Sustainable Economy, Process the real issue in

L.P. assessment

Update

The Clean Environment Commission wrapped up its hearings in July after a judge denied two separate injunctions against the hearings sought by a coalition of environment groups and Manitoba Keewatinowik Okimakinak. MKO has said it intends to appeal the decision, based on its argument that licensing of the oriented strand board plant will imply de facto acceptance of the company's use of forested areas within First Nations traditional use areas and areas proposed for Treaty Land Entitlement selection. Meanwhile, environment groups continue to organize opposition to the proposal with meetings in both Winnipeg and Swan River. In this issue of Eco-Journal we report on one of those meetings (PAGE 1) and take a look at the process concerns that have enraged environmentalists and led to the court challenges (PAGE 10).



The Louisiana Pacific oriented strand board plant proposed for Swan River has attracted the interest of activists of all sorts and stripes. Many not already involved directly in environmental issues joined a march from the Legislature to the University of Winnipeg for a Town Hall meeting on the issue last month. Marchers banged on drums, wore carved wooden masks, and carried the giant puppets that have become the trademark of a group known as the Industrial Workers of the World (IWW). The Town Hall Meeting drew about 300 people (in addition to the protesters) who gave a standing ovation for the activists who are resisting the L.P. proposal in Swan River.

Inside Eco-Journal

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Decisions without input pg. 10**

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SEPTEMBER 17 pg. 5**

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Choice food for choosy people ... pg. 9**

Jobs vs. Environment myth derailed

by Toby Maloney

The Louisiana Pacific proposal for Swan River may be more an issue of short term jobs vs. sustainable employment rather than jobs versus the environment as it has been portrayed.

Presenters at a Town Hall meeting in Winnipeg ranging from the Treaty Land Entitlement coordinator for Indian Birch First Nation just north of Swan

Photo by Actividiot.

See ALTERNATIVE page 12

COMPLIMENTARY
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Volume 4, Number 4
July-August, 1994

(date of issue: August, 1994)

Eco-Journal

is published six times per year by the Manitoba Eco-Network/Reseau Ecologique du Manitoba Inc. at 867 Westminster, R3G 1B3 (204)772-7542 or fax (204) 772-7563. E mail @ web.apc.org

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Subscriptions to **Eco-Journal** are available at a cost of \$15 or as part of a supporting membership to the Manitoba Eco-Network at a cost of \$25. Group membership dues are \$30. Advertising rates are available upon request.

The opinions expressed by contributors are their own and do not represent the views of the Manitoba Eco-Network or its member groups.

Publications Mail Registration Number 10086.

Postage paid at the Winnipeg Main Post Office.

Produced with desktop publishing equipment supplied by Canada Trust Friends of the Environment Foundation and Investors Group..

ECO-BRIEFS

Don't Bag It! (leave it on the lawn)

The Recycling Council of Manitoba is telling home owners to stop putting grass clippings in the garbage with a program that explains grass clippings are natural fertilizer.

The Don't Bag It program, funded by the City of Winnipeg and the Environmental partners Fund is backed by a technical research report by Turf Grass Consultant Douglas J. Cattani. Cattani reviewed work done at A & M University in Fort Worth, Texas in the 1980's, that showed lawn clippings wouldn't build up "thatch" on the lawn because they deteriorate rapidly, and that cutting more often to maintain a healthy lawn did not add to total mowing time. Indeed the report cites a study that showed a 20 per cent reduction in energy consumption as well as savings in time and expense by not having to bag.

A pamphlet on the subject claims up to 20 per cent of household wastes can be diverted from the "waste stream" when clippings are left behind. The pamphlet also suggests only watering lawns when it's cool to avoid evaporation and to limit watering to once or twice a week.

Sewage city: the Grade We Made

by Anna Matas

The cities of Winnipeg and Brandon received grades of C- and C+ in the Sierra Legal Defence Fund's National Sewage Report Card released in June. The report assigns letter grades to twenty Canadian cities, which have been compared based on their methods of sewage treatment. The criteria for the grades included types of treatment, source control and environmental law.

The Winnipeg sewer system discharges 2.5 billion litres per year of raw sewage into the Red and Assiniboine Rivers. This travels down stream to pollute Lake Winnipeg. It is the equivalent of 60 Exxon Valdez oil spills.

The 1993-94 Manitoba Eco-Network Steering Committee

Jack Dubois, Wildlife Society, Manitoba	 Chair
Sue Proctor, Harvest Natural Foods Collective	 Vice-Chair
Harry Mesman, Manitoba Federation of Labour	 Secretary
Steve Rauh, Association of Mental Health Workers for the Environment	 Treasurer
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Helen McCullough	 Winnipeg Water Protection Group
Brian Pannel	 Manitoba Environmentalists Inc.
Jason Loughhead/Danishka Esterhazy	 Manitoba Animal Rights Coalition
Sacha Kopelow	 U of W Students Acting for the Environment

In both Winnipeg and Brandon, sewage receives secondary treatment, but no disinfection. This means that through primary treatment, the sewage has been screened to remove larger solids and grit. These solids are then allowed to settle and are removed. Primary treatment does not greatly reduce the levels of suspended solids, toxins, bacteria or the biological oxygen demand of the sewage. Secondary treatment removes somewhat more of the solid by encouraging the consumption of organic material by organisms that live in the sewage. This is done through biological oxidation. Disinfection, a process that is not practised in either city removes from the sewage micro-organisms which can cause disease and renders it acceptable for recreational use (swimming and boating).

Although Brandon does not provide higher levels of treatment for its sewage, it received a slightly higher mark than Winnipeg on this report card due to the fact that it holds a Manitoba Environment Act licence and is upgrading its waste water treatment plant. The City of Brandon does not measure the quantity of raw sewage that it dumps into the Assiniboine River.

The City of Winnipeg has said that most of its discharges are related to overflows of its combined sewer and storm drain system during rainy periods. The Manitoba government, on the recommendations of the Clean Environment Commission has given the City until 1996 to study the problem and propose a plan for either disinfecting or preventing combined sewer overflows.

A copy of the National Sewage Report Card is available from The Manitoba Eco-Network Environmental Resource Centre (867 Westminister Avenue) or contact the Sierra Club of Western Canada - Agassiz group (474-6340).

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Network people

Anne Lindsey returned to the position of Executive Director on June 1. She's happy to be back and looking forward to a busy and exciting year. (Now, if baby David would only sleep through the night...). On behalf of the Network, Chairperson Jack Dubois thanked Sharon Segal for her work as Acting Director during the past year, and we wish her well in future endeavours.

Canvass director, Rick Freeman is now in the office an additional two days a week (though his hours vary), with responsibility for database management for individual members, as well as Eco-Journal advertising.

On August 1, we welcomed Janice Westlund to the position of Volunteer Effectiveness Program Co-ordinator. Recently arrived in town from BC, Janice has a strong environmental and communications background. Her most recent job was Public Relations Co-ordinator for the Ridge Meadows Recycling Society, Canada's oldest recycling organization.

