

Second Session – Forty-First Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Legislative Affairs

Chairperson
Mrs. Sarah Guillemard
Constituency of Fort Richmond

Vol. LXX No. 11 - 6 p.m., Tuesday, October 24, 2017

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-First Legislature

Member	Constituency	Political Affiliation
ALLUM, James	Fort Garry-Riverview	NDP
ALTEMEYER, Rob	Wolseley	NDP
BINDLE, Kelly	Thompson	PC
CLARKE, Eileen, Hon.	Agassiz	PC
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FIELDING, Scott, Hon.	Kirkfield Park	PC
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KLASSEN, Judy	Kewatinook	Lib.
LAGASSÉ, Bob	Dawson Trail	PC
LAGIMODIERE, Alan	Selkirk	PC
LAMOUREUX, Cindy	Burrows	Lib.
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LINDSEY, Tom	Flin Flon	NDP
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SCHULER, Ron, Hon.	St. Paul	PC
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SMOOK, Dennis	La Verendrye	PC
SQUIRES, Rochelle, Hon.	Riel	PC
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YAKIMOSKI, Blair	Transcona	PC

**LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON LEGISLATIVE AFFAIRS**

Tuesday, October 24, 2017

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

**CHAIRPERSON – Mrs. Sarah Guillemard
(Fort Richmond)**

**VICE-CHAIRPERSON – Mr. Shannon Martin
(Morris)**

ATTENDANCE – 11 QUORUM – 6

Members of the Committee present:

Hon. Messrs. Cullen, Friesen, Gerrard

*Mr. Allum, Mrs. Guillemard, Messrs. Helwer,
Lindsey, Martin, Reyes, Smith, Mrs. Smith*

APPEARING:

*Mr. Wab Kinew, MLA for Fort Rouge
Hon. Ralph Eichler, MLA for Lakeside*

PUBLIC PRESENTERS:

*Mr. Glen Gratton and Ms. Tricia Schmalenberg
(by leave), Maple Leaf Foods*

Ms. Accalia Robertson, private citizen

Mr. Sheldon Stott, private citizen

Ms. Glenda Whiteman, private citizen

*Ms. Brittany Semeniuk, Winnipeg Humane
Society*

Ms. Gaile Whelan Enns, private citizen

Ms. Margaret Rempel, private citizen

*Mr. Jerry Daniels, Southern Chiefs'
Organization*

Ms. Lyame Cypres, private citizen

Mr. Johannes Soer, private citizen

Mr. Mike Sutherland, Peguis First Nation

Mr. Pita Hoyt, private citizen

Mr. Weldon Newton, private citizen

Ms. Vicki Burns, private citizen

Ms. Ruth Pryzner, private citizen

Ms. Kristin Lauhn-Jensen, private citizen

Mr. Kelly Whelan-Enns, private citizen

Ms. Louise May, Aurora Farm

Mr. Kristaps Balodis, private citizen

Ms. Marianne Cerilli, private citizen

Mr. Kevin Toyne, private citizen

Ms. Debbie Wall, private citizen

Mr. Don Flaten, private citizen

Ms. Anne Lindsey, private citizen

Ms. Michele Rogalsky, University of Manitoba

*Mr. Gord Delbridge, Canadian Union of Public
Employees, Local 500*

*Mr. Terry Egan, Canadian Union of Public
Employees, Manitoba*

Mr. James Beddome, Green Party of Manitoba

Mr. Terry Wachniak, private citizen

Ms. M.J. Willard, private citizen

WRITTEN SUBMISSIONS:

Ardythe Basham, private citizen

Robert G. Mears, private citizen

Elizabeth Cameron, private citizen

Molly McCracken, private citizen

MATTERS UNDER CONSIDERATION:

*Bill 24 – The Red Tape Reduction and
Government Efficiency Act, 2017*

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Madam Chairperson: Good evening. Will the Standing Committee on Legislative Affairs please come to order. This meeting has been called to consider—to continue consideration of Bill 24, The Red Tape Reduction and Government Efficiency Act, 2017.

I would like to remind the committee that, if necessary, the Standing Committee on Legislative Affairs will meet again on Monday, October 30th, 2017, at 6 p.m., to continue consideration of Bill 24.

As per an agreement between the House leaders, a set number of presenters were scheduled to present at these committee meetings, so tonight we will hear from the remaining presenters registered to speak on Bill 24, and you have the list of those presenters before you.

I would like to inform all in attendance of the provisions in our rules regarding the hour of adjournment. A standing committee meeting to consider a bill must not sit past midnight to hear public presentations or to consider clause by clause of a bill, except by unanimous consent of the committee.

On the topic of determining the order of public presentations, I will note that we have out-of-town presenters in attendance marked with an asterisk on

the list. With this consideration in mind, then, in what order does the committee wish to hear presentations?

Mr. James Allum (Fort Garry-Riverview): Out-of-town guests first, Madam Speaker—or, Chair.

Madam Chairperson: Is this agreed to by the committee? *[Agreed]*

Written submissions on Bill 24 from the following person has been received and distributed to the committee members: Ardythe Basham. Does the committee agree to have these documents appear in the Hansard transcript of this meeting? *[Agreed]*

Before we proceed with the presentations, we do have a number of other items and points of information to consider. First of all, if there is anyone else in the audience who would like to make a presentation this evening, please register with the staff at the entrance of the room.

Also, for the information of all presenters, while written versions of presentations are not required, if you are going to accompany your presentation with written materials, we ask you provide 20 copies. If you need help with photocopying, please speak with our staff.

As well, in accordance to our rules, a time limit of 10 minutes has been allotted for presentations, with another five minutes allowed for questions from committee members. If a presenter is not in attendance when their name is called, they will be dropped to the bottom of the list. If the presenter is not in attendance when their name is called a second time, they will be removed from the presenters' list.

I would also like to remind the members of the public who are observing the committee meeting, please do not disturb the committee proceedings by applauding or commenting from the audience.

Taking photographs are not permitted from the public gallery, as well as any audio or video recordings. And please ensure that your phones are in silent mode.

Prior to proceeding with public presentations, I would like to advise members of the public regarding the process for speaking in committee. The proceedings of our meetings are recorded in order to provide a verbatim transcript. Each time someone wishes to speak, whether it be an MLA or a presenter, I first have to say the person's name. This is the signal for the Hansard recorder to turn on the mics and off.

Thank you for your patience.

Bill 24—The Red Tape Reduction and Government Efficiency Act, 2017

Madam Chairperson: We will now proceed with public presentations.

I will now call on Mr. Glen Gratton, Maple Leaf industries.

Mr. Gratton, do you have any written materials for the committee?

Mr. Glen Gratton (Maple Leaf Foods): Yes.

Madam Chairperson: Please proceed with your presentation.

Mr. Gratton: I'm Glen Gratton, vice-president of Maple Leaf Foods, and I have here with me Tricia Schmalenberg, professional engineer and environment manager, Maple Leaf Foods. And we would like to do this as a dual presentation, if it's okay with the committee, in our 10-minute allotted time.

Madam Chairperson: Okay, Mr. Gratton. We will have to seek leave of the committee to allow for a dual presentation.

Is it the will of the committee to have a dual presentation? *[Agreed]*

And could you please provide the name of your partner in this—

Mr. Gratton: Tricia Schmalenberg.

Madam Chairperson: Okay, Tricia Schmalenberg.

Please proceed.

Mr. Gratton: Maple Leaf Foods supports the proposed changes to The Environment Act in Bill 24 and believes firmly that they will drive positive change across the province.

Maple Leaf Foods supports the proposed changes to The Environment Act in Bill 24 and believes firmly that they will drive change across the province. At Maple Leaf Foods, we exist to raise the good in food, and our vision is to be the most sustainable protein company on earth. We are actively addressing the more pressing diet-related health issues we face as a society, including reducing artificial ingredients and flavours, antibiotic use, sodium levels and continually advancing leadership in food safety.

Maple Leaf has a large presence in Manitoba. A major portion of Maple Leaf's assets and one third of its national workforce is in Manitoba—roughly 4,100 people: Brandon plant employs 2,000 people; Winnipeg plant employs 1,400 people; and Maple Leaf Agri-Farms, the hog production portion of the business, employs 740 people.

In 2015, Maple Leaf Brandon generated \$993 million in sales to North American and export markets, exporting to 40 different countries. We are responsible for \$753 million in salaries and taxes in direct economic benefit to the Canadian economy, as well as an additional \$1.25 billion on indirect benefits.

Maple Leaf is focused on continuous improvement and growth: in 2015, an investment of \$17 million in the Brandon plant, installing a state-of-the-art CO₂ stunning system and automated loin-pulling equipment. In 2016, with the support of Manitoba Agriculture, we completed \$24.1-million expansion of the Winnipeg plant. This drove an increase in bacon production by 8 million kilograms annually.

Maple Leaf foods in Brandon is not at capacity, short 15,000 hogs per week. In order to be competitive in North America, we will need to continue to invest in our nursery and finishing hog production facilities in Manitoba. This will generate further economic benefit for the province.

To support our sustainability goals, we need to be able to build modern barns that facilitate the raising pigs without antibiotics, including better ventilation systems, natural lighting within the barn, gestation-crate-free environments, enriched environments for the animals and improved energy efficiency.

*(18:10)

Ms. Tricia Schmalenberg (Maple Leaf Foods): Maple Leaf Agri-Farms is the hog production division of Maple Leaf Foods. It's headquartered in Landmark, Manitoba, with operations throughout the province, including Souris, Arborg, Winkler, Niverville and throughout many of the rural municipalities.

We produce 1.6 million hogs annually or approximately 45 per cent of Brandon's 3.4 million animals. Maple Leaf Foods is a leader in raised without antibiotics paving the way in sustainable meat.

Sustainability is a far-reaching commitment at Maple Leaf and deeply entrenched in our business. Our guiding principles are: advancing nutrition and health, valuing our people and communities, treating animals well and eliminating waste.

Our vision is to be the most sustainable protein company on earth, based on the principles mentioned and an expansive sustainability agenda that has yielded advancements in nutrition, environmental impact and elevated animal care and step-changed the company's investment in social change.

Some examples of our progress include investing \$66 million in Manitoba to convert all sows under our ownership to gestation crate-free housing. We have already completed 50 per cent of our conversions with a target completion date of the end of 2021. Fifty-eight per cent of our hogs are raised without the use of antibiotics. Over the last five years, we have averaged \$8.5 million per year in environmental sustainability initiatives in Manitoba exclusively for our farms; \$3.5 million in capital improvement projects; \$4.5 million in nutrient recycling; and half a million dollars in sampling and planning for nutrient recycling. Maple Leaf Foods has committed to reducing our environmental footprint by 50 per cent by 2025, 50 per cent less energy, 50 per cent less water and 50 per cent less waste.

We have made significant progress since 2015, including over 25 per cent reduction in energy, over 20 per cent reduction in water, over 30 per cent reduction in CO₂ emissions and a landfill diversion rate of 92 per cent.

Maple Leaf Foods is also completing a comprehensive supply and water risk analysis, life cycle assessment to further identify environmental impacts in our supply chain. We are working directly with World Wildlife Fund Canada on our water risk analysis.

Manitoba has some of the most stringent environmental regulations in North America for manure storage and application. Those regulations remain governed by the Livestock Manure Mortalities Management Regulation and the Nutrient Management Regulation. They are unchanged by the proposed changes to The Environment Act.

Fertilizer is an essential component to crop production, and manure replaces the need for synthetic chemical fertilizer. Manure is natural,

locally-sourced and it improves the soil health and crop performance.

As part of our nutrient recycling program, we sample all of the soils and manure, and apply only the manure necessary to support crop production. Manure is incorporated into the soil to ensure valuable nutrients are available for crop production and do not leave the field. We obtain provincial approval on our manure management plans. We store manure in engineered manure storage structures.

We will continue our commitment to environmentally sustainable farming practices. The protection of the environment is embodied in our provincial regulations. And we require a healthy environment for the long-term sustainability of hog farming in our province.

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Hon. Cameron Friesen (Minister of Finance): Thank you, Mr. Gratton and Ms. Schmalenberg, for being here this evening and appearing on behalf of Maple Leaf.

You made some very considerable investments in our province, and your own operation has lasted a number of years, and you are to be commended for those.

We're bringing a change in section 40.2 that would remove the arbitrary prohibition on new hog barns in Manitoba. There are some in Manitoba who would say that's not safe.

What would you say to those people?

Ms. Schmalenberg: All of the regulations that govern our spreading of manure and housing of manure are contained in the Livestock Manure Mortalities Management Regulation. The elimination of it from the act is really a redundancy reduction.

Thank you.

Mr. Wab Kinew (Leader of the Official Opposition): Thank you, Mr. Gratton and Ms. Schmalenberg, for your presentation. I notice you mentioned this water risk analysis. I was wondering if you could explain a bit more about that, what it's all about and including, you know, how it takes into account impacts on the downstream water bodies.

Ms. Schmalenberg: We have been working with world wildlife foundation of Canada to do the

analysis, and we are in the early stages of it, providing them information with our operations and the water use of our operations. I think more to the point is the manure spreading component of it and the impact that it would have on possibly any waterways. But, again, those are governed in the Livestock Manure and Mortalities Management Regulation and the Nutrient Management Regulation, including setbacks, including incorporation.

So we are very confident in our ability to keep the nutrients where we need them, which is on the field where the crops are.

Mr. Reg Helwer (Brandon West): For those members of the committee that may not be familiar with agriculture, as some are, can you perhaps explain a little better what incorporation means to a layperson? It sounds a little different, but tell us what that actually means, please.

Ms. Schmalenberg: So incorporation is incorporating the manure into the soil so that it remains covered and buried in the soil and is available for the plant roots as a nutrient. So it's not on the surface of the field; it is actually in the soil of the field.

Mr. Tom Lindsey (Flin Flon): Thank you for coming, both of you. I appreciate you taking the time to be here.

You've talked a little bit about manure management and what it means for Maple Leaf. I'm sure you're aware that Bill 24 incorporates changes to 14 other acts as well. Do you have any comment on those other 14 pieces of legislation that are about to be changed?

Ms. Schmalenberg: Our comments are specific to the changes to The Environment Act.

Mr. Helwer: Just following up on the incorporation question, once the product is placed in the soil, is it able to move? Does it bond with the soil, or does it move at all?

Ms. Schmalenberg: It does bond with the soil particles and is relatively stagnant, does not move.

Mr. Lindsey: So, to be fair, you're standing here in support of one piece of this piece of legislation. Would it be fair to say you would be all in favour of the manure management piece being a separate piece of legislation and the other 14 pieces that are incorporated in this being stand-alone pieces of legislation?

Mr. Gratton: Well, we're here in support of Bill 24. I don't think we're qualified to comment on the other part of the bill.

Mr. Lindsey: Thank you for your time.

Mr. Chairperson: Thank you very much for your presentation.

I will now call upon Accalia Robertson, private citizen.

Ms. Robertson, do you have any written submissions for distribution for the committee?

Ms. Accalia Robertson (Private Citizen): I do not.

Madam Chairperson: Okay, please proceed with your presentation.

Ms. Robertson: May I reference my laptop?

Madam Chairperson: Yes.

Ms. Robertson: Madam Speaker, Madam Chair and members of the committee, thank you for giving me the opportunity to speak here tonight.

* (18:20)

My name's Accalia Robertson. I am a resident of the electoral district of Morris, and my concern with this bill is that it gives way for only reactive response to public environmental and animal health issues. Although the current administration stresses that certain environmental regulations will remain in place, it begs the question: If the government is so supportive of these protections and why do they seek to eliminate this legislation?

So, firstly, I'd just like to address that this omnibus bill affects several key issue areas that are vital to Manitobans, and it's very concerning the amount of legislation that would be repealed and substantively altered by Bill 24. It's very concerning that the public-private partnership transparency act and accountability act would be repealed by Bill 24, although the administration, from what I heard last night, asserts that there will—they will seek out the best deal they can find, private partnership or otherwise. It's well known that capital projects' costs can be over what were originally estimated and, in any case, I believe the public has the right to be aware and have transparency on all such projects. I see no rationale behind striking this act if efficiency is indeed the primary concern.

I also think it's quite important to separate the issues within the issue of hog manure treatment. With respect to my fellow citizens who presented last night, there's a lot of concern raised about the

anaerobic digesters, whether or not they're necessary, given Manitoba's unique context. But I think it's important not to throw the baby out with the bathwater on this. Even if it is decided that these digesters are ineffective toward the goal of reducing phosphorus in our lakes and waterways, this still does nothing to justify the expansion of hog manure storage facilities, so the digesters are ineffective to that particular end. This only poses doubt on the method of treatment but has no bearing on the viability of expanding hog manure facilities and winter spreading, which is what's at stake if we eliminate sections 40.1 and 40.2 of The Environment Act.

I encourage the government to be clear about what the issues actually are and to handle them appropriately, separately, in bills specific to each unique issue.

So, although the hog industry contributes significantly to Manitoba's economy, the profitability of the hog industry is not static, so emphasis on growth in the industry does not necessarily, in the long term, correlate to economic growth. For example, in 2007 higher feed prices, a higher Canadian dollar, and the presence of porcine circovirus, PCV, contributed to a drop in the hog industry here, and I think it's important to consider what the impacts may be to taxpayers when pork producers need to check-cash-in on insurance, especially when there are bonfires, especially due to lax barn code regulation.

Further to this, I just—I believe it's really important for us to frame economic wealth in a broader sense, accounting for quality of air, water and last, but certainly not least, animal welfare. I know it was mentioned, and I commend Maple Leaf on their improvements for sustainability and the elimination of gestation crates but, I mean, I remember going to first-year university and seeing protests against gestation crates, and that was in 2006 and we're still having the same conversations today and we're saying 2024. Will we push it back again? We don't know. Thus far I've just seen the industry really dragging its heels, although I do commend what they've established so far, but I think it's important to remember that that's the equivalent of any one of us spending our entire life in an airplane seat, economy class. That's what it's like to be in these gestation crates.

So it's questionable whether we can expect the hog industry in Manitoba to expand, with respect

to environmental and animal welfare progress when, at present, the industry is so behind the times with its high concentration of animals and space. A high concentration is problematic not only for animal welfare but also for the environment.

We need to demand more of our major industries in Manitoba and it's great that they contribute, but we need to demand more, not less, if this industry is believed to be able to expand without negatively impacting the environment, then we should first have evidence that it can exist in its present state without doing so, and I think what we saw a lot of the presentations last night was that there hasn't been a ton of conclusive evidence to support that it is not negatively impacting the environment.

Now, again, I live in the electoral district of Morris and to the hog farmers who pasture their sows and use sustainable farming practices, I have no issue with this in our rural communities. To hog producers' emphasis on the difference between a farmer and a producer, as rural citizens we cannot overlook the negative impact that this very concentrated method of corporate agriculture has on the environment, human health and animal welfare.

In 2006, the Province placed a temporary freeze on the construction of new pig barns pending a Clean Environment Commission review of the hog industry. And a Clean Environment Commission data was gathered by Dr. Eva Pip, a retired University of Winnipeg professor and expert in water and toxicology. And it found that, in central Manitoba, livestock and domestic sewage contributed to most of the nitrate. And the most vulnerable waters to contamination were actually streams where a lot of the livestock area sites were found, which was 63 per cent of livestock sites.

So my home has well water. It's surrounded by intensive livestock operations as opposed to less concentrated pastured livestock farms. And there are streams and rivers running all through these areas near where I live and the community that I live in. There's no protection for the quality of our well water in our rural communities. And what the administration defines as an emergency may only be detected when harm has already been done.

Again, Bill 24 repeals meaningful legislation to reduce environmental protection and leaves us with reactive measures instead of proactive measures. Section 9(1.1), the director may reduce the frequency of required assessments for a water system to a minimum of once in every 10-year period. For

rural communities with well water, this is simply unacceptable. Sections 40.1 and 40.2 of The Environment Act would be repealed, meaning the expansion of intensive hog farming in the province coupled with reducing the frequency of our water assessment—this is completely illogical and, frankly, I believe it is reckless.

And that's all I have to say. Thank you for having me.

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Mr. Friesen: Thank you for—Ms. Robertson, for being here this evening and making your presentation.

I just want to clarify a few things. Water systems—there's no change for cities and municipal systems. This is simply about adopting changes that have been done in other provinces like Ontario, Saskatchewan. I want to also clarify for you, when it comes to hog manure spreading practices, there is no change to the government's approach. The hard prohibitions on winter spreading fully remain in place. I'm not sure if you were aware of that. And, under our changes to allow the prohibition on hog expansions to come off, Manitoba remains a province with some of the most stringent environmental regulations in North America.

My question for you is this, then: Knowing that there is no change in the government's practice of prohibiting winter spreading manure, does that change your opinion about that practice?

Ms. Robertson: Thank you for your question.

Well, it's been observed—despite regulations against winter manure spreading, it's been observed and documented. That does exist and it still occurs and that—excessive applications still occur despite regulation.

So I guess my question to you then would be: If the regulations are still in place and the government does support them, why, then, eliminate the legislation that supports them?

Mr. Friesen: Yes, if I'm allowed to answer that, I would say this: yesterday, we heard six hours of testimony of people who proudly stated that they follow the rules, they're great environmentalists in their own practice and they seek best practice all the time.

I did not hear expressed one time at committee yesterday any concern from any producer or any other group that, somehow, authorities were not properly monitoring for compliance. I didn't hear that expressed.

Mr. Kinew: Was she going to respond to that?

Ms. Robertson: I was, if I may.

Yes, with respect, I did hear of a woman who spoke from the Rural Municipality of Hanover who had observed on multiple occasions excessive application of livestock manure. So, just to clarify, that has been observed.

And—sorry, may I just ask what was the other part of your question?

Mr. Friesen: I think you answered it, yes.

Mr. Kinew: Thank you for your presentation. I think you bring up a lot of important points to consider on public-private partnerships, on drinking water, on environmental regulations.

And we heard your analysis, but I'm just wondering if maybe you could talk a bit about what your recommendations are. Like, do you favour amending the bill, do you favour withdrawing the bill? What would you like to see happen? Whether it's specific provisions, or bigger picture.

* (18:30)

Ms. Robertson: Right. I mean, I would favour—as I suggested earlier, I think it would be important to have the bill broken off into the appropriate sections. This is an omnibus bill; there's a lot packed in there. I don't think it's very conducive to, you know, public involvement to shove so many important things in one bill.

So certainly I'm not against every aspect of the bill, but I think it should be considered. I mean, lumping in the issue of anaerobic digesters, which is clearly a sensitive issue for some farmers, it's been costly and maybe not effective, is not the same as carte blanche to expand hog manure production.

And I'd also like to add, with respect to Mr. Friesen's concerns that he voiced, I think it's also problematic for us to leave regulation of the industry in industry hands, and that those legislative measures are there for a reason. And there should be an independent, you know, check—checks and balances, so.

Mr. Helwer: Thank you for your presentation this evening.

When he was minister of Conservation, the Honourable Gord Mackintosh publicly stated that 85 per cent of the nutrient loading of the lake came from the north and south Winnipeg sewage treatment plants, and you seem to blame 100 per cent on the hog industry. So I'm wondering how I can square that rationale with what the former minister said happened.

Ms. Robertson: I'd just like to clarify, if I misled you there, I don't blame 100 per cent the hog industry, although I do think it is a more significant proportion than the 1 per cent that is claimed by the industry. To that end, I think, don't we then need to take more time to investigate this and have more scientific data to really confirm this? It sounds like that happened a while ago, and since then we've had incredible expansion in the hog industry. And perhaps we should have some more independent—perhaps—but perhaps we should have some more independent research, because even looking at Dr. Pip's research alone, you'll see that there's quite a different picture painted. So perhaps we should be looking at other scientists in the field and having a second opinion. Thank you.

Madam Chairperson: The time for questions has expired. Thank you for your presentation.

I will now call upon Mr. Sheldon Stott, private citizen.

Mr. Stott, do you have any written materials for distribution to the committee?

Mr. Sheldon Stott (Private Citizen): Unfortunately, I do not.

Madam Chairperson: Please proceed with your presentation.

Mr. Stott: Thank you, Madam Chairman and the committee, for allowing me to speak here today. I'll be very brief. I'm sure you've got a lot to tackle this evening, so I'll try to keep it as short as possible.

My name is Sheldon Stott, I'm director of environmental affairs for Hylife Ltd., a pork producer in Manitoba. I've been employed with HyLife for the past 16 years, working directly in the field of agronomics and environmental management for the company. I've personally experienced tremendous change and evolution in the field of nutrient management and the environment and the environment governing it.

I just wanted to make a quick note on HyLife. HyLife is a progressive company. We're a Manitoba-made company. We were established in 1994. Two family farms came together and created what is today HyLife. Currently, we're a large pork producer in the province and own a processing plant in Neepawa, Manitoba. We have just recently invested or in the—are in the process of investing \$150 million in Manitoba for the expansion of our processing plant, construction of a new feed mill and expansion of our finishing capacity in the province, and would like to continually invest in Manitoba going forward.

First off, I would like to clearly state that myself and HyLife are in full support of the proposed amendment to The Environment Act contained within Bill 24. The inclusion of sections 40.1(1) and 40.1(2) provided no protection to the environment and unfairly singled out and discriminated against pig producers in Manitoba for political purposes. The elimination of these sections is long overdue.

The elimination of these sections of legislation will (1) in no way lead to harming the environment. Manitoba, as you've heard, consistently has some of the strictest legislation related to manure management in Canada and possibly North America. Repealing these sections of The Environment Act has no impact on the existing regulations, and they'll continue to be the strictest in Canada and North America. Elimination of these sections of the legislation will be eliminating an economic barrier that was placed only on hog producers in the province of Manitoba. Hog producers are now being treated—hog producers will now be treated fairly and equitably with other livestock sectors, should these sections be repealed. This will also allow hog producers to expand in a sustainable manner with the—within the existing regulatory system, as well as replace aging infrastructure with newer modern equipment. This legislation change will also show that this government is using sound science and logic to shape policy.

Further to my points above, just like to share a couple of thoughts with relation to anaerobic digestion as well as to the existing nutrient-management process in Manitoba.

Anaerobic digestion—the inclusion of anaerobic digestion in legislation for the protection of water quality was a misguided and politically motivated tool. The use of anaerobic digestion on livestock manure does not provide any environmental benefit

regarding water quality in the health of Lake Winnipeg. From my perspective, the use of this technology would actually make it more challenging to manage manure phosphorus as compared to our existing process. Removal of this clause makes very good sense.

Currently, we use gravity separation to concentrate manure phosphorus in our multi-cell manure storage facilities. This allows our—allows producers and ourselves to apply differing levels of phosphorus on different fields, as per crop demand and soil nutrient residual levels.

Manure management in Manitoba—as you've likely heard, Manitoba has some of the strictest manure-related regulation in North America. A recent comparison conducted by Manitoba Agriculture shows Manitoba to be the most comprehensive in western Canada and Ontario.

Just want to highlight a couple of notes from that comparison. Manitoba is the only jurisdiction where existing manure-storage facilities prior to previous regulations need to be registered and inspected for approval for use. Repairs can be ordered by Sustainable Development, and have been done. This is a very unique clause to Manitoba.

Manitoba is the only jurisdiction to have an absolute ban on winter spreading on all operations, regardless of the size of that operation. Manitoba was the only jurisdiction to govern based on residual soil phosphorus and soil nitrate levels. Manitoba was also the only jurisdiction that conducts in-field audits—that's actually going into the field and auditing the manure application activities that are taking place on the farm. To that end, Manitoba audits 40 to 50 fields from the 500 plans that they receive throughout the year.

Manitoba's also the only jurisdiction that requires annual manure management plans to be prepared and submitted to the regulator on an annual basis. These plans must be prepared by a professional agrologist or certified crop adviser. They must also be prepared by a certified manure management planner in Manitoba. These annual plans include actual soils analysis, cropping intention and also requires a confirmation of spreading indicating to the regulator how much manure was spread and where. Manitoba also requires the annual licensing of manure applicators to ensure consistency throughout the industry.

As an individual who works directly in the manure nutrient field, I can speak from experience that there is considerable due diligence performed on every aspect of the manure-management process. Even with these strict requirements, the hog industry has adapted and gone beyond these regulations in several areas. A couple examples of this: the implementation of GPS technology. Manure applicators in the province utilize GPS technology to identify exact, specific locations where manure has been applied throughout the field. We GPS our soil sample locations. We return to these soil sample locations annually so that we can better determine the trends of nutrient residuals within the soils.

We do comprehensive manure sampling on all of our operations. Producers have realized the value of manure nutrients and have increased the number of analysis to increase the precision of their application. And we conduct flow mapping. Flow mapping is routinely done where the actual flow rate is recorded at the GPS location within the field. This allows greater record keeping and accountability to the applicator on application rate and location.

Manitoba hog producers have routinely demonstrated that they are tremendous stewards of the environment, conducting themselves in a professional, conscientious manner. The hog industry is not looking for an advantage or lessening environmental regulation. Our request is to develop policy based on sound science and treat us equitably and fairly to other livestock sectors.

In closing, I would like to reiterate my support for Bill 24 and the elimination of the anaerobic digester reference within The Environment Act. This section provided no value to the people of Manitoba or Lake Winnipeg, and the removal of this clause is the right thing to do. Thank you.

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Mr. Friesen: Thank you for—Mr. Stott, for being here and making this presentation on behalf of HyLife. Thanks for your comments, also, on the anaerobic digesters. Yesterday, in almost six hours of committee, I believe there was one person only who indicated any value in that. I didn't even hear any defence of that by the members of this committee on that side who actually brought those provisions some time ago.

* (18:40)

My question for you has to do with the difference between your presentation and the one that came previous to you. That individual indicated that there was problems with the industry being left to police itself and that there was a concern about non-compliance with regulations. You told a different story here tonight. You're an agronomist, so I would like to ask you—you talked about some areas in which Manitoba really has the strictest policies. Can you just say a little bit more about some of those strict requirements and how you'd explain that to people who don't know your operation?

Mr. Stott: Appreciate the question. Manitoba is one of the only jurisdictions that I'm aware of that actively enforces regulation in the field. Other jurisdictions—and we operate some operations in Saskatchewan, and there it's more of an extension approach where they assist you in trying to change your practices, whereas Manitoba has a strict speed limit, so to speak, where if you break that speed limit, you're going to get written up.

And active enforcement being—they actively will go and inspect our manure storage facilities to ensure that they are still structurally sound. They will actively go and audit our manure management plans not only on the paper copy to ensure that we're abiding by the regulatory limits that are set out, but also do in-field audits where they will actually take samples in specific locations in the field to ensure our residual nutrient values are within limits.

Those are some of the examples of the active policing that is occurring.

Mr. Kinew: Thank you, Mr. Stott, for your presentation.

In your remarks, you alluded to steps that HyLife is taking to becoming more sustainable, and I think you kind of alluded also to the, you know, benefit to the industry, long-term, to be environmentally friendly. So, I was wondering if you could talk a bit about what more needs to be done. What more—what further steps will be taken by HyLife to become more sustainable in the long term?

Mr. Stott: That's a good question. Thank you.

I think it's about continuing the activities that we've endeavoured upon today and just building upon that and ensuring that we continue the strong level of leadership that we provided to the other producers outside of our organization and provide

leadership to them to follow suit with some of the activities and practices that we've implemented as set in stone, so to speak.

For example, I mean, GPS technology—we require all of our applicators to utilize GPS technology. There—that's a non-starter. If they don't have GPS, we do not hire them to work for us. So, that's something that we're proud of and something that we continue to do ongoing, and it's something that we encourage others to participate with, and it's something that has been actively catching on.

So it's about continuing our efforts to ensure that our practices are maintained and, yes, improved to a certain degree with some additional precision agriculture would be great, but there are limits, and I think we do a great job today, and we'll continue to do that going forward.

Hon. Jon Gerrard (River Heights): Thank you for your presentation. You've certainly done well and grown a lot as a Manitoba company, so—one of the questions I have relates to the injection of manure into the soil. What proportion of your operations would be injecting manure into the soil? *[interjection]*

Madam Chairperson: Mr. Stott.

Mr. Stott: Sorry.

Our goal is 100 per cent, but I won't say injection; it's incorporation, because we do do manure application on grasslands where we will utilize an airway, which is a modified tool that just in—creates fractures in the soil so the manure can penetrate into the subsurface. So, I can't say that we will do 100 per cent, but I would say we are, for ourselves, probably in the 90 percentile range.

Madam Chairperson: That concludes the time we have for our questions for this presenter. Thank you very much for your presentation.

I will now call upon Ms. Glenda Whiteman, private citizen.

Ms. Whiteman, do you have written materials for distribution to the committee?

Ms. Glenda Whiteman (Private Citizen): No, I'm sorry; I do not.

Madam Chairperson: Okay. Please proceed with your presentation.

Ms. Whiteman: Good evening. I would like to start this evening by saying thank you to the committee

members for being here and doing a very important job. Thank you for staying here until, I think it sounds like almost midnight last night, and probably it'll be about the same tonight. And thank you for being one of the few provinces or maybe I think you may be the only province—we may be the only province that allows community and public participation like this. So, for all those reasons, I really thank you for being here. I also want to say thank you very much to your clerks for accommodating not just my numerous emails and my requests, yes, but for accommodating me for putting me up earlier in the—on the agenda not only because I am from out of town but also because I have a disability called multiple chemical sensitivities. And so for that reason it's really hard for me to be in this room with all of you.

And when they sent me the second email about the date change, I remember thinking to myself, oh, I better mark that as very important in my inbox because I noticed that it's sooner and I wasn't feeling prepared. So that's two issues. I'm not prepared and I'm not here before you tonight with an extremely professional presentation. I don't have a single statistic, not 1 percentage for you, nothing. I'm going to talk to you about my personal experience, which is different, different for me as a public speaker and on that note I want to say that I haven't been to speaking in public for many years and I haven't been active on any issue other than maybe the—sign my name on the odd petition in the last few years. And when people have asked me how—what do I do as an activist, I sort of tell them that I'm retired. And as you see me right here standing before you, I'm actually here. You got me out of retirement on this issue. That's how important I think this is. So, congratulations to you for doing that. And here I am.

So I want to go back to your email. When I highlighted your email about the date change, I said this is really an important thing, and I clicked that button that says important. And what happened next? Does anybody know what happens when you hit your email button? I got a flag. What colour? Anybody know? A red flag. I got a red flag to warn me that this meeting had been changed. And the point that I'm trying to make here is nothing whatsoever about the date change. The flag was red. Red is an important colour. It tells us, take note, pay attention; there's something important here that you must remember. And I have a hunch that maybe red flags follow red tape. So maybe sometimes that colour red is not a bad thing. Maybe red tape is not

necessarily a bad thing. If it's out there in—for the purpose of protecting us, protecting the public, protecting the public interest, maybe we should keep some of that red tape, maybe we should really reconsider before we get rid of the baby with the bath water.

And as I was waiting to talk, I heard—I apologize I couldn't hear names, so I don't know which one of you asked the question, but you asked an earlier—a previous speaker, would it be a good idea to separate these topics from this bill. And it was not something I had planned to say tonight when I came in here, but after I heard that question, I want to say very strongly, very positively, please separate these issues; they cannot be dealt with in one omnibus bill. It is not fair, not sensible and not in the public interest. So you have all been hired, elected or hired, to take care of the public interest, and that's what your job needs to be.

I meant to introduce myself a little bit better when I started. So I'm going to back up a little bit. I want you to know I'm a mother. I'm a grandmother. I'm a teacher. I'm a vegetarian, and I'll tell you later why that's an important issue in this conversation. And as you heard, I am a former activist, now a retired activist, you could say.

I purchased property in the Interlake a little over 10 years ago. When I moved to the Interlake, a kind person, a gentleman who had lived there for his entire life, took me on a tour, and he drove me around in his vehicle and showed me where the hog barns all are and where the ditches have all been changed to be turned into rivers from the barns to the lake. So that, as I said, was over 10 years ago. And I've been waiting, and I've been patiently waiting, and I've been hoping, and I've even been praying the government's going to make it better. I know this is a problem. We have all this—we have stuff going into the lake, and I can vouch for what I have actually seen going into the lake, literally a river of effluent, pouring directly into the lake. I know this happens; I've seen it myself.

* (18:50)

So, as I understand it, you now want to make the regulations even easier for hog barns and large farming corporations to—I don't know to do what—but I can tell you that I'm terribly afraid of what it's going to do, of what it's going to do to the quality of

the water and to a lake that we have heard has not improved. We have been regulating over the past number of years, but the quality of the lake has not improved.

So my question to you, to your committee, to your government, in fact, is: How do you want to go down in history? What do you want your legacy to be? Do you want to be known as the government that saved Lake Winnipeg, or do you want to be the government that put the nail in her coffin?

So that's about all I have to say.

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Mr. Friesen: Thank you for—Ms. Whiteman, for being here and making this presentation this evening. I'm glad that you got the emails that you needed in order to get here at the right time and the right place.

I wanted to clarify for you, we share your concern about regulatory requirements. There's a separate bill we brought that's not being considered here, Bill 22, where we've asked fundamental questions about the regulatory requirements in this province, separating them into those that add value and separating them into those that don't, and, of course, making sure that nothing that we do to eliminate red tape would reduce any commitment to health and safety of persons or meeting a fundamental social—*[interjection]*

Ma'am, you'll just have to wait until I finish, to speak again—*[interjection]*—and without missing any kinds of social and key other economic and health goals, so I would want to clarify that.

Tonight you said you were coming not with any kinds of statistics or evidence. Now, we say as a government we value a science-based approach and the approach is—the changes we're bringing on some of the prohibitions for agriculture are because there was no scientific basis for the things that were put there.

And so I want to indicate to you, you talked about a pipe pouring effluent into the lakes; you say you knew it happened. I heard the last speaker say

that we have some of the most stringent environment conditions that remain in place even after this bill. And, if what you're describing is true, well, then, there would be a massive effort to decertify that individual, to take away their licence and issue fines. I'm not aware—if you have any specific information, what I would ask you to do is to send it to us, because there would be nothing that the department would want to do more than to find that perpetrator. But I've never heard such a story.

So thanks for coming and being here this evening.

Ms. Whiteman: May I clarify? May I ask him a question? Okay. So I may not have understood you correctly, but I believe you were saying that, Mr. Friesen, that you're concerned about health and you're going to make sure that all regulations are kept in place to improve the quality of health. Is that what you said?

Mr. Friesen: We've said that exactly in the pursuit of trying to eliminate an excessive regulatory burden in this province for both individuals, non-profit groups, other levels of government and business. We would make changes in such a way that there would be no negative impact on health, safety, social goals and other key policy goals.

Ms. Whiteman: Okay, then—to clarify, then, if there's no negative impact on health outcomes, then can you please explain to me how can you reduce the frequency of assessment of water quality?

Mr. Friesen: I'm happy to take the question. I'm mindful of the time, but happy to take the question, if there's support from the committee for me to answer that.

Some Honourable Members: Yes.

Mr. Friesen: Very good. Good. So, first of all, let's be clear. The part of the bill that you are talking about is changes that we've brought to semi-private and private water systems. What it's designed to do is to help the department catch the bad actors and, in many cases, what happens is you'll have a—you have a situation where someone is in complete compliance year after year after year after year but with an enormous amount of paperwork.

Because—we talk about audit penetration and the ability of departments to find the bad actors where there is a proven level and record of complete compliance. This would create some flexibility for

the department to focus on those bad actors and be able to address those more specifically.

I would also clarify to you these same changes are in place in Saskatchewan, Ontario and our changes bring us into complete compliance with those provinces.

Ms. Whiteman: I'm afraid that you didn't clarify my question, though. So how can reducing the frequency of assessments of water, how can that protect our health?

Mr. Friesen: Yes, I'm happy to answer that question.

By taking a differentiated approach. The last speaker talked about an audit penetration of 10—of approximately 10 per cent, which is a high level. I run, you know, the Department of Finance here, and I can tell you that our audit penetration is not nearly 5 per cent in this province. And that wouldn't be different from other jurisdictions. When it comes to our environmental commitment in this area, that audit penetration on-site is 10 per cent. Very significant.

So translate that to your question on water quality. It would allow that differentiation to allow the department to focus its limited resources on looking to say where are there actually bad actors. Where are there problems? Let's focus on those situations. I think that differentiation helps us to take a results-based approach and look for compliance.

Also keep in mind these changes we're bringing are exactly bringing us into line with jurisdictions like Ontario and Saskatchewan.

Madam Chairperson: The time for questioning has expired.

Mrs. Bernadette Smith (Point Douglas): I'd like to ask for leave to get a young mum pushed up that has child-care issues, Brittany Semeniuk. She's currently No. 9. If we can move her up to after the next speaker?

Madam Chairperson: Thank you, Ms. Whiteman for your presentation.

Is it the will of the committee to now hear from Brittany Semeniuk, the No. 9 on your list? *[Agreed]*

I will now call upon Ms. Semeniuk, Winnipeg Humane Society. Ms. Semeniuk, do you have any written materials for distribution to the committee?

Ms. Brittany Semeniuk (Winnipeg Humane Society): No, I unfortunately do not.

Madam Chairperson: Okay, please proceed with your presentation.

Ms. Semeniuk: Thank you, Madam Chair, for allowing me to speak. Thank you for the committee before me for allowing me to speak. And I also want to say thank you to the clerks again for bumping me up and giving me the opportunity to speak earlier in the evening, as I do have three-month-old baby at home who is also quite sick right now, and she's waiting for me to get back to her.

So my name is Brittany Semeniuk, and I am the chair of the Winnipeg Humane Society's Farm Animal Compassion Committee, on which I have been actively involved for five years. I am speaking—you today strictly from an animal welfare standpoint while I address the Winnipeg Humane Society's Farm Animal Compassion Committee's concerns regarding the proposed repeals to sections 40.1 and 40.2 of The Environment Act.

As a veterinary nurse, my passion for farm animal welfare spans my entire career. I have garnered extensive experience working directly with pigs. I have been inside hog barns. I have seen the rows upon rows of sows in gestation crates in these densely packed barns that would greatly disturb any Manitoban given the opportunity to witness this.

Pigs are highly sentient beings whose intelligence far surpasses any pet dog at home. Leading research shows that pigs show a complex array of emotions, just like us. They feel pain, they feel joy and they feel fear. Most importantly, though, an animal so fascinating and complex that is smarter than a three-year-old human child is worthy of our utmost respect.

As an advocate for all animals across Manitoba, I am gravely concerned of the impact that will result in having sections 40.1 and 40.2 of The Environment Act repealed, in addition to the Pallister government's previous decision to incorporate the Manitoba Farm Building Code into the Manitoba Building Code in January of this year, as part of their anti-red tape initiative.

Having these specific sections repealed will end a hog born–hog barn moratorium. This puts the welfare of more hogs at risk for the long-term gain of producers while already mitigating the number of employees needed on site. While we understand that the economic progress to our province is important, it cannot come at the expense of 8 million pigs raised annually in Manitoba's hog industry.

The Winnipeg Humane Society has worked closely with Hog Watch Manitoba and other community organizations over the last 15 years. We know that over these years, the tide has turned and consumers are demanding more when it comes to the food that they eat.

* (19:00)

Consumers want choice. Recent studies show that, when given the opportunity, consumers will choose to eat humanely raised meat from a farm that takes into account the welfare of an animal and its impact on the environment.

With the proposed repeals and changes, let us not forget about the five freedoms adopted by veterinarians, animal industries organizations worldwide, which were originally constructed in response to reports of inadequate livestock husbandry practices.

Consumers now expect all animals, not just their pets at home, to be treated with dignity and to have access to their five freedoms, which are as follows: freedom from hunger and thirst; freedom from discomfort by providing an appropriate environment, including shelter and a comfortable resting area; freedom from pain, injury or disease by preventing rapid—or rapid diagnosis and treatment; freedom to express normal behaviour by providing sufficient space, proper facilities and company of the animal's own kind; and lastly, freedom from fear and distress by ensuring conditions and treatments which avoid mental suffering.

While I commend the hog industry and Manitoba Pork for their improvements over the years, it is still not enough for the hogs within our province. Even with the 'revides'—revised codes of practice for pigs in 2015, there are still loopholes that ensure that sows can spend a third of their gestation works—which works out to be roughly 28 days, plus an additional seven days, which can also then be extended if the producer seems fit—so the pigs are still going to be at length in these gestation crates. The sows are then moved to either group housing or larger individual stalls until they are moved into the ferrying crates, and then the cycle repeats itself.

When stuck in these gestation crates, the pigs suffer from painful ailments like decubital ulcers, muscle atrophy, as well as severe psychological distress from chronic boredom and the denial of the ability to perform any sort of instinctual behaviours like rooting, foraging, building nests, et cetera.

Hogs that are confined in gestation crates in Manitoba are housed in direct violation of the five freedoms. By repealing sections 40.1 and 40.2 of The Environment Act and allowing the proposed 50 to 70 new hog barns to be constructed, this will directly result in 1.2 million hogs or more to suffer.

The repealing of these sections, combined with incorporating the Manitoba Farm Building Code into the Manitoba Building Code, will cause even more of Manitoba's pigs to be at risk by fanning the flames onto another issue, which is the hog barn fires.

From 2009 to 2017, approximately 30,000 pigs lost their lives in barn fires in Manitoba alone. This is according to a report from the Office of the Fire Commissioner—30,000 pigs in eight years. To put that into perspective, there are approximately 50,000 registered dogs in the city of Winnipeg, so—and pigs are extremely much more intelligent than dogs, although they are equally sentient as well.

Increasing the number of hog barn fire—this will increase the number of hog barn fires in addition to eliminating the requirement in the Manitoba Farm Building Code for full fire alarm systems and materials which pass fire resistance ratings is unacceptable. This has been previously justified on the premise that pig barns should hold low human occupancy classification and therefore do not require such strict fire regulations compared to other industrial buildings.

I'm specifically referencing the previously approved statement in regards to the Manitoba Farm Building Code, which reads: removing requirements for fire-rated separations in high-humidity environments where the building materials are unsuitable, or in areas where animals are likely to cause damage to them.

It's a complete oxymoron to classify hog barns, known to hold anywhere from 1,600 to 4,000 pigs in a single barn, as low-occupancy establishments. The very animals that the industry wants us to believe are getting the utmost care are the ones completely ignored during these amendments and repeals and the very ones put directly in harm's way.

This removal of requirements for the fire-rated separations and full fire alarm systems, while also increasing the amount of hog barns within our province, will absolutely cause more pigs to die unfathomably cruel deaths. As a result, scrutiny of pork production by the public will only increase, and the exact opposite of any economic progress that the

government and producers hope to achieve will occur because of these changes.

We need to have more compassion for hogs in Manitoba. While it's important to consider economic progress, we have a moral obligation to do better and to treat farm animals with respect and have their welfare at the forefront of every decision. These issues need to be taken into account before going forward with The Red Tape Reduction and Government Efficiency Act.

Thank you for your time and for listening to these concerns.

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Mr. Friesen: Thank you, Ms. Semeniuk, for being here tonight and making this presentation.

Section 40.1 of this legislation sees the removable—the removal of the requirement to have an anaerobic digester as a precondition for any hog expansion or a new operation. I'm not sure if you're aware, but a report by the University of Manitoba expert panel review of measures to protect Lake Winnipeg issued a report when commissioned by the former NDP government. That report said that there was no utility; there was a—there was no case to be made that anaerobic digesters actually worked. My question to you: Are you aware of that evidence, and on the basis of that evidence, do you support the removal of the anaerobic digester requirement?

Ms. Semeniuk: I am not aware of that, and I would just like you to clarify as to what that exactly would do to cause the expansion of the hog barns within our province. I don't quite understand what you're referencing to.

Mr. Friesen: I'd be happy to bring a clarification. You had talked—you had mentioned the measures 40.1 and 40.2 of the legislation. This is 40.1. We take a science-based approach. This report by a U of M study found that there was actually no case to be made why that prohibition, or I should say, why that requirement for an anaerobic digester would be made in legislation before. We're removing it at this time. You had referenced it knowing that the study that came back said there's no value to it. Do you support the removal of that requirement through legislation?

Ms. Semeniuk: I feel strongly—again, I'm coming from a welfarist point of view, and I believe that my

statistics show that, regardless as to what that previous 'studly' entailed, which I am not—I can't comment on that study because I don't know about that study, but I believe that my statistics show that regardless, the repealing of 40.1 and 40.2 will ultimately cause more hog barn fires to occur and for more pigs to suffer immensely.

Mr. Kinew: Thank you for your presentation. I appreciate the perspective that you bring of compassion for animals. I think it's important to remember that.

I wanted to—I think you mentioned at the outset that you're a veterinary nurse. That's correct? I wanted to just maybe call on a bit of that expertise. Travelling around the province this summer, heard a lot of people talking about porcine epidemic diarrhea, and it brings to mind just the prospect of other, you know, viruses or contagions that the animals might, you know, be confronted with. Wondering, you know, based on any insight you may have, whether any of these changes might affect conditions like that being present in our province.

Ms. Semeniuk: I think that porcine epidemic diarrhea is a very serious issue. In the past three years alone, the statistics for that specific disease has skyrocketed, and I would like to point out the correlation that, for example, the last hog barn fire that made national attention was where 3,500 pigs lost their lives in this fire, that barn tested positive for porcine epidemic diarrhea, and as a result, I think the industry does not have that specific disease under control right now, and there is a lot of talk about how to get that under control, and I think, as a result, a lot of producers are panicking and they find it much easier to go along with this repealing these regulations strictly for the fact that the fire regulations will be decreased and if their barn does go up in flames, then it's easier to potentially work with insurers versus having to treat, you know, thousands and thousands of pigs, and it is a very serious issue that they are dealing with right now.

Mr. Gerrard: Just let me give you an opportunity to clarify what are you asking for in terms of the more humane treatment of hogs? *[interjection]*

Madam Chairperson: Sorry, Ms. Semeniuk.

* (19:10)

Ms. Semeniuk: Oh, sorry.

Thank you for the question. I believe there are two answers for that. There is the realistic answer

and then the ideal answer, and so I will briefly touch on the realistic approach, and I do believe that current practices for hogs in our industry need a complete overhaul, as it is happening right now, to reduce the amount of pigs that are confined within these barns. Moving from gestation crates to group housing is just one aspect of the welfare for these pigs. There is—thus far, there are enrichment practices in place in barns, but it's not enough for such sentient intelligent animals.

So, going forward, I do believe that the pigs—more effort has to be made for their social dynamics, for their intelligence and to have, you know, proper bedding, proper enrichment in these barns, and right now it's completely lacking.

Even with sow group housing, they're still lying on concrete slabs. There is no ability for these pigs to forage and nest, and they spend 60 per cent of their days on farms where they can go out onto the grass in the pasture. They spend most of the time foraging and there's no opportunity for that in hog barns in Manitoba.

And so, just for those specific instances, we have to acknowledge that and we have to do more for their instinctive behaviours.

Madam Chairperson: Thank you for your presentation. We are now out of time for questions.

I will now call—oh, pardon me—we've had a request from No. 7 on our list, Ms. Gaile Whelan Enns. She has a family situation she has to deal with. Would she be able to—is it the will of the committee to allow her to present at this time? *[Agreed]*

So I will now call upon Ms. Gaile Whelan Enns.