Elizabeth Carlyle, Anna Matas, Noah Epstein and Sacha Kopelow have joined us for the summer as part of Manitoba Education and Training's Winnipeg Green Team Initiative (a summer youth employment program). Elizabeth and Sacha are planning EarthWalk '94 (see article below), Anna and Noah are

working on environmental outreach in various Winnipeg neighbourhoods. Toby Maloney continues as Eco-Journal editor.

We love our office space, but it's getting a little cramped in here!

Board update

At the Annual General Meeting in May, a new Board of Directors (otherwise known as the Steering Committee) was elected. Eight members of the last board are still with us: Jack Dubois continues as Chairperson, Harry Mesman as Secretary, and Steve Rauh as Treasurer, also Nick Carter, Bryan Johnson, Helen McCullough, Brian Pannell and Dennis Bayomi (Dennis is now representing the Winnipeg Vegetarian Association).

We welcome the new members: Sue Proctor, who will take over as Vice-Chair, Sacha Kopelow, Rick Penner, and Jason Loughhead and Danishka Esterhazy (who are sharing a position). Jack expressed our appreciation for the work of the outgoing Board members: Lorna Kopelow, Bill Goddard, Rhoda Rempel, Marnie Preston, Lori Polano, Celia Sarbit and Debbie Jennings.

At this time, three Board positions remain vacant. We hope to fill them over the coming year, and hopefully address the gender imbalance at the same time.

EARTHWALK '94 SEPTEMBER 17: Your chance to act, learn and contribute at the same time

The Manitoba Eco-Network is planning an environmental Walk (and Act)-a-thon, for Saturday, September 17. Earthwalk '94, the first of many, is a participation event for members and friends of the Eco-Network, other groups and anyone who wants to help out on environmental issues.

This is a good first step to getting more involved in environment issues if you aren't already, because the Walk will provide participants with a chance to "sample" some of the issues and activities in our province.

EarthWalk '94 starts at the Network's Environmental Resource Centre at 867 Westminster, passes through some of the Wolseley neighbourhood to the Riverwalk by the Assiniboine River, and ends up at the Forks. On the way, walkers will have the opportunity to stop at "action stations" set up by member groups. Each station will have a specific, simple action in which walkers can participate on their way. Entertainment and a sing-a-long will end the event at the Forks.

This is a great opportunity to learn about the work of our environmental groups, and to do some of that direct action you've been meaning to take, plus take a "fit walk" at the same time. The walk will also be wheelchair accessible.

It's also a great opportunity to help raise some badly needed funds for your favourite environmental cause. Each walker is invited to solicit sponsorships from friends and family. Proceeds will be split between the Eco-Network and the participating member groups you choose.

A sponsorship form is inserted in this issue of Eco-Journal. For additional copies or for more information please call the Manitoba Eco-Network Environmental Resource Centre at (772-7542).

REREAD: A quick flip through other periodicals & newsletters

Regulating the regulators

The Manitoba government has announced that it intends to pass legislation that would make former owners/operators of businesses that left toxic wastes behind liable for the mess they created. But in at least one other province things are already moving beyond that.

An article by environmental lawyer Dianne Saxe in *Hazardous Materials Management*, a trade journal for the hazardous waste management industry cited two cases where the province of Ontario was included in lawsuits for environmental contamination. In one case (*R. v. Kansa Insurance Company*) the courts found that the Ontario Ministry of Environment permitted pollution to occur because it was aware of the actions of a tenant and didn't enforce its regulations. In another case (*Bisson v. Brunette*) the Ministry took control of a site contaminated by a neighbouring gas bar and then did nothing to ensure the site was properly secured and cleaned. The owner sued the neighbour for the initial damage and the Ministry for allowing the property to deteriorate after it was in its care. Again the court found against the Ministry for assuming control of remediation and then not exercising that authority properly.

That happened in a province where there is actually a separate enforcement branch of the Environment Department and a comparatively reasonable level of enforcement. In Manitoba, where the Minister has always expressed reluctance about what he calls "command and control" legislation, enforcement of environmental regulations actually seems to be decreasing.

According to a brief article titled "Manitoba environmental fines a sick joke" in the latest issue of *Links Magazine* the total environmental fines assessed in the province of Manitoba for 1991-92 were a paltry \$9631. The latest annual report for the department 1992-93, released just recently according to *Links*, shows that the fines for that year decreased to \$8773, an 8.9 per cent decrease as calculated by the magazine.

The entire Summer '94 issue of *Links* is a gem. It also includes an expose of official provincial pesticide statistics grossly underestimating (by a factor of 4) the use of pesticides in the province. Other articles outline the economic decline of agriculture, and a call for shorter work hours and more meaningful employment opportunities. *Links Magazine* is on progressive newsstands and available by subscription from 735 Wolseley Avenue, Winnipeg, R3G 1C4.

In defence of unpopular members of eco-systems

There aren't too many defenders of mosquitoes, so *Eco-Journal* decided to share a letter to the editor of *Canadian Geographic* (July-Aug. 94) by Vicki Hotte of Kettleby, Ontario:

"Having lived near a Class 1 Wetland for years, I have learned that mosquitoes in the larval and/or adult stage are a food source for dragonflies, mayflies, caddisflies, water boatmen, diving beetles and certain types of birds, amphibians, and bats. Due to their large numbers and early appearance in springtime, mosquitoes have been referred to as a key link in the wetland food chain.

The National Research Council's report "*Bacillus thuringiensis: Its Effects on Environmental Quality*," raised many concerns about the effects of Bt on target insects and their predators. Bt kurstaki has been used against the larvae of gypsy moths and budworms, but it affected 200 species of moths and butterflies. Studies performed by researchers from the University of Toronto's Faculty of Forestry documented the decline in species of birds dependent on larvae in springtime. In other words, valuable predator populations were reduced.

Urban values should not be imposed on natural areas for the sake of temporary human comfort and recreation. Although slick promotional campaigns may seem tempting, we have to be sceptical about the effects of any control program. By becoming more aware of the interconnections of eco-systems we can save more than just money."

Eco-Network establishing Caucuses on Health and Education

This fall (likely October), the Manitoba Eco-Network plans to initiate two "caucuses" or working groups. One will be on the subject of Environment and Health, the other on Environmental Education. This is a call to any reader interested in working with a group on either of these issues to leave their name and number with the office, and to expect initial meetings in the fall.

We expect the Manitoba caucuses to work on a similar model to the National caucuses of the Canadian Environmental Network. Member groups from across the country with common interests in subject areas come together (often by mail or electronic conference) to work on issues pertaining to these areas. Sometimes these are joint actions, sometimes they are responses to federal government consultations. At all times they are excellent mechanisms for sharing experiences and ideas.

National caucuses include: water, energy, forests, waste reduction, oceans, environmental assessment and many others. (Groups in Manitoba are always welcome to join the activities of a national caucus, of course. Check the CEN Bulletin for updates).

Our Education Caucus will likely begin by looking at better ways to get substantive environmental information and contacts into the hands of teachers (in a way that doesn't overburden the teacher), and thus into classroom experiences.

People interested in the Health Caucus have indicated a desire to foster closer working relationships between health workers in all fields, and environmental groups. The Manitoba Caucuses will focus on Manitoba and the immediate region.

Call Anne at 772-7542 for more information or to express interest in being a member of one of the caucuses.

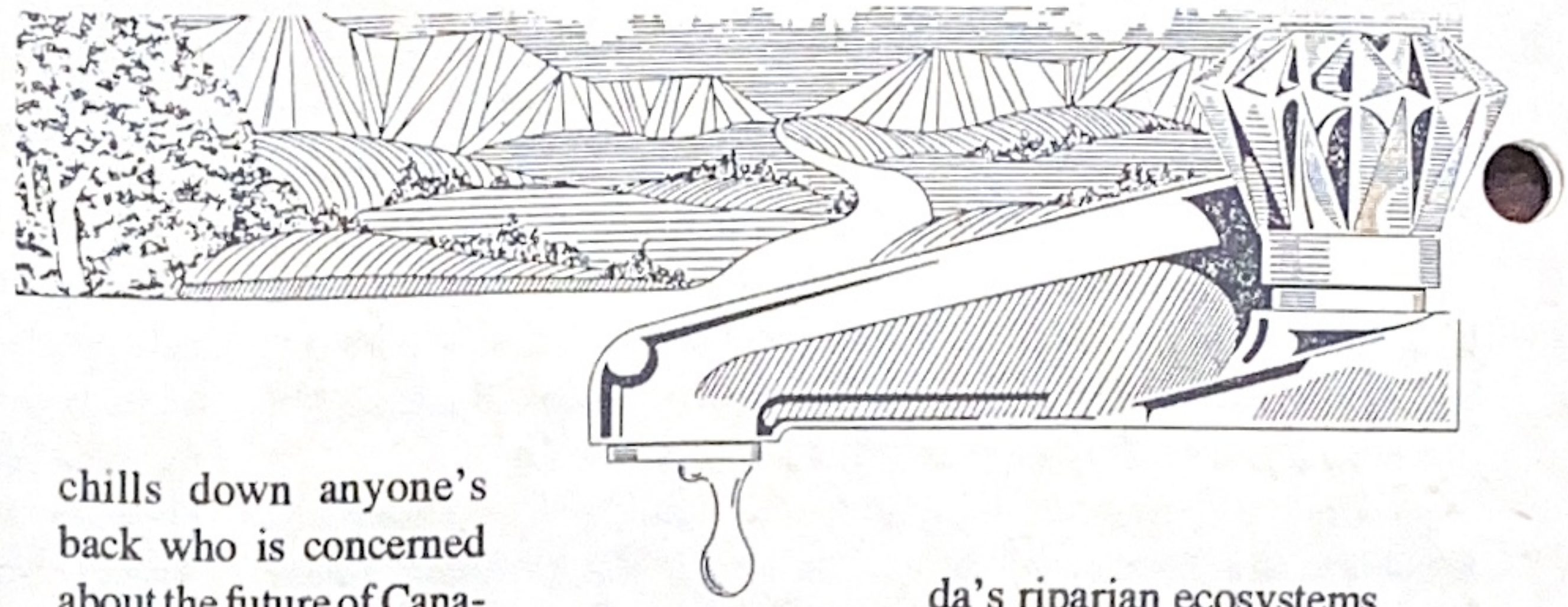
The Great Prairie Water Sale: Coming Soon to a lake or river near you!

By Don Sullivan

While activists are struggling against individual water diversion schemes, an undeclared mega-project that connects the Rafferty-Alameda and Oldman River Dams and other developments on the prairies is quietly being completed.

The proposal "Supply for the Saskatchewan-Nelson Basin" (SNB) would link various rivers and lakes in Western Canada to supply water to the United States, but has been overlooked by environmentalists. The project has been taking shape since the early 1970's, with the full knowledge of the federal government and the provinces of Alberta, Saskatchewan and Manitoba.

The project is so large in scope that it should send



chills down anyone's back who is concerned about the future of Cana-

"Water Supply for the nine volume report commissioned by the Provinces Water Board (PPWB) at a cost of \$10 million. It lists 23 diversion projects and some 55 dam schemes.

Projects which have been a tremendous source of conflict between provincial governments and environmentalists such as the Old Man Dam, the Churchill River diversion in northern Manitoba, the Rafferty-Alameda project and portions of the proposed Assiniboine River diversion are only a few of the schemes in this so called "planning process" report.

This huge water diversion and storage scheme by the PPWB is intended to supply future water needs in Western Canada for irrigation, industrial and domestic purposes. A closer look at the proposal shows there is an underlying motive to supply water to the United States. The report itself gives little or no thought to the social, economic and environmental impacts associated with a project of this magnitude.

The SNB report would:

- divert and store water along various points of the north and south arms of the Saskatchewan River. (As Canada's fourth largest river, the Saskatchewan runs the length of Alberta, Saskatchewan and parts of Manitoba)
- divert the Qu'Appelle, Souris River and Assiniboine Rivers
- transfer large amounts of water from the Mackenzie-Churchill Basin via Lake Athabasca, Wollaston Lake and Reindeer Lake, into the Churchill River system, which is then diverted to the Saskatchewan River just west of The Pas, Manitoba.
- pump the results of all these projects through a channel at the bottom of Lake Manitoba to the Assiniboine and Souris Rivers and finally into the Garrison Reservoir in North Dakota.

The premier's premiere project

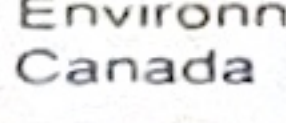
Manitoba Premier Gary Filmon drafted parts of the SNB for his Masters thesis as an engineering student at the University of Manitoba in 1969. In the introduction to "An Investigation of the Diversion of Northern Manitoba Waters Into Lake Manitoba" Filmon reveals "... the major objective of the studies are an assessment of the possible future scope of water development in Western Canada and the feasibility of water exports to the United States."

Lake Manitoba is the key to the entire SNB proposal. As the staging point for the diversion of massive amounts of fresh water into the U.S. Lake Manitoba could be diverted into the Assiniboine River and then into the Souris River followed by the Garrison Reservoir.

Another jumping off point for diverting water to the US, which is also identified in the report, is the Rafferty-Alameda Dam, which would empty water from the Souris River from the Saskatchewan side of the border.



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It is interesting to note that the SNB report identified a dam project at the headwaters of the Southern arm of the Saskatchewan River. The Three Rivers Dam, as it was known in 1972, became the Old Man River Dam. All three schemes, have been of great concern to environmentalists, First Nations peoples and local communities, but groups opposed to these projects have tended to treat them in isolation when in fact they are all interrelated.

U.S. water problems become our problem

There is no question that there has been a significant increase in the demand for Canadian fresh water, particularly in the midwestern United States, which has seen a rapid increase in population and

the expansion of unsustainable irrigation practices by large Agribusiness.

Even more alarming, between 1950 and 1980 U.S. water withdrawals increased 66% faster than the population.