Ms. Whelan Enns, do you have any written materials for distribution to the committee?

Ms. Gaile Whelan Enns (Private Citizen): No, I do not.

Madam Chairperson: Please proceed with your presentation.

Ms. Whelan Enns: And thank you to the committee and the Clerk's office.

I would appreciate about a three-minute warning, if I could ask the Clerk's office for a little bit of help with that.

Madam Chairperson: Is it the will of the committee to have a three-minute recess—my apologies; I didn't understand. You would like me to let you know when it's three minutes. I apologize.

Ms. Whelan Enns: Yes. I'm sorry. I've never been to a—*[interjection]*

Madam Chairperson: Please proceed with your presentation.

Ms. Whelan Enns: Okay. Thank you for the opportunity to be here this evening and thank you for accommodating my situation this evening in terms of needing to speak a little sooner. I'm going to self-identify because I am sometimes viewed as wearing different hats in Manitoba.

So I am the director of Manitoba Wildlands and have been for some time. I'm also the—a Manitoba board member on the Climate Action Network for Canada. I'm the principal in Whelan Enns Associates and most of our clients are technical servicers of First Nations in Ontario and Manitoba, and my family home has, for over 40 years, been in the Morris municipality. So I am, with a little bit of analysis, but I'm mostly here as a property owner.

Okay. I do have some questions, and they have been asked by other speakers I've heard so far this evening, and the obvious one is why an omnibus? This limits the ability to 10 minutes for members—citizens of Manitoba to speak to any of or a multiple of, I don't know, is it 15 acts—any new changes.

The only other one I can remember was the Save Lake Winnipeg bill, which the PCs of Manitoba voted in favour of when in opposition, and that one was a little gruesome to deal with because it was, I think, five laws changed.

The next question, I guess, that I have in front of me is why the reduction in access to information and requirements to report to the Legislature. So this is a general question of you that is evident in a few of the changes, okay, in Bill 24.

The reality of it is that reduction to public information, reduction to public access to information is not a reduction in red tape. It is a reduction in access to information and it can, in fact—well, it can end up causing problems one way or another. That lack of access to information can come back and bite us all, so you know which areas in Bill 24 apply to that.

The next obvious question is why we're having these changes regarding industrial animal operations,

specifically, hog barns, and I understand that I've heard this evening that they are based on science and technical and economic study and so on. What I've been wanting to hear, though, is exactly whether all of the technical studies and scientific studies and work that was done up until the time the moratorium was put in place in Manitoba have been reviewed and updated as in—it's not clear what's been studied and what the basis is.

I'm also sort of wondering where the Manitoba government's plan for Lake Winnipeg is, because that's clearly what's on peoples' minds this evening. And it is a simple fact of all of our lives that animal pollution and polluted waters from animal operations—including from the United States—are one of the most significant risks to Lake Winnipeg. So we are maybe risking a whole lot more of that issue.

The federal responsibilities to do with Lake Winnipeg don't cancel my question in terms of where is the Manitoba government's plan for Lake Winnipeg, nor does the refunding of what is an insufficient fund for Lake Winnipeg sufficient. And we are talking about maybe the most endangered lake in Canada—certainly the least-studied great lake in our country. And it's ours. It's ours to take care of. Aha.

Sometimes I ask whether I can be heard. Can I be heard now? *[interjection]* Okay. And thank you for the help. It actually is pretty hard to hear from the back of the room this evening, so I should have been a bit more conscious of that.

One of the things that I have had occasion to say in public and on the record and in correspondence over quite a long stretch of time is that it's very, very long overdue for all Manitoba water permits, including all of the pieces of permitting for water infrastructure, irrigation permits and so on to be public in our province. There's lots of jurisdictions where this is done. Okay? And any jurisdiction where this kind of information is public—especially, again, we're talking public lands and public waters—benefits in decision making, in quality of life, in quality of environment. I would suggest benefits economically, also, if you think of it as a layer cake where we have to take care of all the layers and make sure they're all good to eat.

So governments could, in fact—and our government could, in fact, be saving a lot of money, improving decision making, assisting the municipalities, the developers and citizens if we

were, in fact, making all of the information about use of water in our province public.

Now I have a story I want to tell. I'm going to—it's got two parts, and it's the main reason I'm here this evening. And it starts with gee whiz, my car was vandalized. So, at the end of August, my car was vandalized. I'm getting around to getting it fixed. This happens in the Exchange District. It's no big deal except that I have driven, then, with a car with a plastic window. So on—at the end of September, the last Friday in September, I was doing my Friday evening drive down Lagimodiere, down 59, across to Niverville to 200 and driving home. It was a—we've had a fantastic fall. It was a beautiful day, a beautiful evening.

Well, guess what? If you've got plastic over your window—that night—it was about 35 to 40 minutes of stench. So the question is: If the regulations that have been in place and what's in The Environment Act so far regarding industrial animal operations hasn't taken care of the air pollution issue, then what are we doing? Okay? We just doing some kind of trade off, not talking about what we're trading off? What are we doing? I drove past a couple of suburbs with—full of homes that are three and four and \$500,000 homes while I was driving through the stench. Right?

So, if the regulations we're taking off didn't work well enough, then we really do need a whole plan rather than some things we're going to take away. And that's my concern. That's why the reference to where's the Lake Winnipeg plan, okay? So we don't necessarily know what the results are going to be, but the moratorium happened for a reason, and it wasn't just because a few people yelled and kicked the wall. Okay.

The second part of my story was—is the evening of October 20th. Another beautiful fall evening. Exactly the same thing. Forty minutes of stench.

Now, if you don't live in the valley, you don't understand about having to close your windows. You don't understand about how, if the day's been good and you leave the windows open on a beautiful summer evening that the slurry is mixed in the middle of the night. Okay? And you don't necessarily understand that it's bad for the economy.

* (19:20)

So let's take a quick moment to think about what an externality is. An externality is everything in our economy and environmental decision-making that we do not value or put a cost on or charge for.

So we have a whole lot of aspects to this discussion, this part of this omnibus, that aren't necessarily getting enough attention. I don't know that we're charging enough for water for hog operations. I don't know whether or not they have strong enough incentives to avoid this kind of stench and pollution. I don't know whether we're, in fact, charging enough in terms of the administrative costs to the public purse for what's going to be an increase, apparently, in hog operations, and I don't know whether there's security deposits on every single pit in the province.

And I don't—I haven't heard anybody yet say anything about what happens to property values. So, double the number of hog barns I drove by on those two beautiful Friday evenings in the valley, and stop and think for a minute.

Tourism is definitely affected. I can talk some more about some parks that aren't getting near the traffic because of what's located near them, and there's a lot of concern about property values throughout the valley.

There's also a myth that somehow or other there's a wall around a municipality and the decisions in terms of which hog operations are in that municipality don't affect anywhere else. Well, that's not the way the map in the Red River Valley is drawn—is drawn. You know, you can have—we've got eight east of us, two municipalities away, okay?

I'd like to know where all the watershed plans are, okay? And I'd like to know where all the updated planning district plans are in southern Manitoba, because they all—I need it at the same time, as in you—I'm repeating myself. Where's the whole plan, right, versus two regulatory changes?

I think I'm at three minutes.

Madam Chairperson: Ten seconds.

Ms. Whelan Enns: Ten seconds. Well, I was going to invite the MLAs and Cabinet ministers, both sides of the table, to take the drive with me next time. We have a beautiful fall evening. Try opening your windows.

Madam Chairperson: Your time for the presentation has expired. Thank you for your presentation, and do members of the committee have questions for the presenter?

Mr. Friesen: Thanks, Ms. Whelan Enns, for being here on behalf of Manitoba Wildlands and making your presentation. I'd go for a drive with you, but just

make sure you get that window fixed first, otherwise the plastic flaps around. It's very noisy. I've been in that situation.

You had asked, why the omnibus approach? And I know I've heard members of the committee try to get support for their position that it shouldn't be an omnibus approach. Thank you for referencing Bill 46, The Save Lake Winnipeg Act. Let's be clear that that was the act that put these—some of these provisions in place. That act was an omnibus bill. It was amending five different acts at one time. As a matter of fact, in the last six years, there have been over 40 bills the NDP has brought to amend multiple acts at once.

The fact of the matter is it's a common approach when there's a thread or a theme, and in this case, the theme is reducing red tape. So, thanks for asking the question.

Question for you that I had was—and I heard your comments about odour. And those can be very real, and setbacks are very necessary in those buffer zones, and those are adhered to. I understand that industry gets better and better at managing odour issues. I just want you to be aware—some people have referenced this and expressed concern. Were you aware, in the provisions of this bill, that there are no changes to the government's practice of prohibiting winter spreading of manure?

Ms. Whelan Enns: Yes, Mr. Friesen. That's exactly why I'm speaking to it. I am basically saying if the regulations we've got aren't good enough, hence my story, then what's the result going to be and what are we going to be talking about two or three years down the road?

Mr. Kinew: Thank you, Ms. Whelan Enns, for your presentation. I think that a lot of times when we look at rules that are put in place, it's about protections, right, you know, protections for health and safety, protections for water, protections for quality of life. And these things are important in many areas and, you know, they do deserve due consideration. You know, sometimes there's a balancing act necessary.

But I'm wondering, you know, if we were to look at your comments from the other side, you seem to suggest that the status quo was not meeting your needs.

What recommendations do you have? Like, I'm just curious to hear. *[interjection]*

Madam Chairperson: Ms. Whelan Enns.

Ms. Whelan Enns: Sorry. Thank you for the question, Mr. Kinew.

I wish we'd been reviewing about three or four years ago, okay. You know, that's water under the bridge.

But I guess I do lean to putting into bills very specific, transparent and public reviews, particularly, for instance, when you put a moratorium and a variety of new elements into The Environment Act. I think that, well, we should stop talking about how if you plant a lot of trees around your barns that'll take care of the fumes. That's one thing we should stop doing.

I think the industry needs to get a whole lot smarter faster about air pollution and odour. And the idea, like I say, of having another eight or 10 nearby is a little bit daunting. I don't know the—this bill well enough or the previous one, and I am confessing that in terms of workload right now, but there has to be equipment that could be installed, that should be installed and should be in every barn.

Mr. Gerrard: I'm just wondering, whether from your observations at the time, when you had the—all the odour the two evenings, was that because there had been hog manure spread on the land? Was it not injected into the land and spread on the surface, and that's why it was so odoriferous? *[interjection]*

Madam Chairperson: Ms. Whelan Enns.

Ms. Whelan Enns: Thank you. Sorry, that's a very good question, and it's one of the things I was trying to figure out as I was driving, except it was—it got dark. So I don't believe I was dealing with spreading, but I don't know that for sure. And it—because I don't do this drive and do this commute every day, I'm less able to make that comparison. I watch the barns nearest my destination, and I'm usually aware of when they're spreading. But I don't have the full answer for you, because I was—couldn't figure it out.

Madam Chairperson: The time for questioning has expired. Thank you for your presentation.

I will now call upon Ms. Ruth Pryzner, private citizen. Is Ruth Pryzner in the room? Ms. Pryzner will be moved to the bottom of the list.

I will now call upon Ms. Margaret Rempel, private citizen.

Ms. Rempel, do you have any written materials for distribution to the committee?

Ms. Margaret Rempel (Private Citizen): I do, Madam Chair.

Madam Chairperson: Please proceed with your presentation.

Ms. Rempel: Thank you very much for the opportunity to participate in these hearings.

I'm the owner-operator of a diversified farm southeast of Winnipeg near Ste. Anne. My son is also a partner in our family farm enterprise, and we employ three persons full time.

Our farm includes cropland of 1,600 acres, as well as a 500-sow, farrow-finish facility-hog facility; a herd of goats raised for meat; pasture-raised chickens; and a direct-to-consumer meat sales business.

I'm here this evening to speak in support of Bill 24, as it is, in my opinion, a necessary and reasonable housecleaning act.

I especially wish to reinforce the repeal of the requirement for an anaerobic digester for new and expanding hog operations in our province. That requirement was completely unreasonable on many counts, including that cold 'weader'-weather-or, cold climate digesters are not efficient, requiring more energy to operate than they're able to generate. Adding a cost of a million and a half to two million dollars to a construction of a hog barn ensured that the option was completely unattainable. Digesters do not eliminate phosphorus from manure, so the claim that digesters are needed to protect Lake Winnipeg is bogus.

* (19:30)

Livestock manure is a very valuable resource to me as a farmer. As a high-quality organic fertilizer, it provides superior nutrition for growing crops, contributes significantly to the building of healthy soils in the long term and, of course, is a local product and a renewable product. In any given year, only 2 to 3 per cent of the cropland in Manitoba receives an application of livestock manure, and that includes all livestock sectors, hogs, beef, dairy and poultry. I have long maintained, and I've been 'forting'-farming for 40 years, that the best possible farming practices include the integration of raising livestock and growing crops, the most sustainable way to build healthy soils and provide quality food.

Raising about 12,000 market hogs annually on our farm provides only enough manure to fertilize about a third of our cropping acres. All the manure

is injected beneath the soil surface to maintain maximum fertility benefits and to prevent runoff or volatilization. It is certainly our preferred crop fertility product. We adhere to the highest standards of manure storage and manure application as outlined in our mandated filing of annual manure management plans. Manure sample analysis as well as annual soil tests are matched to provide the requirements of the crop that will be grown in the particular year.

While we follow strict environmental rules, it is disconcerting and discouraging to us as farmers to see nearby villages and towns routinely releasing the untreated contents of their lagoons directly into drains, ditches and waterways. Sadly, the City of Winnipeg also has a rather poor track record when it comes to releasing untreated sewage into our rivers and lakes as well. Frequently, the agriculture sector has been most unfairly blamed for contributing phosphorus to Lake Winnipeg waters, which we find to be highly discriminatory and offensive.

Increasing—I will just make one additional comment that isn't in my paper. Listening to the last speaker, I don't know of any village, town or city that locates their sewage lagoon inside their boundaries. They put them all on farmland. I'm surrounded by many hundreds of acres of sewage lagoons from towns, cities and villages around me, and, you know, you can complain about odour from agriculture, but you don't tolerate your own odour; you make someone else tolerate it. So, bit of a double standard.

Increasing the number of livestock being raised in our province would contribute significantly to increasing the long-term health of our soils, which is what sustains all of life on this planet. To the extent that Bill 24 removes unreasonably prohibitive requirements on the construction of hog facilities, it is one step in the right direction.

Thank you.

Madam Chairperson: Thank you for your presentation.

And do members of the committee have questions for the presenter?

Mr. Friesen: Thanks, Ms. Rempel, for being here this evening and making your presentation.

We heard previous speakers say tonight that Manitoba has some of the most stringent environmental regulations in all of North America when it comes to practices, and it sounds to me, from your presentation, that you share that commitment to

making sure you're following best practice. What do you say to people in the room who don't know your operation so they'd know a little bit more about your commitment to sustainable practices?

Ms. Rempel: It's an ongoing challenge to continue to keep people updated on present-day agriculture. We operate very differently than 50 or 100 years ago. For those people who like to—who think that it's a utopia for piglets to be running around outside, I have seen operations like that where pigs were cold, wet, shivering, stressed, and I feel incredibly sorry for those pigs. I compare them to the animals in my own barns who are comfortable, climate controlled; the floors have heating and cooling; there's misting systems in summer when it gets hot, fans that blow over the misted pigs to keep them cool. We do absolutely everything to keep the animals comfortable even to the point of gestation stalls.

I think it's helpful to remind people that studies coming out of Europe, who have been dealing with this question for even longer than North America, 92 per cent of adult sows, the adult pigs, will spend 98 per cent of their time in a stall, given the opportunity. Given the freedom to choose a stall, the sows will choose a stall. They are not—they feel most comfortable when they are not exposed to bullying or interference with intake of their food or water from any other animals. And that's something that no one asks us. We spend our time—I've been taking care of pigs for 40 years.

Mr. James Allum (Fort Garry-Riverview): Thank you, Ms. Rempel. Thank you for coming out tonight and for your very concise and knowledgeable presentation. I wouldn't pretend to have your experience or expertise after 40 years of farming. So I want to defer to you on that.

The issue that we have on this bill is not so much around the nature of your presentation. It's just that we're being asked—you come in support of Bill 24, but I don't think that you would probably support lessening standards for drinking safe-water safety in our province. I don't think you would want us to see the elimination of reporting on ecological reserves in our province. I don't think you would want to see the elimination of oversight on transferring public assets into private hands.

And so you can understand our dilemma on this side of the table as legislators is that by forcing all of these things together under the guise of red tape when it's really not—we're dealing with environmental regulations here tonight in your

presentation. Wouldn't it been better and more valuable if the government had split this bill up and into its proper component parts so that we can have a good and strong dialogue on each of the elements in here, as opposed to you coming in supporting Bill 24 on one element, yet, there are other very serious concerns in this bill?

Ms. Rempel: I have read the bill, and I am aware of all the other components to it.

As a taxpayer, supporting the administration and bureaucracy of this government, I appreciate any efficiency that is put in there. I see this bill as housekeeping, cleaning up a whole bunch of language and phrases mostly. I do not see any reduction in regulations that matter.

Mr. Gerrard: Thank you for your presentation and talking about your farm operations and injecting all the manure and so on.

We had the presenter before you talk about the stench. Just from your comments about municipal lagoons, do you think these—stench may have come from municipal 'magoons' rather than hog manure?

Ms. Rempel: The other thing we—that—you—I heard comments equating odour with pollution, and that's not true. Odour may be uncomfortable or an inconvenience, but it's not a pollution.

Madam Chairperson: Seeing no further questions, I thank you for your presentation.

I will now call upon Grand Chief Jerry Daniels, Southern Chiefs' Organization.

Grand Chief Daniels, do you have any written materials for distribution through the committee?

Mr. Jerry Daniels (Southern Chiefs' Organization): Just some background on the organization is all.

Madam Chairperson: Excellent. Okay, please proceed with your presentation.

Mr. Daniels: Just want to start by acknowledging our Creator and just introduce myself. I'm the grand chief of Southern Chiefs' Organization. I have a pamphlet going around just kind of telling you all who we are. We represent 33 First Nations here in southern Manitoba, primarily Anishinabe, Dakota and Cree peoples, treaties 1, 2, 3, 4 and 5. I want to also suggest to the Clerk that you start your committee meetings by acknowledging Treaty 1 territory, which we'll all do now.

And I want to—so I'm here because of—obviously, we have concerns about the bill. We're not here because I just want to see you all, though you're all good people, here. I have a primary concern around the environmental act, the removal of, well, the ability to, I guess, increase the number of hogs—you know, the industry, basically. And my concern, I guess, really is around the number—the increase in the number and the adverse effect it will have on Lake Winnipeg is one point that I have that I'm a little bit—I'm worried about because I don't have a clear picture of the impacts that it has on our water ways and on Lake Winnipeg.

*(19:40)

I also want to just point out that the—it is one of the most—the greatest threatened lakes and that we need to ensure that our fisheries and other industries that are renewable within our lake, renewable industries that are going to sustain for a long time, are going to continue and also that we value water just as much as we value the creation of, you know, a thriving economy, just because we—it's something that we all depend on and we want to ensure anything that of renewable industry be valued over and above anything that is not.

I want to also state that, in the past, when this discussion around hog farms, hog operations was done, there was lands, Crown lands, that were taken in order—were used for the expansion of this industry and so we have concerns around acquisition of Crown lands before we have resolved the TLE issues, the outstanding TLE lands, and so that's another one that I want to just point out.

And the final point that I want to make surrounding this particular bill is that the support from all parties of a path to reconciliation act, and how I have concerns that our nations have not been consulted in any meaningful way or genuinely consulted on laws that are being put forward to the Legislature.

I'm new to the role of Grand Chief. I've been here for maybe about 10 months and I can tell you I'm doing my best to catch up on a lot of files. We don't have the explicit expertise to evaluate and assess some of the impacts of laws that are being put forward, but I know that it's important. It's important to the future; it's important to our nations, and the treaties on which we came into partnership on reflected a real genuine understanding between the parties that we would prosper but prosper in a sustainable way.

And so I will point out that reconciliation, I don't think, is being adhered to through this process because we haven't been engaged in a genuine way, and so I just want to make that statement to everyone.

And I also want to point out The Sustainable Development Act that was passed by the former—the last Conservative government that we had and I want to point out four things within the principles of the sustainable development, government of Manitoba principles.

The first one's prevention, prevention of and to mitigate significant adverse environmental effects and economic advanced policies and programs, so how are we preventing the impacts on the lake?

Number 7, the enhancement requires to enhance long-term productivity capability, quality and capacity of our natural ecosystems. So how is the natural ecosystem within Lake Winnipeg and around Lake Winnipeg, the whole basin, how have we addressed that in terms of how this act is going to impact the lake?

And then our global responsibility is another one, so that I think that we're not really—we need to keep in mind that the impacts on the industry, whether it's fishing and also on our water, on our lake and the industries that are, you know, sustained there, are being considered.

I think that's about it. I'm asking for a commitment, obviously, to ensure that if there is going to be an increase, because, you know, I'm not—I don't make the decisions on the direction of government, but I will let you know that I do—would like to see a commitment that TLE issues be resolved prior to the acquisition of any outstanding Crown lands for the use of industry, only because we've waited a long time to be in a fair playing field with other segments of our population, of the population.

And—so I think those are the two that I want to make—you know, I have, obviously, issues around. So I know we're talking about red tape, but we need to remove, I think, some of the red tape around how we're going to protect the lake. How can we be—how can we actually work with the Province to ensure that there's monitoring of this industry? We would like to be a part of that. You know, we would like to be a part of monitoring industry that's going to affect the environment, because when we say, for as long as the sun shines, the grass grows and river flows, we're talking about the sustainability in perpetuity.

And we need to be a part of that plan—creating the plan and implementing the plan right up until any kind of plan changes. So, with any work that is happening within our traditional lands, we need to be a part of it from beginning to end.

So that's all I want to say. I want to thank you for your time. And questions?

Madam Chairperson: Thank you for your presentation.

Are there—do members of the committee have questions for the presenter?

Mr. Friesen: Grand Chief Daniels, it's great to see you again in the Legislature. You and I met and discussed at our first prebudget consultation just about two weeks ago here in the Legislature. Thank you for being part of our very first consultation, and thank you for being here on behalf of the Southern Chiefs Organization.

Thank you for your concerns that you expressed about the sustainability of Lake Winnipeg. We share those concerns. One thing I'd like to point to is even a change that we've brought for commercial fisheries on Lake Winnipeg. Previous government had instructed fishers, when it came to off catch, there would be no market for that, told them to throw it overboard and let it drop to the bottom of the lake or throw it on the land. We talked to fishermen; we know that there's markets out there for that. Some of those fishermen are actually First Nations indigenous who called for the same thing.

And so we've created a better situation in which there would be open markets to allow those fishermen to not throw that catch overboard but to actually find markets for it and create a better—more viable conditions for people in the North and people in the south throughout Manitoba.

On the treaty land entitlement obligations, just to be clear, nothing in this bill expresses a desire to develop commercial farmland operations on Crown land. Those obligations kick in, of course, when we designate any land as surplus, and then, of course, there would be that formal process.

On your comment to make conditions first to go to dialogue and resolve some things, we see it as concurrent and not sequential. We are absolutely engaged. I know that our Minister for Indigenous and Northern Relations is very, very engaged in building relationships, and I know you are as well. So I put a lot of confidence in this process going forward.

Just, once again, thank you for being here. Invite your comments back in any way you'd like to.

Mr. Daniels: Yes, thanks for your comments. We do—and I've said this to the minister and the staff in that we need some sort of a communications protocol between us and the Province in order to ensure that I'm being fed the information that I—so that I can work with you in a way that is going to have genuine impacts and that are going to—you know, so—it's my desire. I'm not—obviously, it's the issues that really matter to me as a representative of indigenous governments. And I want to be able to work in a real, genuine way so that the outcomes of whatever work we do in the future are positively impacting indigenous people.

Mr. Kinew: Miigwech, Grand Chief. I—just to respond briefly to a comment you made at the beginning, so, shortly before the Legislature resumed sitting this fall, I sent a letter to the Speaker, to the Premier (Mr. Pallister) and even to this guy here, my colleague from River Heights, just saying that we should consider doing a land acknowledgement before the House begins to sit each day. We're in the practice of doing a prayer already, and to add maybe a land acknowledgement representing some of the treaty and non-treaty First Nations that you do and also the Metis.

So, just to share with you that, you know, the suggestion you make is, you know, one that we're contemplating. And, hopefully, you know, the Speaker, in her wisdom, and others will be able to give you an update on that shortly.

* (19:50)

You raised in your presentation the obligation to consult with First Nations people, in particular, you know, section 35 of the Constitution—the modern interpretation of section 35 is that any action is going to have an impact on treaty rights needs to have meaningful consultation with First Nations people. And meaningful consultation—you know, the Supreme Court says, is basically, a government has to be willing to change its mind as a result of the consultation in order for those consultations to be meaningful. They should be prepared to change course. Right?

So, with that in mind, I'm just wondering, you know, if you could share a bit about—in your view, what should real consultation look like? What should a government be doing to properly discharge its constitutional obligations to indigenous nations?

Mr. Daniels: Okay, so there's a—I got to answer the—I'll just answer the one question on—in terms of consultation because I think that's the most significant point that was raised. Thank you for your raising the acknowledgement of the land as well. I'll just say that.