The most important source of groundwater in the U.S., the Ogallala Aquifer, which stretches from South Dakota all the way to Texas, is being depleted at a rate faster than it can naturally regenerate."

Despite what the Canadian government has said, water is a "good" under the North American Free Trade Agreement (NAFTA), and as such, is subject to the rights and obligations as set out in the Agreement. The trade deal will severely limit the provincial and federal governments' ability to prevent the export of "goods".

Water exports are not exempt from the provisions of NAFTA and it seems likely that any government, federal, provincial or other, that attempts to restrict water exports or to restrict trade in water would be in direct violation of the Agreement.

To drive the point home, there was a hundred year agreement signed in 1991 between the Saskatchewan government and the U.S. Army Corp of Engineering that allows the U.S. to have unlimited access rights to the water from the Rafferty-Alameda dam at no cost. For this the U.S. paid one third of the \$150 million construction cost for the dam. Under NAFTA it would be next to impossible to get out of this agreement. Once the tap is turned on it is very hard to turn off.

Controversial diversion schemes all connected to undeclared mega-project

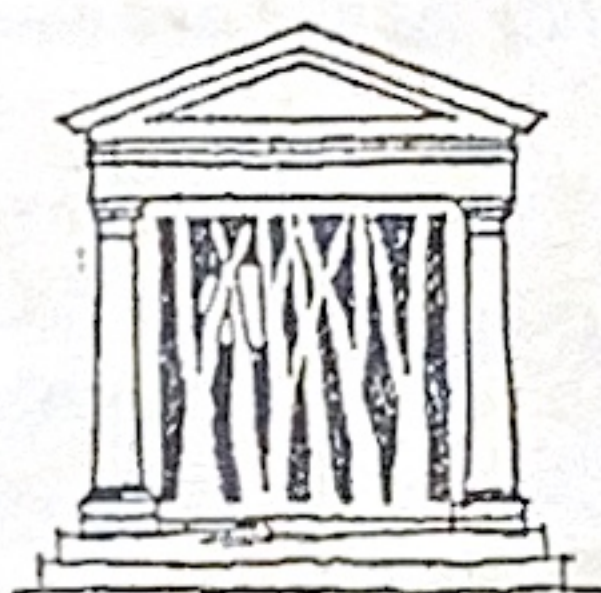
What is known is that a project such as the one described by the SNB in 1972, would have a devastating impact on the ecology. The environmental impact would include; possible climactic changes in and around the area of these diversions and storage schemes; erosion and the loss of biological reproductivity in lakes and rivers; loss of wildlife and natural habitat; the destruction of large tracks of riverbank ecosystems; the loss of fish spawning areas; adverse effects on the food chain due to the release of mercury caused by flooding; the introduction of potentially harmful species of fish, plants, parasites, bacteria and viruses into the drainage basin ecosystem.

While these factors would have enormous impact on the environment, not all the consequences of such a large scale project have been identified, as this area of research into ecosystems impact is relatively new.

In 1972 the SNB had decided that "... some consideration should be given to subjects other than water supply even though no such provision has been made in terms of reference." With this said, "... a complete study of each topic, i.e. fish, biological systems, recreation, wildlife, river regimes, water quality, groundwater and the effects of the diversions on the Churchill River systems and the MacKenzie River systems are not possible within the framework of the SNB study, so a general appraisal was made ..."

To date many of the storage and diversion plans identified in the SNB report have been implemented in one form or another. Yet the various provincial governments have never conducted a basin wide assessment of these projects and, in fact, refuse to identify these projects with the SNB report when they are clearly associated.

Continued on next page



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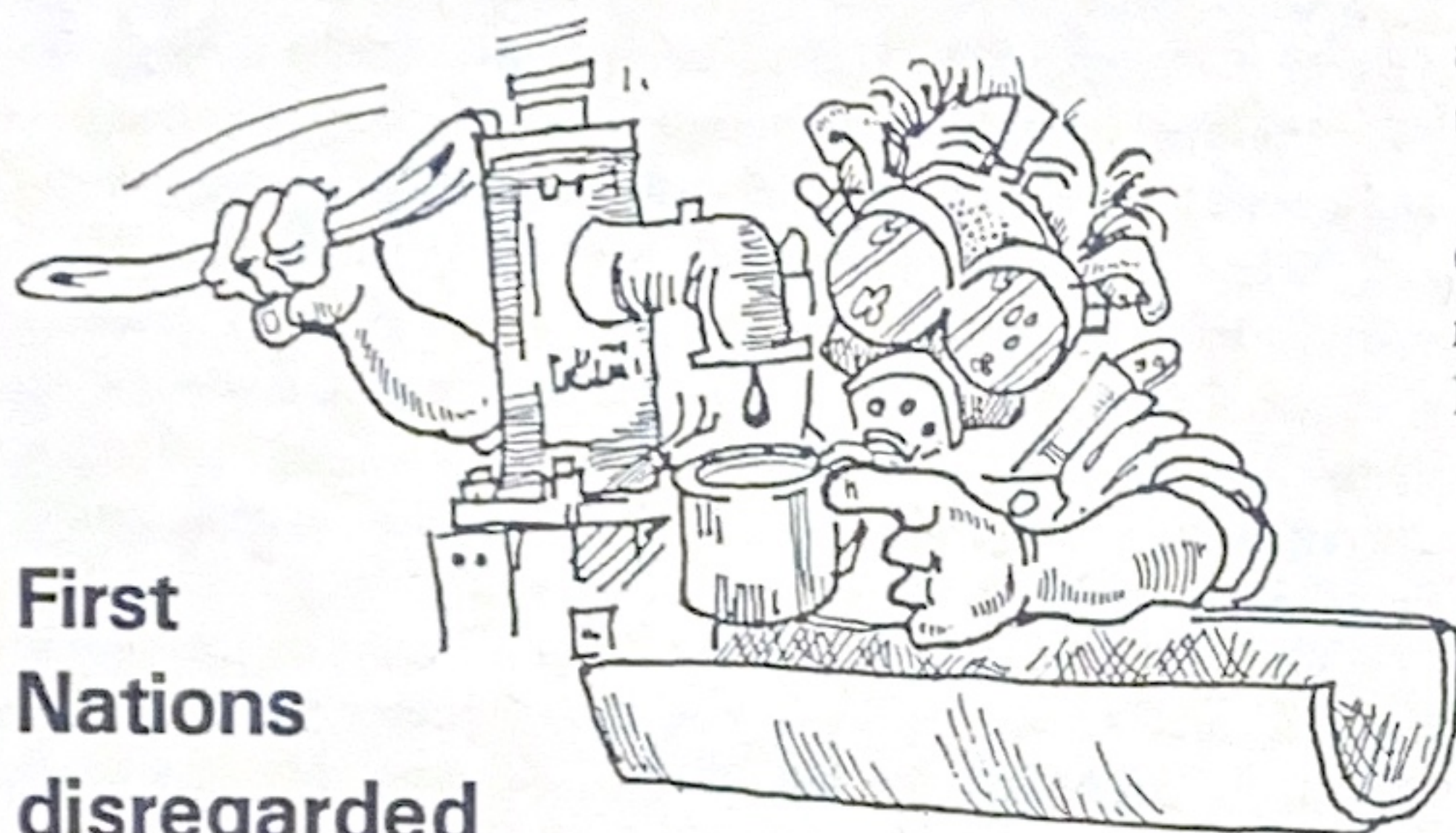
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First Nations disregarded

(continued from previous page)

The Canadian government has never addressed First Nations concerns around resource ownership in any meaningful way. The SNBB study and the follow up report in 1982 are no exception. The group most affected by such a large scale diversion and storage project would be the aboriginal people who inhabit and derive their livelihood from these waterways.