So in terms of consultation, I mean, we obviously held a forum on this in the past, and what we've heard from our communities was that communities do have their own processes. Right? As a grand chief at the Southern Chiefs' Organization, which was—is the first layer of representation before you start going to AMC and before you start going nationally, we—it is our duty to ensure that those processes are done in a way that truly reflects the community. And we provide that additional layer to ensure that whatever we decide is being honoured further down the road. So each community has its own way of consulting, but the—it's—there's different processes 'whichin'—within each.

So I can't point out specifically to each—which community wants. All I know is that there needs to be engagement and that you need the council and the chief to say okay, this is okay, we can move forward on this. Right? And, as a grand chief, it's important for me to be a part of those discussions in that I'm present there and that I know of what's happening so that I can ensure that when I come to things like this, I'm informed about it and I can talk about all the—how it's benefiting and maybe how it's not benefiting our communities.

Madam Chairperson: The time for questioning has expired. Thank you very much for your presentation.

Before I move on to the next presenter, we've had a request from one of our out-of-town presenters if they would be able to move up on the list as they have to drive back to Neepawa tonight. We have identified our speakers for out-of-towners to present first, to accommodate and recognize the hardships on the out-of-town members, and it is up to the committee to decide whether or not we want to decide this based on distance from the committee. So I will put this before the committee.

Is it the will of the committee to respond to this particular request and move this member up in the presentation list?

Mr. Shannon Martin (Morris): Madam Chair, just a point of clarification.

So you're asking a criteria of geography, then, in terms of distance to the Legislature—or, to home after

the presentation, is the criteria for the future presenters? Potentially?

Madam Chairperson: At this point, there is no criteria in terms of the length of distance. If you identify as out of town, you are out of town. It's not based on miles.

So at this point, this is up to the committee to decide whether we want to base our—presenters based on how far out of town they reside. Is it the will of the committee to see presenters based on their distance from the Legislature?

Mr. Helwer: Madam Speaker, I suggest we respond to individual requests. And this one seems reasonable for this particular presenter as opposed to putting in additional barriers to anyone that might want to present. So—respond on a one-off type of request, if that's okay with the committee.

Madam Chairperson: Is this agreed? *[Agreed]*

I will now call upon Lyame Cypres, private citizen. That's No. 35 on our list.

Ms. Cypres, do you have any written materials for distribution to the committee?

Ms. Lyame Cypres (Private Citizen): No, unfortunately not.

Madam Chairperson: Please proceed with your presentation.

Ms. Cypres: Okay, so good evening to all the members and participants of this legislative council, and thank you for having me here, and I apologize for the inconvenience that I have caused because me and my friend have three kids at home that is waiting for us; we are working moms, so we have to be off right away.

So, anyway, I am Lyame Cypres from Neepawa. I am an employee of HyLife Foods, a Canadian citizen and represents one of the stakeholders of the pork industry in Manitoba, which are the temporary foreign workers.

So I would like to impart my thoughts in support of the Bill 24, Red Tape Reduction and Government Efficiency Act, in relation to the pork industry. So I have been in the pork industry for 34 years. My parents be a backyard owner, pig grower and meat shop owner in the Philippines have raised our big family through this business. I was encouraged to further my understanding in livestock farming through my studies in agriculture as a food technologist.

From then on I have started working on the number one meat plant in the Philippines. The company is an integrated plant, so we have producer from farm to fork, and they have trained and held me in the highest quality meat standard and different levels of pork production. So any of the time that I would like to make an impact in the food production to the pork industry. So life is tough and my yearning to implement opportunities and my family situation has brought me in deciding to move to Canada.

So we landed in Neepawa, two hours northwest of Winnipeg, in February of 2009. I was part of the first 28 Filipinos who worked under the Temporary Foreign Worker Program.

So we were employed by HyLife Foods, which was then the Springhill foods or Springhill Farms.

The experience of landing here in wintertime at minus 50 degrees Celsius was really shocking, but it was also living in almost what we call like a ghost town. So there was very few businesses, very few housing, and you will scarcely see people in the streets. So the population at that time of Neepawa was about 3,300 in 2009.

So, when I started working at the HyLife meat plant, we were only producing 3,600 hogs per day in only one shift. So even for us, it was a significant surprise as a PFW because this amount of hogs available and being produced in my previous company was not like that, even though we are the No. 1 large pig producer in the Philippines. So, even though the Philippines is an agriculture country and pig farming is large, our company was still strongly dependent on imported meats from US, from Canada and Australia to meet the demands of our customers.

So this is where I saw and got into the Springhill foods—or Springhill Farms brand because I used to perform the meat inspection for imported meats in the Philippines.

So, in 2009 and 2010, our company, HyLife Foods, had focused its effort in improving meat quality and shelf life, thereby attracting Japan customers—will start getting chilled products. So with HyLife's growing market in Japan, the company had expanded to two-shifts production last 2012—so in—with incremental growth in the volume. So, currently, we are at 6,950—6,950 hogs through put with the majority of our fresh and frozen products being exported to Japan, to China, to Mexico and Korea.

So, as part of the quality assurance and production, I was part of the team that started and developed the Japan production and selection. So, you know Japan; they are very picky; they will like the number one; they always like the number one product. So through the attention of all employees, obtained the highest quality pork, we have become the number one exporter of Canadian meat with superior quality in Japan, the brand being along the name of Manitoba pork. So there is still a growing demand for more meat in the Japan market. This makes me proud, as it speaks well about the work done by everybody from the farm up to the production to attain on this level, on this high level.

* (20:00)

So, along with this—along with the company's growth, the initial employees—approximately 700 employees of Canadians, Ukrainians, Koreans, Filipinos and South Americans, when I started in 2009. Now we are at about 1,300 employees. So more jobs was opened domestically and even on the foreign—and even in the foreign countries.

So, for myself, I have also gone a long way. I started working in the packaging department at the cut floor, and I was given a chance to become one of the quality assurance technicians. I have moved up to the management team as quality assurance assistant manager and has eventually become the cut floor manager. So I have been working as a manager 4 and a half years with 350 employees reporting in my department. So it was a huge opportunity for me to demonstrate my abilities and contribute to the growth of the company, at the same time, realizing my goal to have an impact in the food production.

So, in our community in Neepawa and the neighbouring towns, the plant expansion and volume has brought a lot of changes and in the businesses around. We have seen an increase in the new business opening up, like Tim Hortons: we already have Tim Hortons, we have Giant Tiger, we have Boston Pizza and we have other small local businesses. So a lot more employment opportunities was created and Neepawa, who was before a small town, is buzzing with a lot more activities.

All of us temporary foreign workers have settled in, integrated, and become an integral part of the community of Neepawa, Gladstone and other neighbouring towns.

So, just last Sunday, we have a Filipino-sponsored fall supper in order for us to raise funds

for the roofing of the church, which had cost us more than \$600,000 to repair and replace. So it was a successful event which was supported by the whole community, and I was proud to have made a big contribution.

So, through these years, too, I have become a citizen of Canada and was also able to support my family in coming here. This is the same with other temporary foreign workers who have brought their families in Manitoba and have the required years of living here in Canada completed to become a resident and then eventually a citizen.

So, on the last count, Neepawa's population has grown to 4,609 in 2016, and it's still growing. So there is now more than 1,000 immigrants and families in Neepawa and neighbouring towns who strongly depends their livelihood from the HyLife meat plant. So I am speaking in behalf of the 1,000 of temporary foreign workers that have their lives and their families' lives change through the pork industry in Manitoba.

We are grateful for this chance to bring and raise our family in Manitoba. We would like to see the pork industry flourish, to increase for-pork production. We also would like to see the agriculture and livestock raising grow bigger and have our kids, the next generation, to have job opportunities here in Manitoba when they finish their school and raise their families instead of moving to other provinces, which we're experiencing right now.

So what I have is a success story that other immigrants have. I am a testament of how the pork industry has changed my life.

So I am in favour of Bill 24 in reducing the restrictions on the growth of the pork industry and pork farming in Manitoba. We should not be restricting the growth of the industry but should focus our energy in responsible farming practices and sustainable environment.

Being a Manitoban resident, I also share the environmental concerns; however, I put my trust and faith in the farmers, the environment stewards and the government to set the regulations, the policies and put in place the protocols to ensure the protection of the health of all Manitobans.

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Mr. Friesen: Thanks, Ms. Cypres, and thank you for being here and sharing your story with us. That was very compelling. I often tease people that the new test in Manitoba of a community has become you can call yourself a city when you have a Tim Hortons. So maybe the people of Neepawa can start calling themselves a city now. *[interjection]* You also have a Giant Tiger, that's true.

And thank you also for, you know, for reminding us about the connection between the growth, the hog industry and the newcomers to Manitoba who are increasingly calling this place home and the success of Manitoba's Provincial Nominee Program. So thank you for coming. And thank you also for underscoring, as you did, that your industry cares a lot about responsible farming practices and concern for the environment. Appreciate you being here this evening.

Ms. Cypres: Thank you.

Mr. Kinew: Thank you, Ms. Cypres, for your presentation. Congratulations on all your professional success, and also, welcome to the Canadian family; very awesome to hear about that journey that you've been on.

In your presentation, you refer to how some export markets are after quality, and how having a differentiated product can help market your product overseas.

I'm wondering, does environmental sustainability factor into being able to differentiate your product overseas? Can having sustainable 'processees' in production help market the product around the world?

Ms. Cypres: Yes, normally, before we started with Japan, most of our customers have come down here who visit our production, and even the farms in Steinbach. So they have seen the process. They have seen how we take care of the animals—of the pigs, and how we make sure that our environment, even in our plant, is complying to the environmental regulations.

So for us, there was a lot of—there was several concerns with regards to humane handling, and for us in the production, it's very important, because the humane handling is very—there is a direct relationship to the pork quality. If we don't take care of the pigs, the pork quality is not going to be there; the colour, the texture is not going to be there.

I was in the quality assurance for how many years and I can vouch that you have to make sure that you take care of the animals before slaughter and during transportation, and even on the farms, you have to take care of them or else you will—you're going to see it on the final product.

Mr. Gerrard: Thank you, and it's an important part of the story that needs to be told and well known that communities like Neepawa—I was there not very long ago—have grown substantially because of the hog industry. Thank you.

Mr. Helwer: Encouraged by your presence here and your presentation. Thank you for that.

You see the whole industry through very different eyes than those of us that grew up in Canada.

So thank you for being here.

I'm encouraged by your statements on animal husbandry and the protocols that are in place, and also the environmental sustainability you see in our operations. Like we've heard some—from some previous presenters tonight, it's a story that we don't tell often enough about agriculture that we need to make sure that Manitobans and Canadians, and indeed your international market, is well aware of the environmental record that we have in agriculture in Canada, and we should be very proud of that and promote it more often.

So thank you for being here, for doing that.

Ms. Cypres: Thank you.

Madam Chairperson: Seeing no further questions, I thank you for your presentation.

I will now call upon Johannes Soer, private citizen.

Mr. Soer, do you have any written materials for distribution to the community?

Mr. Johannes Soer (Private Citizen): Yes, I do.

Madam Chairperson: Please proceed with your presentation.

Mr. Soer: Ladies and gentlemen, honourable members and guests, thank you for the time to be here and express my concerns on the bill of 24.

I'm a hog producer, and I read in the Winnipeg Free Press that Manitoba has too many pigs. And yesterday we could hear how that's to form later.

I'm also part of, as a pork producer, I am also then look like I'm part of the polluter from Lake Winnipeg. So this is, I come here to voice my concern and, as a pork producer, I would like to tell you what I have done to minimize the pollution or to eliminate the pollution.

* (20:10)

And then you see here the—but first of all, tell my background. I'm an immigrant. I came to Canada 30 years ago, and I am a farm all my life. My education is in Holland. I went to farm school, after that, went to college and the university and I became an engineer.

To be in The Netherlands, growing up over there, we were called—we are like post-war kids, because Holland was—in the Second World War in '44-45, was a starvation. There was no food. People died of hunger. So the Dutch government, they said, we have to do something that it never happened again—never hunger in Holland again.

In Manitoba—or, in Canada, we—here in Manitoba, we never heard about food policies. Are we having food? Is a time coming that we have no food on the table, that people die of hunger? I believe, in Manitoba, it's not an issue, but in big centres like Toronto, Vancouver, yes, it could be done. It could be a man-made hunger. There's no food. That's why it's important that farmers stand up and tell the story.

When I came to Canada and then grew up as a dairy farmer, my sister and I, in the '60s, we were milking 46 cows we had. In '72, we got hydro. Our field was in the middle of the battle zone and was 90 per cent destroyed. We were one of the last people in The Netherlands to get hydro. So we have not hydro, no way, no equipment—it was a wheelbarrow. We didn't have no tractor and that kind of thing. It was, like, a horse and buggy.

I told my sister, if I have money enough and brains enough, I'm going to be an engineer and design equipment and make a comfortable work situation. When we go to school in The Netherlands, as a farmer, we are taught we produce top-quality food, large quantity, from competitive price, in a sustainable and viable method. That was key issues. You come to Canada, it's a different story.

When I came to Canada in '85, I met a dairy farmer—oh, I have to tell, in '72, my parents built a 200 free-stall barn for dairy. I came in '85 in Canada, and I met the dairy farmer, got 44 cows, and he was

milking the cows with a machine, and he got a car, got a pickup truck and a house. My parents—we had 200 cows, did have no car, no pickup truck—we were very frugal—and a small house.

As a farmer, that was, for me, the sign to come to Canada, and I brought more than—from the late '80s to '95, more than 800 farmers from Holland to Canada because I went every four weeks to Holland to tell, we have to come to Canada; there's a future for farmers, and we came to be in here. So most of our farmers were dairy farmers but also a few pig farmers come to Canada. We brought a lot of technology. I brought the milk robot to Canada; I brought a new apple variety to Canada and I brought a lot of environment technologies to Canada, but also, I brought Topigs to Canada.

I became a breeder for Topigs in '92 'til '96. After '96, I became a breeder for Genetiporc, and by 2003, I became a breeder for Fast pig genetics.

As a farmer, I believe in good buildings and in education. We need a good education in order to be a farmer. Farmers, we have responsibilities. So, in my case, when I build barns, I want high-end barns because food production is not for 10 years; it's for life. We should have barns to last a lifetime.

When I came to Manitoba, I never saw a wooden sow barn. The barns I built in Ontario in '92, they were all in concrete. We invent as first farmers by a code system as a corporation.

My barns is also meant to be for better security, also for the hogs, better lives for the hogs and a better work environment for the workers. The barn was totally built for plastic. The barn is very bright. Also, we have an aligned ventilation system and a heating system. We have an aligned water system and a feeding system. The sows have always access to fresh water and clean air.

Quality food is dependent on the feed mills. But I discovered feed mills in Manitoba is not always right. I take samples and analyze the Manitoba and outside Manitoba, and we discovered the feed mills add some—I will say it nicely—some additives, some dust and weeds to it. And that's a problem because the cash crop farmer who used my manure is actually spreading weeds, and then you need herbicide to kill the weeds. There's an issue. If we want to move production in Manitoba to the next level, we also have to put education, but also better feed mills.

As a farmer, yes, the planet is very important, and the farm I built here in Manitoba has a two-cell

lagoon. I never had an overflow or a spill in public water. My lagoon has a double capacity. I can store the manure for two years. It never happened that manure is flowed over, even has a downpour of, let's say, from five or 10 inches or two foot, my lagoon is still sufficient. If I went in the [inaudible] Winnipeg, and they have spills. In '92, the grounds here and I'll show you, that says they have 18 spills per year, plus '92. And of course, it was '92. And this has to do with the—we make progress and we want to have less spills.

In 2015, we should have, according to that, only six spills; in 2015, Winnipeg got 18 spills and more than 180 million litres through sewers end up in lake—of—in that river. That is pollution. That pollution has gone on for '92 to 2000 here for 30 years, more than likely 2 billion litres of sewers end up Lake Winnipeg. Who's the polluter? Me, as a sow farmer who has a lagoon? We have a [inaudible] manure injection in the soil, have the lagoon and I never have a spill. And we take soil samples and the—how call it—rate of phosphate is only 20 million—parts per million. We are very poor land.

After all the years we spread out the manure on the land, we still have 20 parts per million phosphate. So I wonder how my phosphate gets in Lake Winnipeg. I think 30 years' spills, billions of litres of sewers end up here. That is the pollution what kills Lake Winnipeg, and not the farmer. But Winnipeg or Manitoba, you have to make the decisions.

People, next time, as a pork producer, in '92, the first barn built in Ontario, I want to have no medicated feed, no penicillin, on the care perfect healths. My barns have high ceilings, fresh air and clean. I caught a '92 [inaudible] and he says he use penicillin also for his grow enhancer. I say this the wrong use. Penicillin is for infections and not as grow enhancer, is the same as fertilizer. Manure is in sustainable enriching of the fertility of the soil. And manure is not a waste. But what we do, we paint the wrong things to it.

Fertilizer is the same as penicillin. Fertilizer only use to fill deficit in the ground and not as a system. In Manitoba, we use fertilizer now since let's say 40 years. And this—fertilize use is up. But new fertilizer, fertilizers don't bind to the soil. Fertilizer is [inaudible] out and it goes in the ground and end up in the Nelson River. The Nelson River watershed is became more saltier. Hundred years from now, we will have a salt desert in the northern part

for Manitoba [*inaudible*] if we don't change our methods.

As a farmer, we want to have equal playing field. I should be treated same as the dairy farmer and other Manitoba farmers. There's a pattern.

The end, yes, we have to make profit. I know that, otherwise we cannot pay my people. But I'm not saying [*inaudible*] No. 5 is compares between Manitoba farmers and the Netherlands. If you see the Netherlands per farm, we export \$1,500, fifteen a month, one-five million. Canada as a country is barely 300 million. See the grain-dairy farmers, they hardly export. There's only \$20,000 to farm. But Manitoba pork producers, we can argue, is the million head—two million. We are exporters of pork. Export meat creating 'vells' for Manitoba and jobs.

The question is, what do you want? You want prosperity or no hog farmers? And are we willing to play a pay cut? There's the issue. Are we willing to pay—are we as people in Manitoba willing to pay a pay cut? And if you say yes, then we will—then get rid of the dairy farmers, get rid of the pork farmers. We don't have more money. That's clear—

Madam Chairperson: Mr. Soer, your time for presentation has expired. Thank you for your presentation.

Do members of the committee have questions for the presenter?

Mr. Friesen: Thank you, Mr. Soer, for being here and bringing this presentation. This is very comprehensive. I love the photos. You're obviously very proud of your operation and you—and it—you should be. It looks very modern and very clean and very bright. And I've looked through some of the remarks that you didn't get to, and you really make the case for the economics and the environmental sustainability.

* (20:20)

I wanted to ask you one question that arises from page 7 of 14 of your presentation. You're talking about the planet and the environment, and you make the claim that the manure management plan in place on the hog farmer is the strictest that you know of, even stricter than in Holland.

Now you have been in more than one jurisdiction, and you've done hog farming both here and in continental Europe, so that's a surprise to me, because I would have thought that in continental Europe the standards would all be stricter.

I wanted to know if you would comment because you've probably seen the use of anaerobic digesters in Holland. Would you comment on their use here? They were found by experts to have no application. They weren't effective. Would you agree?

Mr. Soer: The anaerobic digesters is actually a good thing for Europe, because there is a lot of manure and we don't have the manure here, and that is why this was a failed decision. But it has kept Manitoba certain years off track and we are behind development for certain years, because this barn that you see is the last built barn in Manitoba. Certain years stand still in the face of culture hate; we are so far behind and just to run the risk how we can recoup our pig production or we'll lose. But, before we lose our pigs for Manitoba, I want to have a clear voice from people of Manitoba, people in the street, people in the backyards, do we want to have a pay cut to afford this? Because Manitoba pork, it's the—one of the most highest quality pork—no penicillin, no antibiotics—animal care welfare and health for the most competitive price in the world.

Wherever you go, you pay more for pork. Do we do this? Do we realize that we as farmers, we are producers for food: high-quality, produced in a sustainable and fine manner, animal care welfare and health. I've done it since '92. That's important. And are we willing to take the cut? It is important for Manitobans but also for all Canadians. Are we willing to take a pay cut to get rid of the pork production?

We already killed the dairy export. Like, no; we don't export dairy. The dairy export, the world in '60s, and now we have 3 billion more people. The world had produced 300 per cent more milk, while in Canada, stay flat. In other words, New Zealand, is—in their export, from \$12 billion Canada from the dairy export in the '60s became an importer, a net importer from \$800 million. We have thrown away our prosperity. Canada should have exports of \$20-billion dairy that would be jobs—from 250 more jobs. Not on the farm, though, but in science and develop better food. That way I miss out. It does make me, as a farmer, upset.

As a dairy farmer, I left Canada in '92 and I went to the States. And why? We can say [*inaudible*] and now we have a new president, but that is why we have given away—our dairy export is gone. Are we willing to give up our pork export now? We can see, [*inaudible*] page 12, on a—yes, 13—Europe has

increase in pork production. Are we willing to step up and to be keen or are we giving our—the pork export back to Europe; the same we did with the dairy export, just give it away? Are we willing to do this?

Give—while Canada has the most land base—we have fresh air, clean water, and we don't use that. Manitoba should have not 10 million pigs; we should have 50 million pigs that will create that Manitoba is not the have-not province. We were independent of Ottawa, and we can set our own rules.

Now we are beggars—out for the money. I want to say, I'm a resident from Manitoba and I want to say that. What is our vision and what do the people in the street from Winnipeg want? Pay cut or prosperity?

Thank you.

Mr. Allum: Mr. Soer, thank you. I only have 30 seconds and now you have even less, so I thank you for coming out tonight. You, obviously, have built a great farm under the existing regulations, and so I think that I commend you for coming out tonight and your presentation. Thank you.

Mr. Soer: You have to remember I'm a person—animal is first, my staff is second and this owner third. I invested here in this barn \$10 million to have a better work environment. My barn is clean, but you see is a 30-old barn. I still have no rodents in the barn and I pay my staff well. That is important if I can do this, because when I was a farmer in Holland, we got our pig—you only need about 2,000 pigs for an income. Now I need 60,000 piglets for the same income. Why? Because people have still affordable pork, the lowest in the world—top quality. We have to remember that.

Madam Chairperson: Thank you very much for your presentation.

I will now call upon Mr. Kevin Hart, Assembly of First Nations, regional chief for Manitoba.

Is Chief Hart here? No? Okay, Chief Hart will be moved to the bottom of our list.

We will now move on to Mr. Mike Sutherland, Peguis First Nation.

Mr. Sutherland, do you have any written materials for distribution to the committee?

Mr. Mike Sutherland (Peguis First Nation): Yes, I do. I just have one copy and I'll leave it at the end of

my presentation. I have a written document and a map.

Madam Chairperson: Okay. Please proceed with your presentation.

Mr. Sutherland: I'll show the map during the presentation.

Good afternoon. Or, good evening. First of all, I'd like to thank this government for giving me the opportunity to present here tonight. Our community is not aware of what's going on. A lot of our people don't know what's going on here and how it's going to affect—and I hope that my presentation could give you understanding of how this may impact our community.

My name is Mike Sutherland, I'm the director of our consultation and special projects unit in Peguis. And I also grew up there all my life. Moved away to work once in a while, but I'm a hunter, I'm a trapper, I'm a fisherman, I'm a land user, I teach this to our youth in our community, and more so, I'm a farmer. I grew up on a farm and understanding good farming practices. So what we see and what's happening is pretty much understandable in my eyes and the eyes of those of us that grew up under that—those farming opportunities for our community.

Where we live, Peguis is the north end of the Interlake—central part of it. And on the—it's a flat place surrounded by Lake Manitoba and Lake Winnipeg. You know, there—shallow soils overlying carbonated bedrock—that is, at or close to the surface. Carbonate rock contains a rich aquifer of clean water, with very few exceptions. It is the only aquifer used for water supply in the Interlake in our region.

Because of the carbonate aquifer's shallowness, it's particularly vulnerable to contamination. The Interlake is a recharge zone. Surface water can enter the ground water directly, susceptible to contamination from—the surface recharge zones must be protected from contamination.

Hog barns produce manure rich in phosphorus, nitrogen and bacteria. Hog manure contains three times the nutrients that human manure contains. Human manure is treated in septic systems and waste treatment facilities. Hog manure is applied to fields. The manure from the barn of 1,000 pigs is equivalent to the town of 3,000 people placing its untreated sewage in the surrounding fields, cause odour problems, not to mention soil contamination from bacteria and nutrients.

Because industrial operations produce thousands of pigs, they pump more nitrogen and phosphorus onto the field than the crop can possibly absorb, and excess nutrients run off into the water bodies or contaminate groundwater. Excess phosphorus is known to increase algae in lakes. Excess nitrogen can cause blue baby syndrome. It is widely believed that—to be caused by nitrate contamination in groundwater, resulting in decreased oxygen carrying capacity of hemoglobin to—in babies, leading to death, and bacteria migration into surface water and groundwater.

Before the Manitoba Legislature is a bill which will remove the ban on spreading manure in the winter from The Environment Act and scrap the requirement of the hog manure—and scrap a requirement that hog manure be treated by anaerobic digesters before being spread into farm fields.

A ban on winter spreading of manure is necessary to prevent phosphorus and nitrogen from hog waste entering water systems, surface waters like Lake Winnipeg, because of flooding due to their snow melt or rain in the spring cause flooding and, then, rain in spring leaching of nutrients into the groundwater, bacteria into surface and ground water. The removal of the ban would raise the level of phosphorus and nitrogen and bacteria from hog waste entering into Manitoba waters.

Peguis First Nation wants to make water protection a priority in the Interlake. We get our drinking water from the groundwater and artesian wells. This bill, by relaxing the moratorium on manure spreading and treatment of hog manure in the Interlake, will endanger our drinking water and the quality of water in our lakes and carbonate aquifers.