First Nations have already felt the cost of such "development" by large resource extracting projects. Hydro, mining

and forestry activity has already served to permanently alter their traditional way.

Linda Clarkson, co-author of "Our Responsibility to the Seventh Generation: Indigenous Peoples and Sustainable Development" noted that these projects do not in any way benefit Indigenous Peoples.

"Their traditional way of life is permanently disrupted, social relations are altered and family systems break down. Sacred sites are destroyed, medicines are lost. Fish are poisoned and waterways are made unnavigable and hunting areas inaccessible."

Accountability problem

The Prairie Provinces Water Board (PPWB), founded in 1948 and reorganized in 1969, made up of senior administrators from the three provinces and the federal government has been in the background during the planning and development that has occurred.

With little or no public accountability the PPWB has been able to go about the business of determining what Western Canada's water policy should be. It is also evident that the legislative branches of the various levels of government that were responsible for setting up the PPWB in the first place, have now been left out of the information loop.

Clearly there needs to be a broad public debate over the future role and mandate of the PPWB. This objective could be achieved by holding a public hearing into the role of the PPWB by a House Of Commons Committee.

The Canadian government and the Western Provincial governments need to change their water policy from one that supplies water to one that controls demand. Some work has begun on developing water policy that institutes demand side management approaches, although without a coordinated effort from the PPWB.

The Federal Government should provide a leadership role in setting the tone and direction in the area of water policy, as it is after all a national resource that should be kept from exploitation.

Finally, governments must insure that large water development proposals are subject to comprehensive public assessment that recognizes the potential basin-wide economic, social and environmental impact of such a proposal.

Until now, governments have operated on the principle of supplying water, which focuses on the altering of the environment to suit human needs.

This has lead to high water use, low water prices and serious economic, social and environmental impact. It is incumbent upon governments to break with past water practices and move quickly towards a new water ethic.

If we wait any longer, our future generations will be left high and dry.

Don Sullivan actively opposed the Assiniboine River Diversion as a member of the environmental committee of CHOICES.

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ECO-JOURNAL ADVERTISING FEATURE

Manitoba's Pollution process: How the big decisions are made without your input

By Anne Lindsey and Toby Maloney

Manitobans may be forgiven for any confusion, or (dare we say), cynicism, about the process of environmental assessment in this province. Rarely does a review of a major project take place without high drama and adversarial position-taking on the part of the participants. Quite often the proceedings end up in the courts as with Louisiana Pacific's Oriented Strand Board proposal for Swan River. But process has been a concern before with the Conawapa Generating Station application, with Repap, with the Assiniboine River Diversion and with just about every major development that comes up in Manitoba.

Because the Minister of Environment has a great deal of discretion when it comes to awarding a licence, that exposes the process to the political concerns of the government in power. With Conservative candidates for the

upcoming provincial election already touting the "450 jobs" that were "created" by the Louisiana Pacific plant, it would be extraordinary for the minister to refuse to licence.

Environment groups have charged that the process has been "fast-tracked" to exclude valid participation and avoid political embarrassment about unanswered questions or the low priority given to environmental enforcement and monitoring by the Manitoba government.

What should happen

Put simply, environmental assessment (EA) is the process of examining the potential impacts of a proposed development (such as a hydro dam, a sewage lagoon or a bridge), deciding whether or not the development should go ahead, and, if it does, under what conditions.

All developments in Manitoba are subject to the EA process as set out in the Environment Act. Essentially, anyone proposing a new (or changes to an existing) development, must file an application with Manitoba Environment. A Class designation (1, 2 or 3) is assigned - generally Class 3 developments are the "most significant", and the process begins.

A summary of the proposal is filed in the public registry (one branch of which is housed at the Eco-Network office), and notice is given in the media, so that there is an opportunity for public comments and/or objections. A copy is also circulated to other government departments as may be affected by the development for review and comment, and provided to the Chairperson of the Clean Environment Commission.

In cases where there is sufficient public interest, the Minister of Environment directs the Clean Environment Com-

mission (CEC) to hold public hearings on the proposal. He or she may also issue guidelines and instructions for the preparation of an environmental impact statement (EIS) by the proponent of the proposal. The EIS may include information such as details of environmental management processes to be used, effluent to be discharged, health impacts for workers and nearby residents, waste management strategies, and so on.

The aim is for an EIS to be as comprehensive as possible, therefore observers were moved to protest when the Department decided that guidelines were not necessary for the EIS of the proposed Louisiana-Pacific Oriented Strand Board (OSB) plant at Swan River.

What did happen

Essentially, the minister and Louisiana Pacific decided what was worth assessing, narrowing the scope of the process. It also meant that the company's EIS was deficient in the opinion of many environmentalists.

Most telling, it did not include a consideration of the impact of the harvest of forest resources which would be required to feed the plant. The CEC hearings again, were specific to the plant's impact, not the forest concerns. That reminded many of the situation with Repap at the Pas, in which a pulp mill expansion was being considered, without examining the impact of the forest harvest.

Lawyer Brian Pannell representing Concerned Citizens of the Valley and the Manitoba Future Forest Alliance asked the CEC to use its "independent investigatory powers" to initiate a study of the forest impacts implied by construction of the plant, but was rejected.

"This plant, practically speaking should not be built if it cannot be supplied by the forest resource ... It shouldn't be built for the public's sake because they do not want the forest commitment prejudiced by the existence of the facility that will have to be fed by the forest," Pannell told the Commission.

Lawyer W. G. Ryall representing Swampy

Continued on Next Page



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Continued from previous page

Cree Tribal Council and Manitoba Keewatini Okimakanak argued that the CEC did not have jurisdiction to hear the Louisiana Pacific application because the opportunity to comment on the guidelines for the Impact Statement was not provided and the Environment Minister therefore failed to fulfil the requirements of the Clean Environment Act in constituting the hearings:

"We had the minister issuing an order to have a hearing on the same day that the proposal was advertised to the public, on the same day the proposal presumably went to the departments," Ryall told the CEC. He moved that the CEC refer the matter back to the minister for input into the scope of the environmental impact statement. When the CEC decided not to do this, Ryall applied to Court of Queen's Bench for an injunction which was rejected on the basis that the CEC is only an advisory body and the minister has the discretion to determine the parameters for receiving that advice.

Pannell supported Ryall's motion to the CEC and the injunction application to Court of Queen's Bench. He inferred that the province had pre-approved the licence application by meeting with the company during the preparation of its Environmental Impact Statement.