* (20:30)

I have a map here, and what the map will show—and I'll leave it with you. You can look at that later. But the green is the lower levels—up here, that's the north end of the reserve—and the red and the orange are the higher levels, you know, what we call above sea level, I guess. So anyway, the red is 271 to 292, and the orange is 257 and 270, and the green is 209 to 223. So you're looking at a 50- to 60-metre difference from here to here. Peguis is in a basin. We live in a basin, and from Peguis to Lake Winnipeg, it's equal, so it doesn't go out down anymore, doesn't raise up any higher. So where we live is in a basin, and this bill, you know, is going to have a negative effect for our community.

Now, I'm going to give you some facts. Peguis floods yearly. It's in a basin at the north end of the central Interlake Region. South of the basin is all farmland with a fair share of hog barn operations. Peguis gets its drinking water from the groundwater artesian wells. And at present, we have a school program monitoring the levels, and they're always high. I don't know the actual levels; I didn't—couldn't find a science teacher to gather that information, but we do it at a yearly basis, and we won numerous awards in that project at the national and international level for what the students do at keeping tabs on nitrates and phosphorus levels that come down from the farming operations south of Peguis.

We also have 78 uncapped wells in our community, and at times, contamination is—there's a lot of opportunity there for that to happen through those wells.

Prior to the turn of the century, up until about 2008, this moratorium came into place, the blue baby syndrome was a common event in our community where a lot of our women would lose their children. One of the things that we noticed is after this moratorium came into place, there was less and less of it. Now we don't even see that anymore. So we're very, very concerned about the lift of this ban because we've seen in the past what the spreading of manure can do to our water and what it could do to our population and our people. You know, and then here we go again, seeing, you know, our provincial government making changes to a legislation that will have a negative effect on the lives of First Nations people without any type of consultation whatsoever.

You know, and I heard today and I heard a question asked: What would you like to see? What would you like to see happen here? You know, we need that moratorium to stay in place. We want more environmental monitoring. There's no environmental police out there. We don't have that opportunity to report any—where these farming operations breach the conditions that they have to operate. You know, we've had time and time again, where farmers lease our land from south of us, including the local Hutterite colony, and they will spread manure on the surface of the land well after the November 1st deadline, and we make the reports to the provincial government, yet nothing is done, you know. And that affects the lives of our people. It's not just the quality of the water, but it actually affects the lives of our people and our community.

You know, we want to be publicly informed of any changes and any acts that are going to affect us well in advance. We want to be informed of any applications for additional operations or applications to spread more manure fertilizer on the land. We want violators to be dealt with to the level where they won't violate again, where that—where what they've done is—the fines should be high enough that it would—they would think twice about doing this. They're doing it on our land, right on our own land and lands just south of us on their property. And by not injecting it and spreading it, especially where we are in a basin, and all the flood waters every spring, it makes it easy for that to contaminate our drinking water.

The moratorium has helped greatly, and, like I said, the blue baby syndrome event is very frequent and far between, but prior to the moratorium it was a commonplace in our community. We didn't understand. People didn't understand until we became educated.

You know, the provincial government needs to do its homework when it comes to consultation. What triggers consultation? You know, is this amendment to the Bill C-24 a low trigger? Could be. Make us sue it as a lower trigger, but the effects were great. The effects of this will be great. We'll—it'll affect the future of our people. It'll affect the unborn babies that happen—that won't be born in our community if this bill is lifted and the hog barn operations are allowed to expand and spread more manure on the land. It will affect—have a negative effect on our community. It will affect the future of our population, and it will affect the lives of those unborn children in our community.

With that, I say miigwech. I hope you take this into consideration, and if you have any questions, I'll—feel free to ask and I'll answer. Thank you.

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Mr. Friesen: Thank you, Mr. Sutherland, for being here and for sharing on behalf of your community. I know your community; I know where you're located. That's very flat land, like you say, and very prone to flooding. And I know that you have a desire for consultation, and I can tell you that this government takes very seriously the overland and the perennial flooding that has happened in communities like your

own. It's why we're making comprehensive investments.

I know that our Minister for Indigenous and Northern Relations has been very involved in consulting with First Nations groups to make sure that that process is done well. We want that to succeed for all of us. We can't simply keep flooding the land and shrugging our shoulders and taking too long to make it right after the fact.

Just a clarification: there is no change to our government's thinking around the prohibition on winter spreading of manure. That remains completely in place. The condition is overlapping; it exists both in the regulation and the legislation, but in no way shape or form is that prohibition actually removed. I just wanted you to be aware of that.

And I share your concern about violators. You were very passionate about that. I share that too. We have some of the most stringent requirements for agriculture and for hog farms in the world, but we want bad actors to be caught. You have the benefit this evening of having the Minister of Agriculture (Mr. Eichler) who just listened in on your entire presentation, and I know he was listening intently, so we'll discuss the matter later, and we will be following up.

Thank you for sharing this evening.

Madam Chairperson: Mr. Sutherland, do you have a response to the minister?

Mr. Sutherland: Yes. I guess in the consultation portion of it, I mean, this is into a second reading. I think, under the Supreme Court rule, and you see this many times over, constitution is—I mean the consultation is triggered when a letter of intent is forwarded by an industry or a company to make changes within a traditional territory or affect traditional territory with some type of industry action or proceedings, so as soon as this was talked about at a table or a letter was provided or moved forward in regards to some of the conditions that are going to be changed with Bill C-24.

Mr. Minister, that's the trigger for consultation, not after the second reading and public hearing. It has to be done right on the onset of any type of action that's going to affect the First Nations and their traditional territories or their homelands, not after the second reading, not while public consultation is happening. It has to happen immediately, and Supreme Court has stated that time and time again.

Mr. Friesen: Thanks for that, Mr. Sutherland. We need to be clear about what the Supreme Court says about treaty land entitlement proceedings and when and how they occur. They occur when a government makes the decision to discharge surplus lands or make a decision that has impact—First Nations communities. There's nothing in this act that has to do with any development of farmland or any change to promote that farmland development on a First Nation's land.

Mr. Sutherland: So, this has nothing to do with treaty land entitlement; it has to do with the traditional use—the traditional land of First Nations and the use of water. And water's a part of our treaty. We never gave up the right to water. So if this industry is going to affect the quality of water of a First Nation, then consultation has to happen on the onset.

Thank you.

Mr. Allum: Mr. Sutherland, thank you so much for coming out tonight—very compelling, very persuasive presentation.

I think it's important to put it out onto the floor of the committee tonight that when the minister likes to say that it's—the manure spreading—winter manure spreading is both in the legislation, and it's both in regulation, and so it's kind of redundant, what he fails to say is that if it stays in legislation, then he has to come before a committee like this and do proper consultation. When it's in regulation, any Wednesday morning at a Cabinet meeting, through the stroke of a pen, he can get rid of it.

I don't think that that's appropriate or accurate. How would you respond to that?

* (20:40)

Mr. Sutherland: Yes, you're absolutely right, and, again, it leads back to the consultation because if proper consultation doesn't happen, then what you're talking about will absolutely happen, and it will happen if this bill proceeds forward. What you just said will happen, and that's why consultation has to happen first and foremost, so that all the bases could be covered, all the different parts of the legislation and everything that goes with it could be looked after as well and adhered to.

We don't have environmental police out there. Nobody is on our side, so we have to be protected by a proper consultation process.

Madam Chairperson: The time for questions has expired. Thank you very much for your presentation.

I will now call upon Pita Hoyt, private citizen.

Mr. Hoyt, do you have any written materials for distribution to the committee?

Mr. Pita Hoyt (Private Citizen): No, Ma'am.

Madam Chairperson: Please proceed with your presentation.

Mr. Hoyt: Good afternoon—good evening to you all—I'm sorry. I'm a bit nervous here.

I was just reading the Steinbach Online last week and it was just talking about this city and I just came in today just to testify what industry did to me, to my family and to most of my friends that we came here.

Yes, looking back at my history back at home. First of all, I'll introduce myself. My name is Pita Hoyt and I came from Fiji. I was brought in in 2014 by HyLife, which is under the hog industry of Manitoba and, yes, a big thank-you to HyLife and to the hog industry for the opportunity given.

And yes, by going through the Steinbach Online last week, I just want to come and stand here tonight to say that the opportunity that was opened to immigrants, like people outside Canada, to enter the province of Manitoba, for me, my experience—I'm just three years—I just have three years—three and a half years experience here in Manitoba, residing in Steinbach, and the development that has been taking place within this three and a half years that I've been in Steinbach, it's just amazing.

And, therefore, I'm here tonight. I won't take my speech too long. I'm here just—I have nothing written and I'm just here to say that I do really support this Bill 24, the expansion of the hog industry here in Manitoba, which creates lots of opportunities for immigrants to come in. For me, I'm a taxpayer for three years now and I just got my permanent residency last week. I will get my family's next month and I'm trying to be a Canadian and develop myself here and, yes, I just want to come and voice myself out.

I have nobody, I guess—I saw this gentleman sitting here tonight. I saw your face in the newspaper, Steinbach Online, and I thank you so much for that article which—

Madam Chairperson: Mr. Hoyt, could you please speak into the microphone, please?

Mr. Hoyt: I'm sorry, Ma'am, and, yes, all I'm here to say that I do support the Bill 24. Thank you.

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for Mr. Hoyt?

Mr. Friesen: Thank you, Mr. Hoyt, for coming tonight and presenting to us. That's a fascinating story. You said three and half years now in Canada and, like a previous speaker had said, you know, it's our immigration system, it's Manitoba's commitment to bringing new people to this province that has been part of your success story. We're very proud of that program, and you're, in many ways, the face of, you know, a worker in the hog industry, so, thanks for being here.

Yesterday, someone shared something at committee and I thought about it for a long time. Someone made the statement at the table here and they said you wouldn't want anyone you know working in a hog plant. And I didn't agree with it and it troubled me when I heard it.

What would you say to someone like that who said that to you?

Mr. Hoyt: Actually, for me, my point of view, he didn't know the struggle that we came through. It's not only me, it's the immigrants that came with me that have been knocking on these doors for so long. Most of us don't have that qualification to enter Canada, and that's one door that we open—that will be open up to the low, low, low educated immigrants to Canada. For me, I just end my studies in new turf and I was so lucky to be brought in by HyLife. Now I'm looking into extending my education here.

I've been managing a farm now for two years with HyLife and, yes, that's a great achievement for me, just for that opportunity that was given by this industry.

Mr. Allum: Mr. Hoyt, thank you for coming tonight. It was great to hear from you, and you talked with such passion and excitement. And also I have to say it's very courageous of you to come out here and speak tonight. We've had people born and raised in Manitoba here that—never been at that microphone, and here you are three years in our country and you're coming here and speaking truth to us. And we really appreciate that.

The one thing I want to say to you is that this bill isn't only about the hog industry. You know that, I

hope. And that one of the things in the bill says we're not going to check clean drinking water every five years like we should, but every 10 years.

And so, you know, there are parts of this bill that for our side of the table are very hard for us to deal with. I think you would want clean drinking water and you would want it inspected all the time. Yes? Yes, thank you.

Mr. Gerrard: I just wanted to say thank you for coming to present, and sharing your story.

Madam Chairperson: Mr. Hoyt, if you have a response to Mr. Gerrard.

Mr. Hoyt: He was just thanking me. My pleasure, sir. Thank you so much.

Madam Chairperson: Seeing no further questions, thank you very much for your presentation. And welcome to Canada.

Before I move on to our next presentation, a written submission from Mr. Robert G. Mears on Bill 24 has been received and distributed to the committee members.

Does the committee agree to have the submission appear in the Hansard transcript of this meeting? *[Agreed]*

I will now call upon Weldon Newton, private citizen.

Mr. Newton, do you have any written materials for distribution to the committee? Is that a yes?

Mr. Weldon Newton (Private Citizen): Yes, I've already given the Clerk.

Madam Chairperson: Thank you. Please proceed with your presentation.

Mr. Newton: Madam Chairman and committee members, thank you very much for the opportunity to speak to the legislative amendments. While this 'omnus' bill amends many acts, it is section 5, which deletes sections 40.1 one and 40.1 two of The Environment Act, that my comments will relate to.

To be very blunt, it is about time that we went back to common sense, good science and good judgment on making Manitoba's environmental regulations. The hog industry has been treated with disdain and dumb regulations for the last 10 years by our provincial—previous government. The infamous Save Lake Winnipeg Act and its mandating manure management regulations which defied all scientific research and logic forced my family and dozens, if not hundreds of other small operations to shut down.

It is good to see that the current PC Party has come to its senses and is proposing to fix some of the—Manitoba's environmental regulations. In case they have forgotten, they did not speak one word against The Save Lake Winnipeg Act, or propose any amendments to it to make it be based on sound science. And several of them were farmers before you became MLAs.

* (20:50)

We closed our operation in 2010 after 53 years and two generations, and with a third generation getting ready to be part of our farm at our current site. We were not a large operation; 80 sows, farrow to finish, when it was closed. It was the expansion of the hog industry—of the hog operation that allowed me to become part of our—of the farm with my dad in 1972. Again, we expanded in 1980, when my brother joined the farm operation and my brother and I expanded again in the 1990s to its final size of 80 sows, farrow to finish. I recognize it was a small operation at the time, but it had been a significant and important contributor to the financial success of our farm.

We employed a full-time hired man after this expansion. In fact, the ability to provide for him was a significant part of the decision-making process for that expansion. He had—he remained with us for 20 years until we closed the hog barn in 2010, and at that time, we were going to have to spend significant dollars to upgrade and repair our barns. And we could see that the new proposed regulations would make it financially impossible to expand and cash flow the changes that were being required by these new regulations to meet the new manure management regulations. As a result, it was impossible for us to continue with hog production on our farm.

We grew our own feed grains and peas, which are used for our feed rations, and with this approach, we did not have to use imported soybean meal on our ration formulas and they were made by qualified feed industry nutritionists. The hog industry is a cyclical business and it is not for the faint of heart. Pork is the most widely consumed meat in the world. Manure is an excellent crop fertilizer and easily replaces imported phosphorus fertilizer. The manure application equipment that is available today is increasing in accuracy and getting better every year.

When my nephew decided that agriculture and farming would be part of his future, hog production was never considered to be part of his business plan

because of the Manitoba regulations. He bought my share of the farm when he came back to it full time.

I am not afraid of regulations that are based on sound science and good judgment, but I have no respect for politicians who make regulations based on misinformation and political grandstanding in order to try to get the support of the non-farming community that, unfortunately, now has no knowledge or connection to a real farm.

My vision for agriculture is that for those who wish to make agriculture their source—their sole source of income, they should be able to develop a farm and its business plan to achieve that goal. I'm interested and supportive of an agricultural production industry where there would be grain or livestock production or a combination that can support us, a family, with an income that is as large or larger than I can earn in a professional position off the farm, and it also has to reward you for the risk you are taking in managing and operating several million dollars' worth of assets. If you have a smaller operation and wish to work off the farm as well, that's fine, and your choice. But let's not put regulations in place that mandate that as the only alternative for agriculture.

Livestock operations must be large enough to support more than one family's income. I believe that is the case for most commercial operations today. Long gone are the days of a farm size that can be totally operated by one person. You have to have help from other family members or full-time hired help. Today's producers want and deserve a lifestyle that is equivalent to that of non-farm occupations. They are not prepared to work seven days a week, 52 weeks of the year, with a little or no holiday time, like our parents and our grandparents did for many years. They also must have the mental demeanour in order to handle the stress of large financial transactions and the uncertainty of the international marketplace.

We have two large modern hog-processing plants in Manitoba, and our grain producers are the farthest from tidewater of any producers in North America. Agriculture in Manitoba is an export-based industry and will remain that for the foreseeable future. These plants need more hogs to be of an efficient size to compete in the world market. While they may seem to be large to some people, they are actually relatively small to some of the large plants that are located in the United States and in Europe.

It will now be possible for producers to have hog production as part of their business plan with these changes. It will take time for the industry to renew itself and expand, but with these changes it will now be possible.

There is also a benefit to our rural towns as well, as it can help to retain and increase the rural population needed to support our schools and to create a population that can support expanded medical facilities and professional staff, and Neepawa is the number one example.

It will also support the establishment of other businesses that are needed for an expanded hog industry. Feed industry professionals, nutrient management specialists and large-animal veterinarians are three that immediately come to mind.

There will be those who say that the sky is falling and we'll destroy our lakes and rivers if this expansion will occur. Quite frankly, that is a big lie, and I'm tired of their rhetoric. We are—we have very strict manure-management regulations in Manitoba, and they are quite adequate to meet the needs of an expanded industry and provide society with the assurance that we are in good environmental stewards. As you aware, they are contained in the livestock manure and mortalities regulations. They need to be—remain there and not be duplicated in an act that can only be changed by new legislation passed by the Legislative Assembly.

The regulations contain nutrient thresholds that also apply to the cattle and poultry industries, and I believe they are some of the strongest in North America. I believe they still meet the scope of today's scientific knowledge on nutrient management under our climatic conditions, not Ontario, Quebec or North Carolina's climatic conditions. These thresholds were based on the best research in North America when they were developed.

I acknowledge I may be perceived as somewhat biased on the issue, as I was the only producer-representative on the phosphorus expert committee that was tasked with the determine if the manure management regulations were desirable and what they should look like if they were deemed necessary.

When the Clean Environment Commission was tasked with examining the environmental impact of the hog industry, they did not recommend any significant changes to these regulations. However, that obviously was not what the previous government

really wanted, and they came up with—sorry—the dumb biodigester regulation.

Let's move ahead and change the regulations so it is possible to build hog barns in Manitoba again. Yes, I realize—I recognize there will be some odour emitted by the barns and the manure storage structures, but if you live in and adjacent to an agricultural area, noise, dust, odour and light are the irritants that you may experience. We can discuss what the acceptable levels of each are, but zero is not an option.

We must also ensure that environmental regulations are consistent across the province for similar environmental conditions. They must remain in provincial regulations, and local municipalities must not be allowed to tinker with them.

While I will not be building any more hog barns or managing existing operations, as I have been retired for several years, I still have a keen industry in today's agriculture and continue to watch it develop. There's lots of opportunity for the hog industry to grow in Manitoba, and to be a profitable and sustainable industry if it is not limited by over-restrictive and vexatious regulations based on pseudo-science.

There's lots of room for—to build hog barns, especially in western Manitoba. Let's get the processes under way so that we can ensure a viable future for the hog processing plants we have and facilitate other secondary industries that can develop as industry gets back to a positive regulatory framework and it can be part of a producer's business plan.

Thank you very much for your attention.

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Mr. Friesen: Thank you, Mr. Newton, for your presentation. It's very complete and very straightforward. I was not aware that you were the producer-representative on that original phosphorus expert committee. It's a shame that the CEC accepted that advice, but the government did not accept their recommendations. They went a different way.

I know, tonight, you've also, in very plain words, slammed the use of the anaerobic digester, which actually had no value. I see that.

* (21:00)

What I wanted to ask you a question about was something that came from page 2 of your report, because you've addressed, head-on, the issue that some members of this community-committee continue to try to raise, to somehow say that by removing from the legislation and retaining in the regulation rules around winter spreading, that somehow that poses a danger to Manitobans.

Could you explain to this committee your view why the regulation is the right place to contain those provisions around safety?

Mr. Newton: I think that the major reason for that is that regulations, yes, they can be changed relatively easy. If you go into an act, you can only change it—sorry—by an act of the Legislature, and that takes time, and it may take two or three years to get it through your convoluted processes—sorry. But if you have a regulation, yes, it can be changed Wednesday morning with a signature on the bottom of a piece of paper. But we also have other safeguards to look at. You know, when these regulations come forward, do they actually meet a benefit and what they were supposed to do? So, you know, I'm not afraid of the regulatory end of it, because I think we'll get those right eventually, and it—we can do it much more expediently.

Mr. Lindsey: First off, let me thank you for coming and sharing your views and thank you for your years as a farmer. Certainly we appreciate that.

There's a bunch of other regulatory requirements that are encapsulated in this Bill 24 that you haven't touched on. Would you agree that it would be fair to say that in order to have a proper discussion about those different parts of this changed act, that it would make sense to split them apart so that we could focus on each one rather than having you here just talking about the part of a regulation that affects you, without addressing the rest of it, or would you like to address the other 14 parts of the act?

Mr. Newton: I guess I addressed the part of the regulation that I was concerned about. Yes, I know there's 15 other parts or something in there. That was—those weren't really my issues, so I'm, you know, and how you run your legislative process is for your brilliant minds to decide how it's going to operate, and this isn't the first omnibus bill that's been put in place in Manitoba, or in Canada, for that matter. So it's a process that must be used. You know, you can decide on the process you want, and we'll react to it. I was reacting to the part of the

bill that I felt I was concerned about and I had qualifications to speak on.

Mr. Gerrard: You've got a fair amount of experience in the hog industry. You've served on one of the panels. We've heard that about 85 per cent of the manure is injected into the land and it seems to be much more complete in some places than others. We heard recently from Mike Sutherland who presented, and I talked with him afterwards, that in the area just south of Peguis, the manure is spread on the land instead of being injected into it and that's part of the reason there's a problem there. Do you think we should have more complete requirements for injecting the manure into the land?

Mr. Newton: Well, I'm not familiar with the area, you know, near Peguis that he's referring to, but I would remind you that it's very, very difficult to incorporate it into grassland and pasture land, and I suspect some of that is there. You know, we—as it is now, we can either inject it directly, which covers most of it, or, you know, in our case, what we did was we spread it—surface spread it and then we cultivated afterwards, but we had to have cropland to do it. So that became, you know, another onerous operation.

Nothing is perfect. The equipment they have for injecting it is getting much better every year. I'm not familiar with what the current versions are as I've been out of the industry for three or four years, but I—my understanding is it's getting much better. And also I will have to recognize how do you get rid of your sewage sludge? Brandon no longer flushes it down the Assiniboine River. I believe you spread it and inject it on the land as well. So, you know, both has to be treated equally because they're both—contain similar nutrients, although some of the nutrients in—contained in sewage sludge are far worse than anything we have in hog manure, I can assure you.

Madam Chairperson: Time for questioning has expired. Thank you very much for your presentation.

I will now call on Vicki Burns, private citizen.

Ms. Burns, do you have any written materials for distribution to the committee?

Ms. Vicki Burns (Private Citizen): Yes, I do.

Madam Chairperson: Please proceed with your presentation.

Ms. Burns: Thank you very much for giving us the opportunity to talk to you about this important issue.

I'm going to focus my comments on the section of the bill that refers to The Environment Act, specifically repealing sections 40.1 and 40.2 that relate to the hog industry.

Now my concern about these proposed changes actually includes many issues, but I know that we have limited time tonight, and so I'm going to focus simply on the environmental threats to water.

So the threats to water from hog manure is related to the possible runoff of phosphorus and nitrogen from the manure that has been spread on the fields. The runoff that can bring excess nutrients, the phosphorus and nitrogen that hasn't been actually taken up by the crop yet, it can end up running off into ditches, creeks, streams, that run alongside the fields and, ultimately, get into our lakes. And that phosphorus and nitrogen is what feeds the increasingly dangerous blue-green algae, which is now the dominant species of algae in Lake Winnipeg.

I've included a chart which you have on the front of your papers here that just shows that the type of algae that we have in our lakes now, this is specifically about Lake Winnipeg, but I think that we might be able to generalize to some of the other lakes that are suffering as well.

But, back in 1969, blue-green algae or cyanobacteria was only maybe 25 per cent of the type of algae that was in the lakes. Now, in 2003—I don't have anything more recent than 2003—but you can see on this pie chart that the blue-green algae is probably more than 90 per cent. So that's a tremendous loss of biodiversity in the algae, and it just kind of demonstrates that the cyanobacteria, as it's officially called, is something that we really need to start paying more attention to.

Now the problem of blue-green algae, some of it contains toxins—not all of it—some of it contains toxins, but it's not just Lake Winnipeg; it's many other Manitoba lakes now that are suffering—Pelican Lake, Killarney Lake, Rock Lake and so on, and the potential toxins that are in some of these blooms include hepatotoxins which affect the function of the liver, neurotoxins that affect the nervous system, as well as digestive tract illnesses, skin rashes and so on.

So there are very significant human health risks to some of this algae and very serious risk to animals. I mean every year there are dogs that die after going in the water because they lick their fur

and ingest these toxins. And certainly there's livestock issues of livestock drinking out of ponds that have this and so on.

But, before I go any further about the concern of hog manure being part of the problem of blue-green algae, I do want to stress that human sewage and, most notably, the city of Winnipeg, is absolutely a very, very significant part of the problem. I'm not going to talk about that tonight because you're not—that's not what you want to hear about, but whenever I speak about Lake Winnipeg, I always talk about human sewage first, so please don't make the assumption that I'm just—I and others are just pointing the finger at the hog industry. We're not.

But, having said that, I think we need to acknowledge head-on—we need to address how much is the hog industry really part of the problem. There's been a lot of discussion about this for the past 15 years, a lot of kind of fighting back and forth about it, and I think now it's time for us, really, to resolve this issue.

And the good news is that we actually can resolve the issue because we can get a scientific, evidence-based resolution to this question, and that's what I've heard a lot about tonight. You want to base decisions on science and evidence.

Now my understanding is that currently the rationale for the hog industry contributing 1 or 2 per cent of the phosphorus to Lake Winnipeg is based on theoretical calculations. Those are good calculations but it's about theory. How much manure can be applied safely to crop land? How much of the phosphorus will be taken up by those crops and so on.

* (21:10)

This is based on calculations about the number of acres of land that are available. It's based on the assumptions that the manure will be spread as our rules dictate. And that the crops will take up as much phosphorus as we think they will.