"I for one, who receive minister's

responses measured by weeks and months, find it unusual that the minister would have so thorough and substantial a response to a proposal only a day after the proposal was filed. And it wouldn't surprise me, though I don't know, that

I, for one, who receive minister's responses measured by weeks and months, find it unusual that the minister would have so thorough and substantial a response to a proposal only a day after the proposal was filed. And it wouldn't surprise me, though I don't know, that the minister had drafts of that response prepared in advance of the filing date

... Lawyer Brian Pannell
at the CEC hearings in Swan River.

the minister had drafts of that response prepared in advance of the filing date."

He also applied for an injunction against the proceedings on behalf of his clients alleging bias in the conduct of the hearings. His main allegation of bias stemmed from the different treatment afforded to intervenors witnesses as compared to witnesses called by the Commission itself. Because the hearings were held only in Swan River, that made it difficult to hear expert testimony from anyone other than witnesses supplied by the company. The CEC allowed witnesses, for the first time ever, to testify by telephone. When the intervenors started to put this precedent to good use, the CEC said that only witnesses that were expert could use

this method. But the Commission didn't stick to its own rules when it led telephone evidence from a Manitoba Lung Association representative who was not an expert.

At a Town Hall Meeting organized midway through the hearings he was brutally frank about the value of Manitoba's assessment process:

"It won't matter what (the CEC) decide(s). The government has already decided in favour of the company."

The Louisiana Pacific EIS completely avoided any consideration of pollution abatement process other than the one the company had selected. Usually alternatives are outlined, the various benefits, risks and

costs of each are considered and a specific technology is recommended.

This continued through the hearings at which the company's representative Dan Dillworth refused to provide information about any other treatment processes or technology, even to the point of excluding consideration of the type it was forced to use by the EPA for L.P.'s American plants.

Late in the hearings, Louisiana Pacific served notice that it is now intending to install that technology, a move the intervenors are claiming as a small victory.

Another aspect of Manitoba's process that sticks in the craw of environmentalists and other intervenors is that the Clean Environment Act allows for the Minister to provide "intervenor funding" to qualified participants in the hearings. Funding would allow groups to hire their own legal and/or technical advisors to review the EIS and the claims of the proponent regarding the project, thus creating a more level "playing field."

This becomes extremely important when debates ensue over controversial scientific evidence. However there has never been a case in a provincial assessment in Manitoba where participant funding has been awarded, leaving citizen groups to scramble for dollars to cover their costs, which are often substantial. Environment Minister Glen Cummings rejected out of hand funding for participants in the Louisiana Pacific process.

The prospects for improvement are not bright in a province where taking part in a public process exposes you to being called an "enviro-freak" by the premier. For now we have a process more likely to promote than prevent pollution.

Louisiana Pacific Chronology

February 1994	MB government is in receipt of EPA documents detailing L.P. breach of air emission controls.
March - April	L.P. holds open houses in Swan River area and tells supporters to "challenge the challengers" and talks openly of a June 15 deadline for starting construction.
May 5	L.P. files proposal form by facsimile.
May 6	Proposal form filed by fax to public registries/Minister announces CEC hearings will investigate only the plant impacts and be held in Swan River only. <i>No guidelines for preparation of EIS issued. No opportunity for public to comment on guidelines.</i>
May 7 (Saturday)	Advertisements for notice of proposal and CEC hearings appear in Winnipeg Free Press.
May 9	Louisiana Pacific files Environmental Impact Statement in public registry system (except MKO which receives material on the 11th).
June 6	Public Hearings begin in Swan River.

Redefining development: A response to the proposed Act

By Harvey Williams,

TREE(Time to Respect Earth's Ecosystems)

[Editor's Note: The following is taken from the response of forestry coalition TREE to the Proposed Sustainable Development Act. To get a copy of the Round Table workbook call the Sustainable Development Coordination Unit, 945-1124. To get a copy of TREE's detailed responses call Harvey 474-9086.]

As in most proposals emanating from Manitoba's Round Table, the proposed sustainable development act assumes development to be desirable and inherently good rather than development being a response to some human need for a product or service. The extension of this is that anything in nature that is not developed has no value, and development should be pursued for its own sake.

This notion of development was evident in the Natural Lands and Special Places documents and the new Parks Act. Both called for the exploration of every nook and cranny in nature for possible economic opportunity.

The central agenda of the proposed Sustainable Development Act is one of development with development narrowly defined as economic development. The adjective "sustainable" seems to be present merely as a precautionary note.

The Round Table's decision equation for any development is one in

which economic benefits that can be quantified in dollar terms are balanced against a set of narrowly defined environmental consequences. Even the most dire environmental consequences may be subject to trade-off for economic benefits of sufficient value.

A more adequate equation would be one in which severe environmental consequences were applied as constraints on development and development was defined to encompass all actions aimed at improving quality of life. Such an equation would factor in opportunity costs (the benefit of not developing or developing differently): spiritual, recreational, and aesthetic as well as economics.

This means it would not be sufficient to conclude that a mine could be opened or a forest cut because the environmental consequences were acceptable. The effects on the quality of life of present and future generations would have to be examined and factored into the equation as well.

The concept of sustainable development as "Development that integrates environment, economy, and social factors into decision-making" fails to acknowledge the importance of many aspects of human welfare and experience as well as to respect the right of other species to exist on this planet. A more encompassing definition of sustainable development is needed: one that would focus less on economic development might be "development that integrates environment, economic, and quality of life into decision making."

Portable sawmills an alternative to clearcutting

Continued from Page 1

River, to farmer and portable sawmill operator Fred Tait, talked about the loss of economic opportunity clearcut forestry would bring to the region.

Autie said that while his community is trying to select land as compensation for treaty land that was never delivered, area is being alienated by allocations of timber rights to Repap and Louisiana Pacific. Clearcutting is a concern because of hunting and trapping on crown land and other land his elders are expected to select for their land claim and because of increased flood risk for his community.

Both Autie and his father have worked in bush camps and he wants future generations to have an opportunity to earn a living from the forest.

"If they go around stripping out these areas there won't be any jobs," he said.

Tait is a farmer near Portage la Prairie who says he would have to work an extra 200 to 250 hours operating a feller buncher (tree harvester) for

Louisiana Pacific in order to make the \$2000 he made from cutting and milling 47 trees from his own property.

"How many trees would I have to cut for Louisiana Pacific to gross \$2000?" he asked.

Tait also pointed out that his 47 trees netted 5145 board feet of lumber, 5 cords of firewood and that he was also able to sell the first and second cut slabs for cattle sheds.

Tait says his "Have Mill Will Travel" approach to custom milling is a real alternative to cutting Clayoquot Sound and the L.P. plant in Swan River.

One expert told him "Your operation isn't efficient. It's too labour intensive..." I pointed out to him that with two and a half million people unemployed in this country, that really isn't a prime consideration." Tait said that through his experience in agriculture he's come to understand that "efficiency means transfer of wealth out of the community."

National Farmer's Union president Art Macklin said that because of the economic stress on farmers in the Dawson Creek area Louisiana Pacific was able to find farmers willing to allow them to come on their land and harvest with no regulation.

"The land was completely exploited and left in a desolate state. that's the legacy I see of a Louisiana Pacific."

"Whether you have a piece of paper that says you own it or not, you can't just destroy the land. We're not the ultimate owners of this land," Macklin said.

For more information about the Louisiana Pacific operation, to get involved and to donate money to offset legal and organizational costs phone 942-4125.

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BFI plan could undermine waste minimization

A plan by BFI (Browning Ferris Industries) to open and operate a large landfill just north of the perimeter highway would undermine waste minimization efforts and take a big bite out of the city's tipping fee revenues.

The American multinational company proposes the construction of what opponents have called a "superdump" on a section of land near Pipeline Road in the Rural Municipality of Rosser about two miles north of the Winnipeg boundary. BFI says it would build a "state of the art landfill" with a waste minimization education centre on site. The landfill would have a capacity of 200,000 metric tonnes of solid waste each year.

That has drawn opposition from the City of Winnipeg which collects about \$7 million in tipping fees from BFI for waste it hauls to Summit Road and Brady Landfill. The City funds its Take Pride Winnipeg litter program and its Waste Minimization Program including some suburban recycling depots with money from tipping fees. It also stashes a fair chunk in general revenue to offset the cost of residential garbage collection.

Recycling Council of Manitoba Executive Director Glen Koroluk says the main objection to the landfill is the need cannot be demonstrated. Summit Road is slated to close in 1998, but Brady road has the capacity for at least another 75 years.

"It'll really affect waste minimization. The more space you have the lower the tipping fees will be and the less incentive there is to reduce waste and recycle," Koroluk explains.

The fear is that BFI will do more than just reduce its own tipping fee costs, and will undercut the fees charged by City of Winnipeg landfill sites to other commercial haulers such as Canadian Waste Disposal and Laidlaw. BFI owns about a third of the market for commercial and industrial garbage removal, hauling approximately 90,000 metric tonnes per year, and could theoretically accept most of the rest of the waste known as ICI (Industrial-Commercial-Institutional) from Winnipeg. While the City's tipping fees are strategically high to discourage waste disposal, they are still lower than most other major cities.

BFI has committed to waste minimization education and says it would negotiate with the City to assist with waste minimization programs. The company also intends to negotiate compensation for neighbours of the landfill site and royalties for the Rural Municipality. BFI's proposal was rejected in three adjacent R.M.'s -- Woodlands, Rockwood and West St. Paul. In the case of West St. Paul the plan was rejected amid a controversy over the company's back room dealings with local politicians including a secret visit to the company's Nashville, Tennessee headquarters.

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Solar ovens answer for Cuban energy shortages

Manitoba-Cuba solidarity

Committee help sponsor project

by Wilma Derksen (reprinted with permission
from the Mennonite Reporter)

"Once Vilma got a hold of me that was the turning point in my time in Cuba," says Joe Froese, founder of Solar Freedom Cookers.

Just back from a month in Cuba, Froese says that his proposal to build solar ovens for the poor was recognized by the director of the Federation of Cuban Women, Vilma Estin Castro, sister-in-law of Fidel Castro. She is the wife of the minister of defence and in charge of 460 daycare facilities.

"She is the high lady of Cuba," says Froese.

At her request, Froese is now filling an order for 50 solar ovens to be assembled by Cuban women. He is also designing an institutional solar oven to be used in a daycare setting and is contacting women's organizations in Canada to see if they might be interested in responding to Vilma E. Castro's plea to help women in Cuba.

Froese says the conditions in the daycare operations he toured were deplorable.

"I was totally shocked because they don't have cooking facilities. They don't have fuel. They ... send out a brigade of boys on bicycles to collect sticks so they can cook for 200 children."

Ever since the collapse of the former Soviet Union, Cuba has lost its main energy source. Froese years ago designed a portable solar oven, two feet by twenty inches, that takes just twenty minutes to heat. He has already marketed over one hundred of these ovens in different parts of the world.

Froese was in Cuba only three days when he had the chance to

invite Padro Ross, the General Secretary of the Peoples Union, and Leonel Ponzalez, president of the Inventors Association, together with their four aides to his apartment for a dinner of chicken and rice cooked in his solar oven. When they showed interest, he introduced his one condition, that the Cuban women must control the project.

"They took me seriously," says Froese. They arranged for him to show his invention at the Conference of Women for inventors, creators and scientists, and introduced him to Vilma E. Castro.

"I wanted Fidel Castro to see the solar oven. He's a revolutionary, and I'm a revolutionary because I want to solar revolutionize the world. I thought it was him I wanted to see, now I know it was Vilma."

Froese's trip was sponsored by Menno and Aggie Klassen who work with the Pastor's Peace Caravan and the Cuba Solidarity Committee in Winnipeg.

Froese hopes to go back to Cuba with the Peace Caravan in November of this year. By then he wants to be ready with the parts for 50 ovens, designs for institutional ovens and contacts with women in Canada who want to support Cuban women.

The article first appeared in Mennonite Reporter (June 13, 1994) as "Solar Cooking Revolution of the World to Begin in Cuba."

The Manitoba Cuba Solidarity committee is raising funds to supply the materials for solar ovens. The material for one solar oven will cost up to \$50 including shipping. Donations can be sent to:

*Manitoba Cuba Solidarity Committee,
Solar Project, 60 Maryland St., Winnipeg, MB, R3G 1K7.
For further information call Menno (269-2445) or George (774-8489).*

Calendar of events

August 18 to 28: The St. Norbert Arts and Cultural Centre is preparing now for its production of *Travois*, a community play. This outdoor, processional style of theatre has ancient roots and is renowned for revitalizing community spirit and creating grassroots arts communities.

Travois has been in the creation stage for over a year by many of St. Norbert's residents. It comes from the heart and history of St. Norbert, and combines the many talents of the professionals and volunteers who will participate. The St. Norbert Arts and Cultural Centre's community play intends to provide an exciting multimedia experience for everyone — artists and audience alike.

Travois will be "staged" for ten performances from August 18 to 29 at the Trappist Monastery ruins in St. Norbert (100 Rue du Monastere). For further information please call Diana or Andrea at the St. Norbert Arts and Cultural Centre (269-0564).

September 17: Don't miss your chance to participate in the Manitoba Eco-Network's EarthWalk '94. The Walk provides a chance to learn about your role in Manitoba's environment

issues and to raise money for both the Manitoba Eco-Network and one other participating group. For details see the story on page 4 or the sponsorship form included in this issue of *Eco-Journal* or call 772-7542.

September 24: Come to a Harvest Festival at Robert A. Steen Community Centre featuring an organic farmers market, children's crafts and gardening activities, workshops on various topics to do with food and agriculture and an organic festival supper with live entertainment. The event is sponsored by Harvest Collective, the Organic Producers Association of Manitoba, and the Manitoba Eco-Network.