It's—but it's not based on actual measurements. Actual measurements of phosphorus in the water in ditches, creeks, streams and so on that run alongside these spread fields. And here is where we can put actual science to work because it's a measurable problem. It's very possible to measure the amount of phosphorus in the water. We can take samples of the water in many of the locations where we might have concerns and we can measure the amount of phosphorus there and take it at different times of the

year. It will be important to take it during the snow melt—during the spring melt, during any big rain events or any flooding events. So I mean, that is already being done, but not in a comprehensive way and not in a really targeted way.

Now, I think you probably heard from the Lake Winnipeg Foundation yesterday. I wasn't here to hear what they had to say, but they have started a community-based monitoring program and their full report can be found online. I've given you the link to that in mine. And the images below that I also include are excerpts of that report that show where one of the hotspots for phosphorus runoff appears. Specifically, the Manning Canal that flows through very intensive agricultural development also near the community of Steinbach. So we might have to point the finger at Steinbach sewage, as well.

But anyway—I've just highlighted this because I think it's worth it—I hope that you will put your staff to work investigating what's going on and seeing how we can actually flesh this out a lot more. Because to me, this is the beginnings—it's just the beginnings of a really accurate scientific analysis of where some of the phosphorus is coming from. I mean, to a certain extent, we know how much phosphorus is coming from the city of Winnipeg sewage, but given all the combined sewer overflows and so on, part of that is an estimate. It might be more than what has been claimed. But what we haven't had is a—it's all been a very theoretical calculation of what else is coming off the land, and I'm making the point: if we really want the answers, we can get them. We have to put some effort into that, but shouldn't we be basing our legislative or regulatory changes on that very evidence-based science that you're talking about rather than on assumptions from theoretical analysis?

Now, in conclusion, I want to point out that we do have the opportunity—now is actually a good time to point Manitoba's hog industry in a direction that's environmentally, ethically and economically sustainable rather than allow the business as usual to continue. Why do we have this opportunity now? Well, most of the barns that are—have been around for a while are going to need extensive renovations or reconstruction. Because we know that the rule is coming into play that they have to get rid of those intensive confinement gestation stalls by 2024 at the latest. So, you know, there's been a lot of talk I've seen in the Manitoba Pork publications and so on encouraging producers to start thinking about how they're going to make that change. And since there

are going to have to be major investments across the board, why don't we do something really dramatic and mandate new systems that include straw-based housing for the pigs? Because if we were able to eliminate the liquid manure systems and put in place straw composted—where the manure is composed with the straw, that would really go a long way to decreasing a lot of the arguments about the animal welfare for the animals. I think it would go a fair way to decreasing our concerns about runoff getting into our lakes, and so on. And we have at the University of Manitoba our National Centre for Livestock and the Environment that could be very helpful in leading such a change.

So we really have an opportunity now to do things the right way, to help hog producers—really, to help them have long-term sustainability, because in the eyes of many of the public, what's currently going on, really, isn't acceptable. Whether you want to hear that or not, that's the reality. A lot of the—that's what a lot of people think. If we in Manitoba led that really progressive change, that could change attitudes here tremendously. So I really hope that you'll give serious consideration to that.

At—I'm not going to talk about all these points I put at the end, but, you know, there are several very credible scientific reports from international reports that are talking about how industrialized agriculture, as we've been doing it here and many areas of the world, it simply is not sustainable. So I don't think that we're being really helpful to our farmers or our producers in the long run if we don't pay attention to those.

So I really hope, again, that you will direct your staff to research some of those and see what points they can bring out of it because, you know, I like science-based decisions too and this is what scientists are telling us.

Anyway, thank you so much for your attention.

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Hon. Ralph Eichler (Minister of Agriculture): Thank you for your presentation. I know you talked a lot about science-based, and last night we had the opportunity to hear from minister Stainton. And his—he's a researcher with the federal government—was, and he's since retired. But his data, and I'll quote from an article that was written by him: showed no

data that strongly suggests 'phos' levels in Lake Winnipeg are directly tied to the gradually increasing phosphorus levels in the Red River since the early 1970s and that the surge of water flow rates have been occurring for almost the last two decades. Evidence-based expansion of the hog industry has nothing to do with the concentrate of phosphorus in water increase in overall levels in Lake Winnipeg.

How do you feel about that statement by Mr. Stainton?

Ms. Burns: I'd probably have to hear it again, but it sort of shocks me, I have to admit. Did I hear it right that he's saying that evidence-based doesn't—shows that there's—*[interjection]* Oh, okay, well—actually, frankly, I'd like to see the evidence, then, so that I could understand it.

Mr. Lindsey: Let me thank you for coming in and sharing your thoughts, because you did share some interesting comments that, really—I hope the government listens to, that we have an opportunity, as opposed to just backing off regulations and carrying on business as usual, to actually make some progressive changes that will be good for the industry and good for the people of Manitoba. So, really, I don't have a question so much as just to thank you for presenting options that hopefully we can work together on to actually make the hog industry the leader in the world, not just in production but in sustainability too. So, thank you.

Ms. Burns: Well, thank you for your comments.

Mr. Friesen: Thank you, Ms. Burns, for being here this evening. And thank you for addressing the issue of attribution—the lake, as well. We all care about the lake's quality.

Yesterday we heard expert after expert and agronomist after agronomist talk about the fact that probably 1 per cent of Lake Winnipeg contamination could be attributable to hogs, and there's other causes. You recognize that there are other causes as well.

Wanted to just ask you this. Provision 40.1 of our bill, of course, removes the requirement for anaerobic digesters. You talked about the need for a commitment to evidence- and science-based models. The University of Winnipeg expert panel review of measures to protect Lake Winnipeg found that there was no efficacy of anaerobic digesters. They didn't work in Manitoba. We're removing that provision because there's no evidence that they work. We're acting on the science.

Do you acknowledge that?

Ms. Burns: Yes, and actually, my concern about those two sections of The Environment Act that you're repealing is more about the general principle that it—the aim is to increase the number of hog barns here. It's not specifically about the anaerobic digester.

Mr. Gerrard: Thank you. I think one of the most positive developments recently has been the development of the Lake Winnipeg Foundation's monitoring network.

I wonder if you could tell me a little bit more about that. And also, I think in 2007, the Clean Environment Commission had recommended such a network, but it was never put in place until the Lake Winnipeg Foundation got into the picture. *[interjection]*

Madam Chairperson: Ms. Burns.

* (21:20)

Ms. Burns: Sorry. First of all, I'm not with the Lake Winnipeg Foundation, so I have to be careful what I say. But I think that what they're doing is really very, very helpful because we—it's sort of like diagnosing an illness. You have to narrow down where you should be focusing the efforts, and I think what they're doing and what we could be asking our Water Stewardship department to do as well is to expand some of those areas where we do see very high phosphorus runoff coming from. And then we can delve even deeper and say, okay, if it's from this area, what are the possible sources—if we really want the answers. I mean, we want the answers, don't we?

I don't—can't say any more about it.

Madam Chairperson: Seeing no more questions, thank you very much for your presentation.

It has come to my attention we have an out-of-town presenter who is here with us tonight, No. 18 on the list, Ms. Ruth Pryzner, private citizen.

Ms. Pryzner, do you have any written materials for distribution to the committee?

Ms. Ruth Pryzner (Private Citizen): I do.

Madam Chairperson: Please proceed with your presentation.

Ms. Pryzner: I'm going to speak primarily about section 5 of Bill 24 where the repeal of sections 40.1

and 40.2 and the schedule to The Environment Act are proposed.

During the Bill 17 hearings many years ago where—which put this existing law into place—or part of this existing law into place, I presented to the legislative committee, and I opposed the bill on a number of grounds. So it would seem inconsistent that I would be here today asking that these sections be retained.

Manitoba Pork Council Chair George Matheson said in an October 17th interview with Farmscape that, quote, an anaerobic digester did nothing to lessen the phosphates that would be spread on farmers' fields, so anaerobic digesters did not solve the so-called problem at all, unquote. This isn't surprising. Phosphorus produced in an industrial hog operation is a function of biology, feed, number of pigs and standard industry practice of spreading and concentrating nutrients on too small a land base. I'll talk about this more later on.

It's not that anaerobic digesters don't work in Manitoba's climate, because there's a University of Manitoba study that says that they do. You just cloak them in a passive—inexpensive passive greenhouse and add some insulation, and the timing of the—and location of where the manure comes from can make them work. They're used successfully in Saskatchewan and Alberta as well.

It is costly for liquid hog manure to be transported long distances to spread fields from pig operations. The Clean Environment Commission and the former NDP government acknowledged this reality. So separating manure with anaerobic digesters or equivalent technology is a feasible option for—from the perspective of protecting the environment.

Mr. Vice-Chairperson in the Chair

The goal was to move the industry in a direction where producers dewater hog manure and process it so that a dry, more readily usable phosphorous product could be sold and distributed to phosphorus-deficient areas to replace synthetic phosphate used by grain farmers.

The real objection to anaerobic digesters by Manitoba Pork is that they are costly. The real motivation of this government's bill, in my view, is to reduce cost to the taxpayer, which will shift these costs to the environment and ultimately to the taxpayer.

The components of Bill 24 that change The Environment Act are not red-tape reduction. The only change to The Environment Act that can possibly be considered a redundancy is section 40.2(a), where operators or employees of an agricultural operation with fewer than 300 animal units in existence as of March 30th, 2004, were exempted from the winter spreading ban until 2013. It is 2017, and all operations should now be in compliance. Only this section can legitimately be removed as red-tape reduction.

The remaining sections are a different matter. The proposed changes will clearly result in a reduction of environmental protection. Pork Council chair said it best: They are about a new direction this government is taking with respect to the hog industry—meaning to reduce costs to the hog industry, period.

It is undisputed by scientists that excess phosphorus on land, making it available for transport in and by water, is a significant factor in the degradation of surface water quality and ecosystems, especially in areas with sensitive soils, high water tables and that are prone to flooding—all the areas identified in The Environment Act as schedule A, which would also be removed by Bill 24, opening the entire province to hog barn expansion, even areas that are already overloaded with phosphorus.

It takes very little dissolved phosphorus to cause eutrophication and create ecosystem imbalances. Add to this the fact that several studies have established that there is a significant amount of phosphorus tied up in the sediments of lakes, especially Lake Winnipeg, that over time will be released into the water column. Because no government has taken the 'necesstary' steps to prevent nutrient overloading of soil, opting instead to cater to the profit-seeking requirements of internationally owned corporations, Maple Leaf and HyLife Foods, Manitobans are left with an intergenerational phosphorus pollution problem.

The existing phosphorus problem requires long-term solutions. Dr. Flaten and other University of Manitoba researchers and soil scientists have stated that phosphorus rapidly builds up in soils and that, conversely, it takes a very long time for phosphorus removal to occur. Tone Ag Consulting Ltd. published a report in 2011, which reads, in part, quote: Martin Entz: University of Manitoba's done research on phosphorus on clay soils under a two-year alfalfa, flax and wheat rotation. Where no

fertilizer was applied, it took 11 years to reduce soil test levels from 50 pounds per acre soil test phosphorus to 11 pounds per acre.

It is much easier to prevent a build up than to try and reduce it. To put this in perspective, the current phosphorus regulation allows for the loading of phosphorus to 180 parts per million per acre soil test phosphorus. This is 823 pounds per acre of labile—or, available phosphate. Soil tests only show about 10 per cent of what is in the soil. The rest is bound or non-labile P. This means that there's a total of 8,230 pounds per acre of total P allowed to be loaded into soils by regulation.

Dr. Flaten, in his submission to the CEC, noted that the average crop removal rate in Manitoba is 20.47 pounds of soil test labile phosphate per year. At a Manitoba reduction rate as observed by Martin Entz, 0.77 ppm per acre per year growing alfalfa in the rotation, which is a high-phosphorus using crop, it would take 233.77 years to deplete those soils loaded to the upper level of what the current regulation permits if manure application ceased. This is a very compelling reason to keep the effective moratorium with Bill 24.

While the government asserts that the Livestock Manure and Mortalities Mismanagement Regulation is sufficient to protect the environment, it is not. The LMMMR does not prevent the overloading of soils with nutrients, particularly phosphorus. The most recent studies show that, in most better-agricultural soils, when soil tests phosphorus levels approach 60 parts per million—the level at which the phosphorus regulation starts regulating phosphorus—there is an exponential loss to the environment.

Madam Chairperson in the Chair

Soils are like a leaky bucket. When phosphorus is added in amounts that exceed what a crop can use in a growing season, it is available to move in spring runoff, rain events and flooding into water bodies, rivers and drainage systems. The Lake Winnipeg watershed is vast. Excess nutrients in the Assiniboine River drainage system in western Manitoba where I live ultimately ends up in Lake Winnipeg. This government and Manitoba pork assures the public that the regulations protect our collective environment. Again, they do not. The regulation allows for up to five times the crop removal rate of phosphorus to be applied at once. Even if manure can't be applied for the same number of years, prevention of phosphorus loss cannot be achieved.

Municipal councils are told that the Technical Review Committee expects that enough land must be available for spreading at a one-times crop removal rate. The problem is, as Manitoba Pork Council manager of sustainable development programs Mike Teillet told me last November, hog manure applicators reported to him that their equipment limitations make it impossible to apply manure at rates below three and four times the crop removal rate. So what happens is—to this excess P? It can leak out of the soil bucket into and with water, ending up in lakes and rivers.

* (21:30)

The Environment Act provisions to be repealed by Bill 24 have effectively prevented industry expansion and, therefore, the addition of excess amounts of phosphorus to spread lands—standard industry practice to the landscape, all for the sake of two rural wealth-extracting, meat-exporting international corporations whose bottom line is increasing profits whilst leaving the environmental mess behind for generations to come.

Ah, but Bill 24 supporters claim, the hog industry only contributes 1 per cent of the phosphorus loading to Lake Winnipeg. You have in your packages the elusive 1 per cent technical notes prepared by Dr. Flaten, which started this fallacy and Manitoba Pork's belief, a document that Mr. Matheson and Mr. Teillet admitted to me on September 21st that they had not even seen, never mind read and understood, and which Teillet did not want a copy of when I showed it to him.

I've also given you a copy of an op-ed by Alan Baron, published in the Winnipeg Free Press, that refutes Flaten's self-admitted, quote, back-of-the-envelope calculations, end quote. The data Flaten used is outdated, from 2001, collected prior to the industry's rapid expansion. The Lake Winnipeg Stewardship Board's estimates also rely on old data. It's safe to conclude that he knows that. Flaten did not and cannot refute Baron's conclusion that the hog industry contributes considerably more than 1 per cent. With comprehensive data from 2016–18, 19 years after Maple Leaf set up shop, I am confident that the percentage contribution will be more consistent with Mr. Baron's estimates. Mr. Baron's work is on public record with the Clean Environment Commission.

Moreover, Flaten's assumptions that all agricultural sources of—

Madam Chairperson: Ms. Pryzner, your time for presentation has expired, so we are going to move on to questions at this point.

Mr. Friesen: Thank you, Ms. Pryzner, for your presentation at committee tonight and the information that you've left with us. I do admit we have heard from very, very few presenters in one and a half nights of committee—yesterday we went almost 'til midnight—who actually mounted a defence of the conventional anaerobic digester technologies. As a matter of fact, even the speaker just previous to you and her long association with the save Lake Winnipeg foundation would not mount a defence of the use of anaerobic digesters. I'm wondering; you mentioned they're working well in Saskatchewan, but yesterday, we saw evidence, including photo evidence, presented of whole digesters in Saskatchewan and other jurisdictions where they had walked away from the total investment. Could you please cite for me the source when you said there was a University of Manitoba study that says that they work?

Ms. Pryzner: I will get that to you. I don't have it off the top of my head, and I was in a rush to get here, so I didn't cite it properly, sorry about that. But it's on the University of Manitoba's website.

The thing about anaerobic digesters is that there are problems with them, but the two-celled storage system presents even more problems because you're going to get a concentration of phosphorus in the first cell, and we don't have the equipment that's able to spread concentrated phosphorus-laden manure at three or four times the crop removal rate with regular manure, never mind concentrated phosphorus. So we're—the problem is is there's nutrients in and nutrients out and that waste has to be disposed of somewhere, and it's going to be on those 'sprague'—spread acres and it's going to build up. And the phosphorus regulation maximum of—limit of 180 parts per million, that whole regulation, is worse than the way in which phosphorus was looked at by experts prior to its passage when 40 pounds was high; that's about 10 parts per million. So the real problem is the amount of phosphorus produced by these operations, and what do you do with it?

So the legislation says anaerobic digesters or equivalent environmentally sound treatment systems that can deal with the problem of the inability for the hog industry to move liquid—costly liquid manure off the farm and to put it in deficient areas. That's part—basically the crux of the problem there.

Mr. Allum: Thank you for coming tonight. That's a really detailed document you have provided to us and very comprehensive, and I can't tell you how impressed I am.

It seems to me—and maybe I'm reading between the lines, so correct me if I'm wrong, that you're suggesting that maybe the right idea here, which was put to us last night, is that we actually go back, take a more comprehensive review of The Environment Act, and come to terms around how we build a more sustainable society, broadly speaking, whether it's in the agricultural industry or other indirect industries affected by that particular—by The Environment Act itself.

So I'm wondering, would your advice to us be to have the government withdraw this bill and then to go on a more comprehensive, more detailed review of The Environment Act to get us to the better place that we would like to be?

Ms. Pryzner: I think there needs to be some changes to The Environment Act. Manitoba Law Reform Commission did a review in 2015. I disagree with a bunch of their conclusions, but, you know, years ago we asked for the hog industry to be put under the classes of development regulation because they call themselves an industry and it is. It's an industrial mode of production. It's a nutrient-in and waste-out system, and it's not agriculture. I grew up on a farm. I farmed for the last 23 years. It is not agriculture.

So, yes, there needs to be a lot of changes and, you know, there are limits. There are limits to what the environment can take, and it's fundamentally important to all Manitobans. It's in the public interest to have a healthy environment and clean water.

Madam Chairperson: The time for questions has expired. Thank you very much for your presentation.

I will now call upon Ms. Kristin Luhn-Jensen, private citizen. Ms. Luhn-Jensen, do you have any written materials for distribution to the committee?

Ms. Kristin Luhn-Jensen (Private Citizen): I do not.

Madam Chairperson: Please proceed with your presentation.

Ms. Luhn-Jensen: Thank you, and thank you for the opportunity to speak to this issue this evening.

I am against the passage of Bill 24 in its current form as this bill would repeal sections 40.1 and 40.2 of The Environment Act.

These are important sections that help protect the health of Manitoba's environment through the regulation of an activity that has the potential for massively detrimental impacts on our environment, particularly our water systems, and that is industrial hog farming.

Section 40.1 of The Environment Act states that the construction, expansion or modification of a hog barn or hog-manure storage facility requires a permit. The purpose of having activities permitted under The Environment Act is to ensure scrutiny of those activities by experts—water experts, soil experts, wildlife experts—who are appropriately qualified to assess the protection of the environment and the impact of these activities on Manitoba's land and water.

Removing activities from The Environment Act thus removes a critical layer of scrutiny and environmental protection. I find it shocking to think that industrial undertakings as environmentally impactful as hog farms would no longer require any reviewer oversight by an environmental authority.

I think it's also important to note that the inclusion of these activities in The Environment Act means that these activities require a period of public review and comment. Taking these activities out of The Environment Act takes them out of the public eye and eliminates that requirement to public comment.

Hog farms have enormous environmental implications, significantly the potential for water pollution, and as we've been discussing this evening, this is due to runoff into water systems of phosphorus and nitrogen found in high quantities in pig manure. If spread on snow during the wintertime, this manure merely creates a toxic sludge that adds no benefit to the soil but which runs directly into nearby rivers or lakes during the spring melt, creating a chemical stew being poured into our communal waterways.

This phosphorus is the cause of the increasing instances of algal blooms in Lake Winnipeg, algal blooms which cut the oxygen in the lake and kill its fish. This includes, as we've talked about, the blue-green algal bloom, which is directly and highly toxic to both people and animals.

Section 40.2 of The Environment Act currently prohibits the spreading of manure in winter, and I do appreciate that there are regulations in place dealing with that as well.

The government wants to repeal the prohibition under The Environment Act. Given the potential for significant environmental damage, as well as the risk to human and animal health, it is important, in my opinion, to maintain the strongest possible protections—that's legislative protection—against the spreading of manure in winter. So it's important to maintain this prohibition within The Environment Act.

* (21:40)

Many groups, including previous Manitoba governments and agencies such as the Lake Winnipeg stewardship committee and NGOs such as the Lake Winnipeg Foundation have spent more than a decade tackling the pollution of Lake Winnipeg, including by overloads of nitrogen and phosphorus, and I believe repealing sections 40.1 and 40.2 of The Environment Act will undo much of the progress that we, as Manitobans, have made towards improving the health of Lake Winnipeg.

As a citizen of Manitoba, as a voter and a resident here, I also wanted to just put on the record that we haven't—we've talked a little bit about animal welfare, but that's something that's important to me as a voter, and I think the statistic that somebody mentioned earlier about, I believe, 30,000 pigs dying in fires over the last eight years is an astonishing statistic and I hope not a standard that we want to strive towards.

I would ask that the government remove the repeal of Sections 40.1 and 40.2 of The Environment Act from Bill 24 for the health and well-being of all Manitobans. Thank you.

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Mr. Friesen: Thank you, Ms. Luhn-Jensen, for being here and presenting to us this evening.

I want to clarify, you started one of your—parts of your speech by saying, if spread on snow in wintertime—and you talked about the runoff hazards. We heard an earlier presenter tonight—actually, we heard a couple of earlier presenters tonight—verify that Manitoba has the most stringent prohibitions against winter spreading of manure in any place in North America, both in legislation and in regulation. In no way does our government have any interest in watering down that prohibition. There will be

no winter spreading of manure. So we share the concern.

Ms. Lauhn-Jensen: I'm pleased to hear it and I hope. But it's—when it's in a regulation it's, of course, something we can't rely on and something that can be changed without any public discussion. So I hope that this change in the legislation is not the thin end of the wedge.

Mr. Allum: Ms. Lauhn-Jensen, thank you for coming tonight. You've made some good observations and observations that we've been trying to make in opposition to the bill.

Our concern with the bill, though, goes even further than that. The drinking water standards here are reduced quite substantially, ecological reserves the requirement to report every five years is just eliminated; buried deep in the bill as the oversight legislation that we put into place on public-private partnerships that could put public assets in—like schools, which the government is planning to do in the hands of private developers.

Your suggestion was around section 40 and 41. But would it be better for the government simply to withdraw the whole bill, slice it up into—dice it up into its appropriate pieces and then bring legislation on each of these elements so that Manitobans could have a proper dialogue in all of these issues?

Ms. Lauhn-Jensen: Yes, that makes sense to me. As a constituent here, I don't have the expertise or insight into the other sections but, of course, that makes logical sense.

Mr. Gerrard: Thank you for your presentation, and your concerns about moving the banning of winter spreading of manure from a bill or legislation into regulations. I suspect that this is partly a matter of trust of this government and also a lot of concern about the critical state of Lake Winnipeg.

I give you another moment to comment on that.

Ms. Lauhn-Jensen: Yes, I suppose so. I think anytime something, you know, there's no opportunity for public to comment; it's very easy to say one thing and do another thing. So, you know, someone can say something, they're no longer in that portfolio a few months later, and there's an entirely different approach to something. We've, of course, all seen that, and, you know, many, many times for many issues.

So, of course, it's much preferable to have important issues that are as important as this require that public comment.

Madam Chairperson: Seeing no further questions, thank you very much for your presentation.

I will now call upon Kelly Whelan-Enns, private citizen.

Mr. Whelan-Enns, do you have any written materials for distribution to the committee?

Mr. Kelly Whelan-Enns (Private Citizen): No, I do not.

Madam Chairperson: Please proceed with your presentation.

Mr. Whelan-Enns: So, a little background. I grew up in the farming community south of Winnipeg. I come from a farm family. Half of my family has farmed for generations. One of my main points of contention with this bill is that it's an omnibus bill. Every one of these regulations should be broken up and addressed separately. To do otherwise is irresponsible.

One of the primary concerns that I have is a section that deals with the PPP section, the private-public partnership section. Having this kind of regulation repealed that reduced or removes the transparency in these kind of partnerships is irresponsible. Moving water testing to a 10-year gap is irresponsible. We should actually have it every other year, or every third year. This is how you maintain quality of water. This is how you maintain quality of information that the government can actually use to make informed decisions.

That's pretty much all I have to say. There's been a lot of really good information that's been brought forward, a lot more detailed information.

My background working in the environmental, non-government organization field for the last 30 years has given me quite a bird's eye view in how a government will pass regulation and then assume it's going to work, or assume that it is in the best interest of all those affected, the citizens and the communities. And they never figure out how to monitor its progress. They never figure out how to enforce it and actually make it real legislation.

So this is one of my main concerns with a bill like this is that you have people making regulation and assuming that it's going to work the way they

think it's going to work when we all know that, in reality—theory never survives contact with reality.

That's all I have to say.

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Mr. Friesen: Thank you, Mr. Whelan-Enns, for being here and making your presentation. I know you're quarrelling with the 'omnimus' presentation of this bill—in other words, the approach of this bill. We think it all falls under regulatory accountability; that's why we collect these bill—these measures together. I would point out that, in 2011, The Save Lake Winnipeg Act was—Bill 46 was an omnibus bill itself. It established a number of these provisions.

But, on your P3 comment, I would want to make this clear: Manitoba is the only jurisdiction in Canada that has provisions in legislation pertaining to the use of P3s. There is no other jurisdiction in Canada that has a provision of this kind. So my question to you would be: Do you think that every other province is being unaccountable on the issue of P3s? On water assessment in the same way, the changes we're bringing harmonize us with Ontario, Saskatchewan and Alberta. You said it was irresponsible. Do you believe that the governments of Ontario, Alberta and Saskatchewan are being irresponsible?

Mr. Whelan-Enns: That is a good question.

My point is the transparency aspect. Bringing in a regulation that reduces the ability for the public comment or to actually understand what is going on, regardless of what other provinces are doing, to me is actually irrelevant because the main point is transparency and accountability and what the public can actually understand what is going on and are able to actually see the actions and understand the information of what is going on.

This is not about the other provinces, this about what Manitoba is doing.

Mr. Allum: Mr. Whelan-Enns, thank you so much for coming tonight. I'm not going to ask you any questions for the simple reason that what you've presented to us tonight in large part confirms our objections to the way this bill has been presented and the way it's been rolling out. So I want to thank you

for coming tonight and spending the time with us and giving us your advice. *[interjection]*

* (21:50)

Madam Chairperson: Mr. Whelan-Enns.

Mr. Whelan-Enns: —in terms of my political background, I was raised by my grandfathers, both farmers. One grandfather, Ed Whelan, helped create medicare in Saskatchewan. So I was educated on the realities of policy and regulations from a very, very, very young age. And this is why I'm here tonight objecting, is because regardless of what other provinces are doing, the main mode of government should be informed public consensus and informed transparency for public consensus because, after all, that is what democracy is supposed to be about, right?

Mr. Gerrard: Would you comment, because you've got a fairly strong environmental background, on the state of Lake Winnipeg and how critical it is that we don't start reversing directions and—in terms of phosphorus. *[interjection]*

Madam Chairperson: Mr. Whelan-Enns.

Mr. Whelan-Enns: —at this point in the game would be, you know, for lack of a better analogy, slitting one's wrists because you haven't had that phone call. In Manitoba, there is a lot of concern and a lot of real need to address phosphorus loading and phosphorus content in the waterways, not just in Lake Winnipeg but in all of the watersheds, and this is one of the things that this government or this Province should do, is they should do a regional cumulative environmental impact assessment to actually ascertain what the full impact across the province actually is and what the current state of the province is. To not do so is irresponsible and means that you will be making decisions based on incomplete and false information.

Now there is a lot of talk about the hog industry being the reason why there is so much phosphorus in the waterways. We also have major cities along major waterways in the province, and there is an awful lot that could be done to mitigate the impact and reduce the use of effluent or manure on fields. There is a lot of technology out there that could be looked at, instead of whether or not it's just about spraying or putting manure into the fields.

One of the main concerns that is never talked about, about Lake Winnipeg, is how Manitoba Hydro

uses it as a reservoir and doesn't want to talk about that and has no operational protocols for such an operation. Water flow in a lake is essential to maintain the health of a lake. Building dams north and south and rerouting water through channels without doing a regional cumulative environmental impact assessment is irresponsible—

Madam Chairperson: Mr. Whelan-Enns, the time for question period actually has surpassed what our limits are, but thank you very much for your presentation.

I will now call on Justin Lecocq, private citizen.

Mr. Justin Lecocq, are you here? Mr. Lecocq will be put to the bottom of the list.

I will now call upon Louise May, Aurora Farm.

Ms. May, do you have written—

Ms. Louise May (Aurora Farm): Yes, I do.

Madam Chairperson: Okay. Please proceed with your presentation.

Ms. May: Thank you for spending so much time on this important subject and being here late tonight.

In the spirit of collaboration, I'd like to share with you the business actions that I have undertaken on my own farm. I'm operating on basic ecological principles while building an economic model that I believe can be an example of a win-win-win solution for Lake Winnipeg, farmers and our grandchildren.

My name is Louise May. I am owner-operator of Aurora Farm, a small family farming business in St. Norbert, Manitoba. We are a 160-acre mixed livestock and crop business and have a focus on ecological sustainability and education. Our livestock, like all livestock, produce manure. We have herds of dairy goats, alpacas, horses, laying hens, and maintain a small apiary.

As our herds grew, I developed a composting plan that has continued to evolve over the past 13 years of our operation. If you come to see my operation, you will see several long windrows of composting manure. A windrow is a technical term in the composting world for a big long pile. Our windrows at Aurora Farm begin in their first stages as 12 feet high by 12 feet wide by approximately 200 feet long. At any one time we at least—have at least three or four of these windrows at various stages of decomposition. We may not produce as much manure as a hog barn, but we still produce

many thousands of tons per year as we clean our barns daily and our corrals seasonally.

What I wanted to explain that I left out in my written presentation, I'll just quickly explain now. My experiment, our experiment, has been to discover what the appropriate animal units for the crop size that we have for the materials and the labour, that we have it in hand for the business plan at hand, to make a stable nutrient circle. And that is what we have achieved at this time.

Just as a quick review of aerobic composting, hot wet manure—hot wet material, manure, is mixed with dry, cool material, in our case, straw, from the bedding material we use for our animals, and left to decompose naturally with the rainwater, snow collection being sufficient humidity to drive the decomposition. We turn our rows using a tractor several times before the decomposition process is complete to aerate, to move oxygen into it, at which point the nutrients in the compost, which is now stable, can be spread on our crop field and eliminate any need for synthetic fertilizer. Compost used in this way is also a soil amendment and can prevent further erosion. It builds topsoil which has been drastically depleted with modern agricultural practices.

The process of compost management that we have established eliminates expensive infrastructure of the anaerobic digester and slurry ponds and replaces them with the much simpler occurring process of aerobic decomposition—although I've heard a number of times tonight that the anaerobic digesters did not work, I would say that's not a function of anaerobic digestion—digesters, but merely not being able to figure out how to make them work. They should work. But I think aerobic decomposition is much better anyway.

We find a convenient use for extra—excess straw from our neighbours' crops. This can help eliminate waste straw burning in many farmers' fields each year. And we eliminate costly petrochemical fertilizers which residually drain back into Lake Winnipeg, also causing the deadly algae bloom. This process respects the natural laws of ecology and were practised by all of our agrarian ancestors.

You might say that this presentation is geared towards hog producers themselves. I do appeal to the creativity and ethics of all agricultural producers to create long-term strategies which mimic natural processes with the ultimate goal of reducing our dependency on petroleum and synthetic products and

to ensure the viability of ecosystem-based human habitation. If our lakes die, we die.

This is where responsible government steps in. We do need reasonable regulations, but, more importantly, we need constructive direction and purposeful compliance as a whole community committed to our water, our source of life. This is where the current Bill 24 completely misses the opportunity. Does this government wish to be among the many which go down in history as part of the problem of ecological crisis? Or do you wish to be among the leaders of transition towards a promising future for our grandchildren? And I don't mean to say our grandchildren as a metaphor, I mean it literally. In 20 years, in 40 years, in 60 years, they will be battling some of the huge challenges if we don't refocus ourselves and make the very best decisions now.

I do believe that there are ample opportunities to eliminate red tape at the provincial government level, and I'm happy to share my thoughts on these in another forum. Looking at rewards instead of punishment in all areas of ecological concern, I believe, will achieve a greater, more permanent success and build a true legacy. Wouldn't it be great if our grandchildren could thrive instead of merely survive?

Thank you.

Madam Chairperson: Thank you for your presentation, Ms. May. It's good to see you again.

Do members of the committee have questions for the presenter?

* (22:00)

Mr. Friesen: Ms. May, thank you for being here this evening and thank you for your presentation. We share your concern that the things that we do must create sustainability. It is our world, like you said; we need to live in it; we make to—we need to make sure we're good stewards of it.

I want to just make you aware of the fact that very soon now our government will be rolling out our green initiative, our green plan. I know someone with your interest in this will want to watch for this document. There'll be a comment period. There'll be a public engagement process. I'll be looking forward to hearing your feedback on that.

And thank you for your thoughts about the elimination of red tape and how important that is for small businesses to thrive.

Madam Chairperson: Ms. May, do you have a response?

Ms. May: Thank you.

Mr. Allum: Louise, thank you for coming tonight.

I know that you have worked diligently on rural farms, and made it a very successful enterprise, and one that I think we all, as a community, could be quite proud of. We've tried to make the argument that the government should withdraw this bill, and I won't bore you with that.

But, were they to do that, could you sort of outline what a constructive process might look like that would help to get to the very kinds of suggestions you've made here?

Ms. May: I find it mind-boggling, to tell you the truth, and I'm sure you all do, too, to wrestle with how to create the right legislation and the right method of controlling it. I think that we've heard, you know, from a number of presentations on both sides that whatever is working is not working. We need more controls. We need more creative motivation. We need more systems in place. We need more role models. I don't know how that turns into legislation. That is your job.

I just urge you all to try to be on the same page with what the end goal is, and that I find so much so that partisan politics lose the ability to simply say we are all humans living on this planet and we all need to work together to figure out a solution, and that solution might be one thing for one set of people and a different thing for a different set of people or area. I just—yes, I just urge everyone to be as creative as possible and as diligent in their application of ethics. That's what I do in my own situation. That's all I can do.

Mr. Gerrard: Thank you, and thank you for sharing your story with your business and so on.

You may be—being in St. Norbert, you may be in the flood plain of the Red River, and I know that in the last, well, in the flood of the century of 1997 there was a problem with—there were lagoons in the flood plain. And I wonder if, you know, with your position and your experience, if you'd comment on that.

Ms. May: I'm very lucky that I—my farm is inside the floodway dikes and I see others around me that are in that situation. We are protected. Those sewage lagoons that are in the flood plain need to be treated with a very different set of regulations than other

ones that are in other grounds that are higher that would not receive floods.

So I guess, maybe that goes back to the previous question, it—blanket legislation and regulation is not always going to protect those areas that are most at risk. And with soil conditions different everywhere, I can't even see how you can create a single legislation that would be actually effective in preventing the environmental disasters that we all see. So we have to look at each one of those environmental disasters and say how we're going to solve that.

Madam Chairperson: Seeing no further questions, thank you very much for your presentation.

I will now call upon Kristaps Balodis, private citizen.

Mr. Balodis, do you have written materials for distribution to the committee?

Mr. Kristaps Balodis (Private Citizen): No, I do not.

Madam Chairperson: Okay. Please proceed with your presentation.

Mr. Balodis: So, first off, I'd just like to take the opportunity to announce the fact that we're on Treaty 1 territory.

Secondly, I'd like to thank all of you members of the committee for hearing us out tonight, and equally as much, everyone who came to speak this evening. It's a great thing to see the democratic process alive and well.

So, first off, before we talk about any particulars of the bill itself, I would like to address the fact that it is an omnibus bill. Now, of course, not all omnibus bills are evil. As the honourable Minister Friesen had mentioned, the—in fact, the previous bill that was put forward to protect Lake Winnipeg was, in fact, an omnibus bill. And, of course, it does make sense if there's quite a few things that need to be amended which are all, you know, connected by some sort of common theme—makes sense it all be packed into a bill together.

However, when it does come to this bill, if anyone is needing any sort of indication as to whether there exist portions of it which might require specific attention to those alone, you only really have to look around the room. I mean, we've all been here for—well, at least quite a few of us have been here for these two days now discussing, you know, the bill in the entirety, but there are select few numbers of—

portions of this bill which have come up time and time again. And that would certainly indicate to me that, perhaps, those specific parts of the bill do require a bit of extra attention.

Anyways, on to the bill itself. Certainly, I mean, the portions that I agree with, of course, are the—drinking water and safety—or, disagree with the drinking water and safety act—doubling the amount of time that we're currently looking and reviewing doesn't really make a whole lot of sense. Of course, there's also The Public-Private Partnerships Transparency and Accountability Act—why the entire thing is being repealed, I don't really know. I mean, transparency and accountability is a pretty important thing to have in government, no matter what it's regarding. And, of course, I mean, there's—many, many people have spoken already to the repeals of The Environment Act that are being proposed.

Now, when it comes particular to the hog industry—which, of course, has been the hottest topic of the last two evenings, one of the things I wanted to point to that, I think, was brought to the attention yesterday, the statistics that had been in the open letter to Manitoba citizens from Manitoba Pork—one of the things that was pointed out yesterday was they did include 53 per cent of outside sources contributing to the phosphorus in Lake Winnipeg. That's something that we as Manitobans don't really have control over, so throwing that statistic in there, of course, scales everything down by a factor of two. So that needs to be taken into consideration.

I know the statistic of 1 per cent was thrown a lot—thrown around quite a lot the last couple of days. I personally, though my search was not very detailed, I didn't seem to find that. Their document only mentioned that it was 15 per cent agricultural, and there was no mention of this 1 per cent there. Now, coming to that, though, it does seem that a lot of people have been throwing around a lot of different names and a lot of different studies and claiming it's over 7, it's under 1. All over the place. So, clearly, some time needs to be taken to sit down and actually review the scientific sources that are out there. But I think one thing's apparent from all the claims being made this evening, that we do need to take our time because there are quite a few different studies out there saying different things.

The other thing, too, a lot of the pork producers who have presented over the last two days, they seem to have—they seem to be reporting that our pork industry is very strong. It's definitely something that,

economically speaking, we can be very proud of, with—I think it was over \$1 billion annually in the industry.

So, with the pork industry being very strong in Manitoba, that's telling me, of course, simultaneously that it's certainly not hurting. It's not in dire need of some changes to save the industry. And that kind of tells me that maybe they can afford a little bit of patience for us to take a bit more time reviewing some of the environmental aspects that are being amended in this bill.

And I think that's pretty much everything.

* (22:10)

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Mr. Friesen: Thank you, Mr. Balodis, for being here and making your presentation to us this evening. I just wanted to briefly reference The Drinking Water Safety Act part of our bill that you also reference.

I want you to know that the changes that we're bringing in no way affect the frequency with which water is tested. Water testing continues without any kind of change. This simply allows for a differential treatment of private and semi-public water systems, like a campground, where there's a good system of compliance to make sure that agents within the department can focus on those that they have concerns about, so it goes on a results basis and it aligns us with Ontario, Alberta and Saskatchewan.

I invite your comments and, once again, thanks for coming this evening.

Mr. Balodis: Sorry; I'm not quite clear on that. It was my understanding that it would be the case that for the people affected by the amendment that there would be a reduction in the requirement for how frequently it would be reviewed from five to 10 years.

Now, I mean, it may be the case in other provinces, but it seems to me from all the information we've had this evening that Manitoba is a leader in many respects and, I think, keeping us a leader would be the right way to go. But if you could just sort of clarify for me that five-to-10-year change.

Mr. Friesen: So there's a difference between a testing of water quality and assessment of water quality. Assessment is by the regulator over and

above. That is done on an audited basis, but it's also a hard and fast requirement for municipal sources. This would be a change that would see a requirement from an assessment cycle's extension, puts the power in the hands of the director, or they could make certain adjudications and say they want to focus on the ones that are doing the worst job and then it could extend the assessment period, but it does not change the water testing conditions.

Mr. Balodis: Thanks for clarifying.

Mr. Allum: Mr. Balodis, thank you for coming, and I want to thank you for being here over the course of two nights. That's an extraordinary act of citizenship on your part, and I think all of us around the table admire you for doing that.

I think that you've made a number of the points that we've been trying to make over the last couple of nights, so I simply wanted to thank you for presentation, for hanging in there with all of us around the table and for your contribution to public policy here in Manitoba.

Mr. Gerrard: I just want to say thank you for coming and presenting and having to wait quite a long time to do so.

Mr. Balodis: Thanks.

Madam Chairperson: Seeing no further questions, thank you very much for your presentation.

I have been advised that Elizabeth Cameron, No. 37 on the presenters' list for Bill 24, is unable to make a presentation at this meeting, but would like to have their written brief considered by the committee as a written submission.

Does the committee agree to receive these documents and have them appear in Hansard transcript of this meeting? *[Agreed]*

I will now call on Marianne Cerilli, private citizen.

Ms. Cerilli, do you have any written materials for distribution to the committee?

Ms. Marianne Cerilli (Private Citizen): I did not make copies, no.

Madam Chairperson: Okay. Please proceed with your presentation.

Ms. Cerilli: Good evening. I'm pleased to come tonight to make a presentation on Bill 24. I'm calling my presentation the—something about regulation and laws and processes to protect our health and

environment are not red tape. So the protection of the environment, the protection of our health cannot be seen as red tape.

So that notion of putting things in a bill that are going to deregulate protection of water, that are going to deregulate industries like the hog industry that have a huge risk of water contamination, that should not be seen as red tape. So that is a fundamental, I guess, problem, that I see with the concept behind this legislation.

I was an MLA here for 13 years, and for my first four and a half years with the NDP caucus, I was the critic for the Environment, and I criss-crossed the province, in southern Manitoba in particular, going to communities where they were trying to stop the construction of hog operations that were going to threaten their drinking water source. Thirty per cent of Manitobans—about 30 and a half per cent of Manitobans rely on groundwater for their drinking water, and this bill puts those drinking water resources at risk.

Before being an MLA, and now again, after being an MLA, I'm a health teacher. That's my education background; that's what I'm doing now. So, I teach about healthy communities; I teach about community development and environmental protection. I'm not indigenous, but I share the values of an indigenous world view, values that we should look seven generations on what we are doing in our communities and in our economy to make sure that it is not going to have adverse effects. The values of understanding that everything is connected—the environment, the economy, social equity, is all one system, and we can't have artificial views that we can separate those systems.

I also share the view that the earth and water and the natural world is sacred and that we, as humans, are not here as—to dominate the natural world. And what we're seeing in terms of climate change and other environmental disasters across the world with water contamination, with depleted resources, whether it's in fisheries or forestry or the ossification of coral reefs—we're seeing that we have, in the last 200 years, used resources at a rate that have made the future of our grandchildren perilous.

So, I'm here to think, you know, what can I offer that might be something additional for the committee members, the MLAs, that are making decisions about their grandchildren's future? What can I offer you that's different from the many presenters that have come here before you and before me? Because I

come from a point of view where I'm concerned about the determinants of health.

So, if I ask you, as MLAs, what you think are the primary determinants of our health. Often, people think it's health care; people think that it's access to a doctor or an emergency room, or people think it's their biology and their genetics, or people might even think it's their choices, their lifestyle choices, whether you smoke, whether you exercise, eat well. But the primary determinants of our health are actually the environments that we live in. Our access to clean water and clean air—we can live for a couple of minutes without air and oxygen. We can only live a couple of days without water and food.

So I think we have to put these changes in legislation into the context where they belong, that you are playing with people's health. So, I look at this bill and I see the double danger, the dual danger, of on the one hand reducing the inspections for groundwater from five to 10 years, and at the same time, deregulating the expansion of the hog industry and the spreading of manure.

So those two things together in this bill are a recipe for disaster. They're playing roulette with your children's future, your children's and grandchildren's future, who are going to live in this province, and 30 per cent of them are going to rely on that groundwater for drinking water.

* (22:20)

So section 40.1 and 40.2 are the two sections that make those changes to the hog industry, and I would encourage you to seriously remove those sections because the hog industry can operate without them, without having these provisions to deregulate the spreading of manure, to allow for more expansion of the industry.

I'm very concerned that you would take this approach of suggesting that this kind of deregulation of the hog industry—the industrialized hog industry that we have in Manitoba as red tape. I think that this is following in lines with what's happening in the United States with President Trump, who's trying to eliminate the EPA who are trying to put development in private—in public parks or sell public parks. It's in the same vein, in the same approach, and I really think that Manitobans and Canadians expect more from our provincial government than to suggest that we throw up our hands in the face of industries and we allow industry to go unregulated and threaten our water sources and our—really, what other presenters

have also said, are essential for our health and well-being in our life.

Thank you.

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Mr. Friesen: Well thanks, Ms. Cerilli, for being here this evening.

You know that I'll disagree with your assessment of these changes. When you say things like allow the industry to go unregulated, I have to make those comments stack up against those of other presenters that we've heard just this evening who reminded us. Producers—we heard advocates for the farm community, farmers themselves, farm business representatives remind us that we are the only jurisdiction with a hard prohibition against winter spreading of manure. There's no other province with those regulations. We're the only province that calls for in-field audits with an audit penetration rate of 10 per cent. These are significant commitments to regulatory accountability. We are—we have some of the highest environmental standards in the world when it comes to this industry.

So I don't accept the premise. We—there'll be no support from this government to deregulate the hog industry, but we will take off an ideologically placed prohibition on this industry.

Ms. Cerilli: Well, are you trying to be a leader, or are you trying to work to the lowest common denominator?

I think we have sometimes elected governments that really don't believe in government regulation and are going to weaken regulation and put communities at risk, to put water resources at risk.

And I appreciate what you're saying about winter spreading of manure, but I think if you look at the reason that those regulations were put in place, that there were incidents in Manitoba where there were problems from the excess bit of spreading of manure in those situations.

Mr. Friesen: Thank you.

Mr. Allum: Ms. Cerilli—Marianne, welcome tonight. Or, more appropriately, welcome back, although I know this isn't your first time back at the Legislature and likely won't be your last either. And I know that you have a long and proud history of speaking truth

to power, regardless of who is in power. And so I greatly admire that.

I understood you to say that at a minimum the sections 40 and 41, whatever they may be, should be taken out of the bill. It's been our position that the government actually should withdraw the bill and kind of start over.

What would be your advice in that regard?

Ms. Cerilli: I would support that.

Others have said that this kind of an omnibus approach is another kind of Trump-esque approach. Harper did this a lot with bills that would bury all sorts of unrelated issues together in one piece of legislation. So, to have provisions in there about triple-P and, you know, all of those things together, that's not good legislation, in my opinion.

I'm also concerned that the government is taking other actions that are increasing red tape in other areas, like removing the multi-year agreements for non-community-based organizations, which are now going to have to go to the government, fundraise—spend so much more time fundraising and trying to raise funds rather than doing the work in the community. So it seems like there's certain groups that are having red tape reduced and other groups that are having barriers to their operations put in place by the actions of this government.

So, you know, there's an ideology here, and that ideology seems to think that—I think more and more people are seeing the limits of the ideology that's behind this kind of legislation and it's not looking at social equity; it's not looking at ecological justice and ecological protection as integrated with an economic model. And that's the future. That's what kids in school are being taught, and I just wish we could elect a government that would be serious about doing that, about integrating equity, the environment and an economic model that will ensure that the future of our children is not going to be as perilous as it's looking with—you know, we see on the news every day environmental crises that's going on all over the world, and this kind of approach is going in the wrong direction.

Mr. Gerrard: Just—thank you for coming back and presenting, and welcome.

Madam Chairperson: Thank you for your presentation.

I will now call upon Mr. Kevin Toyne.

Mr. Toyne, do you have any written materials for distribution to the committee?

Mr. Kevin Toyne (Private Citizen): I do.

Madam Chairperson: Please proceed with your presentation.

Mr. Toyne: Thank you very much.

For those of you that don't know me, my name's Kevin Toyne. I'm a lawyer at the law firm Hill Sokalski Walsh Olson LLP, and I'm here tonight on behalf of and in my capacity as a member of the board of directors of the Winnipeg Humane Society, and my remarks will cover three topics: first, why the Humane Society takes an interest in this bill; second, what the Humane Society will be asking you to do; and third, acknowledging the realities of majority government, what else the Winnipeg Humane Society is asking this and future governments to do going forward to improve animal welfare and take Manitoba to the forefront of animal protection in Canada.

My handout is a copy of the remarks that I intend to make, but there will be some changes to reflect some of the presentations that you've already heard tonight.

So let me start at the beginning. The Winnipeg Humane Society was founded in 1894, and since its founding, the society has been Manitoba's leading animal welfare organization. The society prides itself on being a strong voice for all animals: pet, farm and exotic, and it has played an active role in trying to improve the lives of farmed animals in Manitoba for many years. So, for example, the society's long-running Quit Stalling campaign has sought to ban sow stalls, or sometimes referred to as gestation crates, because they are viewed by many as a particularly cruel method of captivity for pigs. Now, the first presentation that you heard tonight was from some representatives from Maple Leaf that spoke about their efforts to phase them out of their operations, and you also heard a representative, Ms. Brittany Semeniuk, from the society's Farm Animal Compassion Committee, talk about some of the concerns that she and others have about gestation crates.

Now, sections 40.1 and 40.2 of The Environment Act were not introduced as measures intended to improve animal welfare. Nonetheless, the society supported the passage of those restrictions on new hog barn construction, now contained in section 40.1, because it would mean fewer pigs would be

subjected to this particularly cruel method of captivity.

As one of the society's former executive directors stated when he spoke in favour of those restrictions on the evening of June 12, 2008, before the standing committee on agriculture and food, we consider any piece of legislation that will restrict the number of sow crates being used as good legislation.

So, to be clear, the Humane Society views sections 40.1 and 40.2 of The Environment Act as having unintentionally improved animal welfare in Manitoba by limiting the spread of what many Manitobans right across the political spectrum see as a particularly cruel aspect of raising and killing pigs for food.

* (22:30)

So that brings me to what the society is asking you to do. Clause 5 of this bill repeals sections 40.1 and 40.2 of The Environment Act. The society recognizes that the repeal of these sections is well-intentioned and seeks to address legitimate grievances of those opposed to the restrictions on new hog barn construction that were controversially passed under the previous government.

Governments change, and repealing controversial measures is legitimate and to be expected. But regardless of how well intentioned this particular aspect of the bill may be and how strongly those aggrieved by the restrictions may feel, addressing those concerns in this way still takes Manitoba backwards when it comes to animal welfare.

So, therefore, on behalf of the Winnipeg Humane Society, I'm asking you, please don't repeal sections 40.1 and 40.2 of The Environment Act. Repealing these sections will result in more pigs being housed in sow stalls. More sow stalls mean less animal welfare. More sow stalls mean more animal cruelty. Legislation that reduces animal welfare and increases animal cruelty should be avoided.