Admission to the farmers market and the kids crafts/gardening activities (from 10 a.m. to 3 p.m.) is free.

Workshops include "Home and Community Organic Gardening (10:30 to noon) Benefits of Sustainable Agriculture (1 p.m. to 3 p.m.) and Bio-technology, chemicals or organics (3 p.m. to 4:30 p.m.). The cost is \$15 per workshop or all three for \$35. (bursaries available). Call the Eco-Network to register.

Reservations are needed for the Organic Festival Supper and Live Entertainment (from 6 to 8 p.m.). Tickets are available from the Manitoba Eco-Network at 867 Westminster (772-7542): \$15 for adults (\$10 low income) and \$2.50 for children.

New Resources

Visit the Manitoba Eco-Network Environmental Resource Centre at 867 Westminster or call 772-7542

Making connections: A Directory of Development Organizations working in southwestern Manitoba -- is pretty much as it presents itself. The directory, published by Marquis Project lists over 20 "environmental, gender, human rights, peace, agricultural and other development related programmes" operating in that area of the province. Order from the Marquis Project, 200, 107-7th St. Brandon, Manitoba. R7A 3S5.

1994 Manitoba Recycling Directory -- published by the Waste Reduction and Prevention Branch is a handy guide for those "where do I take ..." questions. The directory lists materials and services provided by dozens of groups, businesses, municipalities and regional recycling networks in Manitoba. Order from Manitoba Environment, Pollution Prevention Branch, 2nd Flr, 139 Tuxedo Avenue, Winnipeg, Manitoba R3N 0H6 or call 945-8443 (1-800-282-8069 outside Wpg).

Walleye Warriors: An Effective Alliance Against Racism and for the Earth -- this 1994 book by Rick Whaley and Walter Bresette from New Society Publishers tells the story of the struggle by the Witness for Non-violence and the Midwest Treaty Network to defend their traditional off-reserve fishing and hunting rights (protected by treaty) in north-

ern Wisconsin against racist attacks from sports fishermen, resort and cottage owners and some of their non-aboriginal neighbours. The struggle to document the attacks defused the struggle and empowered the coalition to face off against corporate mining interests. The book can be considered a manual for organizing across cultural boundaries and against environmental racism. The book is \$17.95 plus shipping and handling -- an order is available at the Eco-Network Environmental Resource Centre.

Better Bikes! A Manual for Expanded Use of Bicycles - by Tom Cuthbertson has been around awhile (Ten speed Press, 1980) but was just donated to our resource centre recently. Everyone who looks at the book is charmed by the simple gadgets, additions and improvements, illustrated with line drawings. The book takes bikes seriously as a mode of transportation, but avoids the fashion and expensive accessories approach. The book shows how to make a "people's lock" or how to convert your bike to a "people's truck" or how to lower the status of your bike by removing the decals and engraving your name on the tube as protection against theft.

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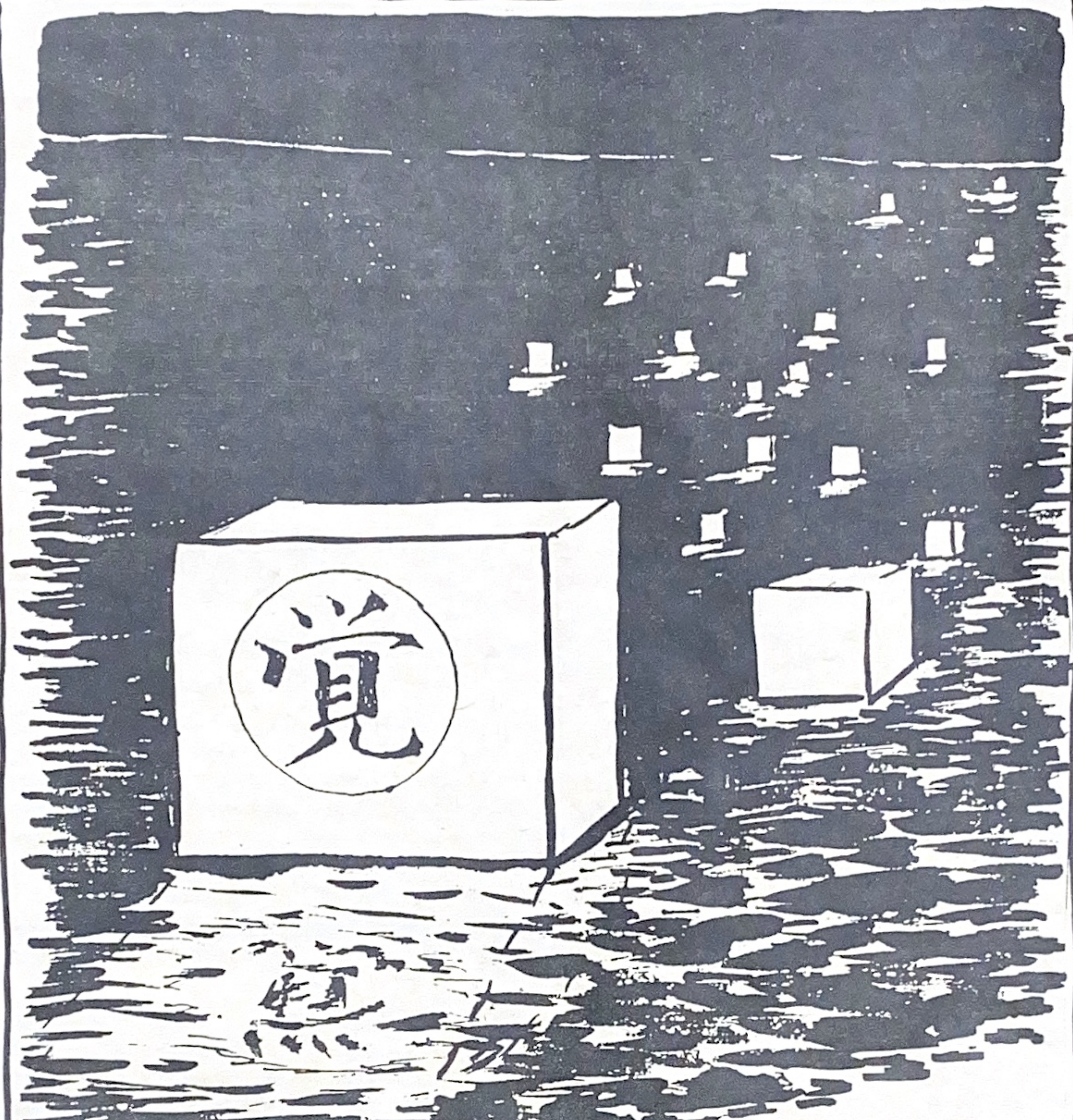
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Group members are entitled to nominate representatives for a position on the Eco-Network Steering Committee. Group membership is open to any non-governmental, non-profit group which has as one of its objectives the enhancing or furthering of environmental quality, protecting the environment or environmental education.

A supporting membership includes a subscription to **Eco-Journal** (value \$15 per year) as well as notice of events and regular updates on issues and is open to any individual.



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