Now, to be clear, neither I nor the society are accusing those in favour of the bill of intentionally advocating for more animal cruelty. The point that I'm making is quite different. Those in favour of the repeal contained in this bill are supporting a measure that will unintentionally worsen animal welfare in Manitoba without any corresponding measure to improve the welfare of those animals negatively affected by it.

Now, the realities a majority government mean that the proposed repeal is almost certain to pass. So the Winnipeg Humane Society is therefore respectfully requesting that any proposed statute or regulation that reduces animal welfare, such as this bill, be coupled with a proposed statute or regulation that improves animal welfare by a greater degree, with a preference being shown for those animals negatively affected by it.

So let me give you an example of a measure that could be coupled with this proposed repeal to offset what the society views as a resulting reduction in animal welfare. In 2014, the National Farm Animal Care Council passed a code of practice for pigs that many view as quite progressive. Now, the pig code contains both requirements and recommendations. Now, the pig code's requirements for housing—including new construction—contain many important welfare improvements, and sow stalls are no longer permitted after 2024.

Now, to borrow a phrase from the honourable Minister of Finance (Mr. Friesen), comments during second reading of the bill a few weeks ago, and as we've also heard tonight: the NFACC codes are formulated using a science-based approach. Representatives from the Harper government and organizations such as the Canadian Pork Council and the Canadian Federation of Humane Societies were involved in drafting the pig code. The Manitoba Pork Council's guide to starting or expanding pig farms recommends that those designing new or expanded barns should keep the pig code in mind when they do so.

But that recommendation from the Pork Council makes clear that the pig code is not yet mandatory in Manitoba. However, with a few minor amendments to The Animal Care Act, the pig code and the 12 other NFACC codes of practice could be made mandatory in Manitoba. Manitoba would immediately become an animal welfare leader in Canada and significantly improve the lives of farmed animals raised in this province.

Now, the suggested improvements to animal welfare that I speak of need not be limited to those animals negatively affected by a government measure. When animals are negatively affected by government, the society proposes that the net effect on animal welfare should always be positive. So, for example, if the government had coupled this proposed repeal with, hypothetically, sweeping enhancements to the protections for pets and exotic

animals, the net effect on animal welfare in Manitoba could still be positive.

Reducing red tape and cutting the number of regulations do not necessarily lead to bad outcomes for animals. The principles of regulatory accountability, as set out in the recently proclaimed Regulatory Accountability Act are not offended by making the NFACC codes mandatory, as those codes are already part of the regulatory framework that governs agricultural production in Canada. In fact, making them mandatory would bring much-needed clarity to end the agricultural use of animals as a permitted, acceptable activity under The Animal Care Act.

If the proposed repeal of sections 40.1 and 40.2 of The Environment Act are to proceed, the society requests that some measure that would improve animal welfare in Manitoba, such as making the NFACC codes mandatory, should also be introduced and passed to ensure that the net effect on animal welfare is positive.

Now, improving animal welfare is largely, but not entirely a non-partisan issue. And improving animal welfare is one of legitimate public policy goals that was referred to by the honourable Minister of Finance when he introduced this bill for first reading a number of months ago. The society's membership is diverse in a number of different ways and it is supported by those that vote for all of Manitoba's major political parties. Many voters that are concerned about the role, the size and the cost of government are also concerned about animal welfare. One of those voters is currently speaking to you right now.

And to make sure that the point that I'm attempting to make doesn't go unheard, let me give you a couple other examples.

The first major piece of animal welfare legislation that was passed in the United Kingdom was passed under a Tory government in 1822. Prime Minister John Diefenbaker took steps to protect the horses of Sable Island. President Ronald Reagan signed amendments to the Animal Welfare Act that were intended to improve the welfare of captive non-human primates used in research. Ontario Premier Mike Harris banned the spring bear hunt, and the government of Prime Minister Stephen Harper passed the Justice for Animals in Service Act, sometimes referred to as Quanto's Law, to enhance protections for law enforcement animals. And last but not least, on July 29, 1998, Harry Enns, the

Agriculture minister in the government led by Premier Gary Filmon, stated that, quote, Manitoba will be at the forefront of animal protection. Close quote. He was referring to the then-new Animal Care Act and the related regulations that make the NFACC Codes of Practice part of Manitoba's regulatory framework.

In one sense, what the society is asking you to do is to resume pursuit of that goal of the Filmon government of making Manitoba at the forefront of animal protection in Canada.

So, on behalf of the Winnipeg Humane Society, I would urge all of you and each and every one of your successors, to always take at least two steps towards improving animal welfare every time you take one step back, and let the society and its members help you take Manitoba to the forefront of animal protection regardless of which side is in power.

Subject to any questions, I thank you very much for giving me the opportunity to speak tonight.

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Mr. Friesen: Thank you, sir, for coming here tonight and representing your organization here at committee.

We care about animal welfare very much; it's why we're bringing legislative changes that will change the practice significantly and immediately on Lake Winnipeg when it comes to off catch and the treatment of off catch. We have moved proactively with First Nations group to address practices around night hunting, which we believe is not only unfair to animals but poses a real human danger. We care about these issues very much.

I wanted to go to one section of your report, because it harkened back to a presentation we heard yesterday. We heard an individual here at committee last night towards the end of the committee around after 11 o'clock at some time who, like you, is a lawyer. And, like you, spent a few years practising law in Winnipeg.

He subsequently left and went into a family hog operation. He made the point that free housing is necessary and 'meritous' when it comes to the hog industry, and he sees that sections 40.1 and 40.2 have actually—his submission was that those measures

have actually acted as a deterrent for farmers to be able to modernize, get significant scale of operation and profit so that they could accelerate the move to this.

Just earlier this evening, we heard a farm organization say that they were \$66 million in to a 10-year—they're ahead of schedule—a 10-year transition to that free housing format.

How would you answer to that gentleman's assertion that it was actually this measure acting as a prohibition to the very humane change that you'd want to see in this industry. *[interjection]*

Madam Chairperson: Mr. Toyne.

Mr. Toyne: Thank you, Madam Chair. I apologize for speaking before you.

I think, without having heard the individual's comments, I think at least in some sense, I agree with part of what he said.

The concern that the Humane Society would have is that once this particular type of restriction is lifted off of the hog industry that things like the pig code, which have a number of welfare improvements, such as group housing or free housing being requirements—not recommendations, but science-based requirements—are not mandatory. Now, organizations like the Canadian Pork Council, The Manitoba Pork Council may suggest to their members to, as they did in their August 2016 guide, that they should keep those types of things in mind. But, at least from the Humane Society's perspective, until things like this that are both progressive improvements in animal welfare and also based on science and developed with both industry and welfare organizations, until those things become mandatory, what you would be doing is allowing the industry to expand.

* (22:40)

Is it possible that some will expand in a way that complies with the code? Yes. Is it possible that some will expand in a way that does not? Yes. Expansion that's non-compliant with the code means more cruelty, and the Humane Society and a lot of Manitobans, including those who vote for every single one of you who sits at this table as an MLA, are opposed to more animal cruelty.

So I hope I answered your question in a bit of a roundabout way.

Mr. Allum: Thank you for coming tonight. It's greatly appreciated, and the historian in me certainly

appreciates a little bit historical facts thrown in there. It's not lost on many of us that Reagan and Mulroney came together to talk about acid rain once upon a time, and so those are always useful lessons around bipartisanship.

The paper that you put in front of us references 12 codes of practice that could be made mandatory in Manitoba, and I think it's asking a lot of you to rhyme off all 12, but could you give us just a little bit more of what's involved in those 12 codes of practice?

Mr. Toyne: So the codes are organized, generally, by the type of farmed animal, so, bison, chickens, veal cattle, pigs; it's done that way. And there was a very vigorous process that involves the veterinary community, the scientific community, government, animal welfare organizations, animal welfare enforcement organizations, that all come together and try to come up with what they think are the best both requirements and recommendations for best practices going forward.

So at least my understanding is that there are two Atlantic provinces that have made compliance with these codes mandatory, but at least when it comes to the hog industry, I don't see Newfoundland or Prince Edward Island being sort of leaders in that direction. If a province like Manitoba was to make the pig code mandatory, at least in my respectful view and the view of the Humane Society, that would be a game changer for farm animal welfare in Canada and something that we would strongly suggest be considered, regardless of which side of the table is in power.

Madam Chairperson: Thank you. The time for questioning has now expired. Thank you for your presentation.

I will now call upon Debbie Wall, private citizen.

Ms. Wall, do you have any written materials for distribution to the committee?

Ms. Debbie Wall (Private Citizen): I do.

Madam Chairperson: Please proceed with your presentation.

Ms. Wall: Thank you for your ears and your strong bladders at this point.

Poor, poor Mother Earth—she already bears too many scars that she does not deserve. I wonder how

many more fresh wounds she can withstand before she succumbs.

There are too many people on this planet and too many of those living large, and a big component of that is our seemingly insatiable addiction to meat. Globally, 66 billion land animals are killed for food each year. Animal agriculture is responsible for environmental degradation, habitat destruction, species extinction, uses vast quantities of fossil fuels and our precious water and, according to a UN report, produces more greenhouse gases than all forms of transport combined. A meat-eating cyclist actually uses more resources than a car-driving vegan.

Adding industrial hog barns to our landscape has as much a place in a made-in-Manitoba green plan as would building a pipeline. Animal agriculture has huge human health implications. Bacon and other processed meats have been identified as carcinogens by the World Health Organization. Populations with the highest rates of animal-product consumption have correspondingly high rates of heart disease, stroke, high blood pressure, diabetes, osteoporosis, obesity and cancer.

We do not have a health-care system; we have a disease-management system, and it is collapsing under its own weight. Building more hog barns while shutting down urgent-care facilities and ERs is probably the polar opposite of what needs to be done. Perhaps people will finally realize they need to take their health into their own hands if they wish to avoid a medical system that itself is on life support by adopting a plant-based diet. Wouldn't that be a happy accident? And a hot tip for the ladies out there: menopause on a vegan diet—just a breeze.

And, while those reasons alone should be sufficient to give pause, I'm here today to speak up for the pigs. To say they are voiceless is not entirely true because they do have a language of their own; only you can't hear them because they are locked behind the closed doors of factory farms. I recently learned that mother pigs sing to their babies, but I doubt if there's any singing going on in those farrowing stalls.

On the world stage, Canada bears the shameful reputation of having some of the weakest animal protection laws in a developed country. Any effort to make common sense, science-based improvements is met with vehement opposition by industry. We saw that recently with Bill C-246, The Modernizing

Animal Protections Act, and attempts to bring our federal transportation laws into the 21st century.

Pigs can be subjected to continuous transport for up to 36 hours with no food, water, or rest. The trailers that they're stuffed into provide little protection from scorching heat or bitter cold.

Here in Manitoba our Animal Care Act outlines that the duties of owners include providing adequate food, water, medical attention when ill, and reasonable protection from the elements. Animals shall not be confined to an enclosure or area with inadequate space, unsanitary conditions, inadequate ventilation, or without providing an opportunity for exercise that significantly impairs their well-being.

It also specifies that no person shall inflict upon an animal acute suffering, serious injury or harm, or extreme anxiety or mental distress that significantly impairs their health or well-being.

Well, much of this wording is troubling in and of itself, it gets worse for those animals unlucky enough not to be deemed pets because the act then goes on to provide an exhaustive list of 15 so-called accepted activities, including agricultural uses and slaughter that are exempt as long as they are carried out in a manner consistent with the standard code of conduct.

This would be like excusing employers from labour laws as long as they follow their own rules and explains why animals on factory farms can be treated in a manner that would have you and me heading to the hoosegow if we did the same things to our pets.

Incredibly, euthanasia is considered an accepted activity. Imagine your horror if you took your ailing companion animal, a beloved family member, to a veterinarian for euthanasia and then watched as they swung them by their hind legs and smashed their skull onto a concrete floor. This is standard industry practice for killing piglets.

Given that the definition of euthanasia is a painful-peaceful death, including it as so-called accepted activity, makes it a most obscene oxymoron.

We are told time and again that policies and laws are based on science and not emotion, but I submit to you that The Animal Care Act is a huge emotional component, as it provides a semblance of protection only to animals that have sentimental value to humans, that is, companion animals.

But science tells us that pigs suffer just as greatly as a dog would when they have their teeth clipped, tails cut off, ears notched, and testicles ripped out without anaesthesia, or are kept in crates the size of a coffin for pretty much their entire lives. All are standard practices.

And, while they are capable of feeling joy, this is never experienced by those caught up in the industrial farming system. They can also feel fear.

I cannot give you the details of what happens once they reach the slaughter house, known by the euphemism processing plant, as letters to both the Minister of Agriculture (Mr. Eichler) and Manitoba Pork requesting this information has gone unanswered. But science tells us that pigs can produce the same hormones as we do in response to stress and I can't imagine what their levels of cortisol and adrenaline must be after enduring factory farming conditions, transport, and slaughter. These stress hormones don't just drain away with the blood on the kill floor, and I wonder what impact they have on those consuming their flesh.

Industrial hog farming already could not exist without being exempt from the same level of care expected of citizens, and now they want to rework the fire codes for farm buildings. This will leave animals who are helpless in every sense of the word even more vulnerable to dying in fires. I am truly sickened by these so-called barn fires that kill tens of thousands of pigs every year. According to the Winnipeg Humane Society's latest newsletter, nearly 4,000 pigs died in a barn fire in June of 2017.

I struggle to think of a death more horrific than being imprisoned with no chance of escape, feeling the heat of the fire approaching, while listening to the screams of those being consumed by the flames. These animals deserve nothing less than fire classification systems that include livestock and not just the number of employees. They are entitled to fire sprinklers, alarm systems, evacuation plans, and concrete wall separations to slow down fires. Instead, it appears that emergency preparedness consists of the ability to file an insurance claim.

I worked in small animal practices for three and a half decades and, over the years too numerous to count, were the times I heard veterinarians say people shouldn't have animals if they can't afford them.

* (22:50)

So I say to the hog industry in this province: If it is too expensive to provide these beings with bedding and access to the outdoors where they can enjoy fresh air, sunshine, and engage in natural activities so that you don't have to resort to mutilating them in order to offset behaviours caused by extreme confinement, if it isn't within your budget to house them in a manner that will keep them safe from burning to death, if you cannot afford to provide them with one last kindness by ensuring them that their trip to slaughter leaves them free of hunger, dehydration, heat exhaustion or freezing to the sides of transport truck trailers, then you shouldn't have animals.

Just like a holistic approach is the key to our own health, so it is for our poor, poor dying planet. Doing it piecemeal is as effective as plugging up a sieve with toothpicks; the contents will have drained out long before it is sealed. We are in need of a paradigm shift and politicians who are forward-thinking and bold enough to make changes in that direction. We will never achieve true peace on this planet as long as we continue to heap violence on our fellow earthlings, treating them as commodities instead of recognizing them as the sentient beings that they are.

In an interview, Dr. Jane Goodall said: I saw meat on the plate. I looked down and said, this symbolizes fear, pain and death, and I don't want that in my body.

You are what you eat, and peace begins in the kitchen.

Thank you.

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Mr. Allum: Well, thank you for coming tonight. I think you've made your presentation and your feelings about animal welfare and our responsibility as their companions and allies to them.

Could you tell us what practical measures, you have some things here on The Animal Care Act that don't leave me feeling pretty good, should we revisit that act in its entirety?

Ms. Wall: Absolutely. I mean, and this is a common theme with animal protection laws everywhere. There's exemptions made for animals that we use; you know, it's only the companion animals that we

have a sentimental attachment to that get any kind of form of protection, but any time there's animal use where somebody's profiting, then those, you know, that's when the exemptions happen.

Madam Chairperson: Seeing no—oh, Mr. Gerrard.

Mr. Gerrard: Just thank you for coming in and giving us a thorough presentation on animal welfare.

Ms. Wall: Thank you, and thank you for trying to pass Fluffy's law.

Madam Chairperson: Seeing no further questions, I will now call upon Josh Brandon, Social Planning Council of Winnipeg. Mr. Josh Brandon will be moved to the bottom of the list.

I will now call on Don Flaten, private citizen.

Mr. Flaten, do you have any written materials for distribution to the committee?

Mr. Don Flaten (Private Citizen): Yes, I do.

Madam Chairperson: Please proceed with your presentation.

Mr. Flaten: I've been involved in a variety of different ways on this debate about nutrient management legislation for about the last 15 years, having served as one of the original members of the Manitoba Phosphorus Expert Committee, on the Lake Winnipeg Stewardship Board, with the University of Manitoba's lit review team for the Clean Environment Commission's technical report, and co-authored the expert panel review of measures to protect Lake Winnipeg when evaluating anaerobic digesters, and, most recently, as a member of the Alberta expert committee on runoff risk from spreading manure on frozen and snow-covered land.

But I don't want to try to compress those hundreds of pages of reports down to 10 minutes this evening. Instead, I just want to highlight two key concerns that I have.

And one is that our current scientific knowledge of nutrient management and water quality reinforces the importance of maintaining a strong focus on using the right rates, timings and placements for all forms of agricultural nutrients, not just livestock manure, not just pig manure, not just commercial fertilizers, but all the nutrients that we use, including municipal biosolids and other forms of nutrients in cities and towns.

Second message I want to emphasize, my concern for the future development and maintenance

of the science base that will guide us towards continuous refinement of those nutrient management practices.

With respect to the first point, I think it's important to recognize that it's very, very essential, if I can say it's very essential to—it's essential to restrict the accumulation of excess nitrogen and phosphorus in agricultural land. Not only to maximize agronomic benefits, but to minimize the environmental risks. And towards that end, we've got some of the strictest regulations in the world. And we need to keep those in place, and those need to be in force and enforced. Both, I think.

With respect to the winter application issue, this is an extremely important issue to keep our eye on because snowmelt runoff over frozen soil accounts for the majority of runoff. As has been mentioned several times before, we're one of the only jurisdictions in the world that has an absolute ban on winter application of nutrients. Once again, not just in the form of manure, but also in the form of fertilizers. We also want to encourage or require manure injection or incorporation where the risk of runoff is high. I haven't heard too much about that discussion this evening, but that special management area for the Red River Valley which requires injection or incorporation wherever possible is another important provision we need to keep our eye on. It's simply a distraction to look at anaerobic digestion or trying to figure out whether each of us is contributing 1 per cent or 2 per cent or half a per cent. Playing the blame game or relying on anaerobic digestion to solve all of our problems isn't going to make much progress. Instead, we need to focus on the universally sound principles and nutrient managements which are, you know, right rate, time and placement.

Second issue, though, is concern for the future development and maintenance of the science base. A lot of what we know about manure management and fertilizer management—nutrient management in general—comes from the sponsorship and co-ordination of the Livestock Manure Management Initiative, or MLMMI over the last 20 years. Through several different types of administrations, this organization has provided outstanding leadership in supporting research development to technology transfer for sound manure-management practices. This organization brings together a variety of stakeholders and helps bring them all together and then talk about the issues and prioritize investments in research and development. And I've been told that

MLMMI is being discontinued, and I just hope that the government will replace it with another broad-based group that will continue these constructive efforts.

In summary, sustainable nutrient management requires careful use of all forms of nutrients, were they in the form of municipal wastewater, livestock manures, synthetic fertilizers and whether those nutrients come from a city, town, cottage, livestock farm or grain farm. We need a comprehensive set of policies based on scientifically sound principles. And my impression is that Bill 24 should leave those policies intact. But I'm not an expert on policy and politics. But we need to enable the province to focus on real solutions to the real challenges and not be distracted from the things that don't matter as much, like the blame game.

If any of you would like more information about the science, nutrient management, including copies of these hundreds of pages of reports, I can provide them to you upon request.

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Mr. Friesen: Thank you, Dr. Flaten, for being here and for your presentation this evening. I know that you're a—you've done considerable work in this area. As a matter of fact, when I—before I saw your name on the presenter's list, I realized I had a report on my desk that you were a co-author of. So I had been reading some of your earlier work from 2014.

I think that what has been helpful to me in this discussion that you've brought this evening is the reminder of the watershed implications of all that we're discussing. I had not heard in two nights anyone talk about the importance of casting broader our commitment to manage these things. And that means talking to the neighbours.

We as a new government have described a need to do this, to talk in terms of comprehensive watersheds. We have engaged our neighbours, including our neighbours to the west and talked about the necessity for us to do this together. We are doing some good work right now that we will be disclosing to the public very soon on how to send this further with co-operative approaches in terms of our green plan and those initiatives.

For—thank you for the reminders you've brought us tonight. Thank you for reinforcing what you've said about winter application of fertilizer. I took note of your term in force and enforce. I invite any comment back you have.

Mr. Flaten: Okay, thanks. One of the things, though, I want to say is that it's important for all of us, whether we're a small contributor or a large contributor, to do what we can to reduce nutrient loading. And I don't, sort of, diminish the value of the blame game, except to say that each of us has that responsibility.

* (23:00)

And one of the members of our Lake Winnipeg Stewardship Board had a—just a great, great phrase. He says: If you want to know who's contributing to Lake Winnipeg's problems, look in the mirror. And he emphasized how important it was for each of us to take a sense of personal responsibility and corporate responsibility. So I'm—as a citizen of Winnipeg, need to do my part and the pork industry needs to do their part, but the members of the livestock industry and the crop producers and others need to do their parts, too. So it's not to try to get us off the hook; it's to make sure that we have this broad-based approach because there's no single large contributor to Lake Winnipeg's challenges, and if we just make one group the scapegoat, we'll miss at least 90 per cent—99 per cent, probably, of the other contributors.

Mr. Allum: Welcome, and thank you for coming. I certainly appreciate such a concise, academic summary of something. The academic in me finds that hard to appreciate, so—I'm kidding, of course, but I appreciate it.

I guess I—kind of taken aback and maybe because I'm new to the agricultural portfolio that the MLMMI is being discontinued. Is that something that's common knowledge out there or in the wind somehow, or has there been a government announcement that I missed?

Mr. Flaten: I've just heard it second-hand, so I think I'd rely on, you know, other people in the Ministry of Agriculture to follow up on that. I'm not an authoritative, you know, voice in that. I'm just saying that we talked about the value of science, and that requires continuous investment to refine that. There's always ways that we can look at improving manure management, and in order to have that scientific knowledge established in our own climate, landscapes and farming systems, we need to invest in

that here. And it is better if it's co-ordinated across a wide variety of organizations—have their say on prioritizing that and co-ordinating it.

Mr. Gerrard: You speak about the importance of injecting the manure into the ground or—would it be sensible—I mean, we have something like an 85 per cent rate, which is pretty good, but there seems to be some areas, and it's certainly not complete. Can we, you know, whether by legislation or regulation in some fashion, increase the rate of incorporation and injection?

Mr. Flaten: In response to that, I think we have to be careful to understand where that 15 per cent is located. If it's—if that 15 per cent that's not being incorporated or injected is on perennial forage land and/or zero till, conservation-tillage type land, we don't want to discourage those practices; they have another—a whole series of environmental benefits. So this is something that we always have to weigh off, the trade-offs between wanting, you know, better manure management but not wanting to break up, you know, perennial grassland as a means of achieving that single goal.

Madam Chairperson: The time for questions has expired. Thank you very much for your presentation.

I will now call upon Anne Lindsey, private citizen.

Ms. Lindsey, do you have any written materials for distribution to the committee? Yes? Okay.

Please proceed with your presentation.

Ms. Anne Lindsey (Private Citizen): Thank you very much for the opportunity to speak to you this evening, and, yes, I also salute you for your longevity in listening to lots of people.

So I'm here mainly in support of colleagues from the community, including members of Hog Watch and the Lake Winnipeg Foundation and the Wilderness Committee and others who've invested considerable time and energy into reviewing the legislation. For their diligence and vigilance on behalf of Manitobans, I'm grateful.

My biggest question to you as a committee is, why are we here tonight in 2017, debating this legislation before us? In a nutshell, in my view, Bill 24 is regressive, insulting to the people of this province and actually dangerous. It asks us to take a giant step backwards in a wide swath of laws and regulations, most of which were designed, however imperfectly, to protect public health, the land and

species and water. In 2017 we should be using our time to examine the current state of our environment and asking ourselves what more we can do to protect public health and ensure a safe and productive world for future generations.

This year marks the 30th anniversary of the publication of *Our Common Future: Report of the World Commission on Environment and Development*. It set in motion an era of so-called sustainable development, a sort of reassurance that we could continue development and growth, but in a way that would, quote, meet the needs of the present without compromising the ability of future generations to meet their own needs.

Over the ensuing years, some progress was made on legal and policy infrastructure that could underpin that commitment, including elimination of some toxic chemicals, improvements to environmental assessments, energy efficiency guidelines, steps towards protecting endangered habitats and so forth.—thank you very much. Never mind that some of that came about because of demonstrated harms and that law has faced fierce opposition in some quarters and that they went nowhere near far enough to ensure that future generations would be able to meet their needs. In fact—sorry—nor current ones in many cases.

Arguably, they were steps forward. Yes, they came with regulations attached because that's the way laws get enacted in our society, as you all know. They are sometimes clumsy. They're often an imperfect way of attempting to balance rights to essentials like clean air and water with the unfettered profit motives of many industrial development players.

The pitch battles of the '90s and '00s over the hog industry in Manitoba are a case in point. Amongst other factors, excessive phosphorus from manure spreading and runoff contributed to deteriorating surface water quality and to the massive algae blooms in Lake Winnipeg. We knew that then. Copious research went on in institutions, government and the community to examine just how much was too much. Hearings and consultations were held and resulted in many of the legal amendments and regulations that are the subject of Bill 24, including restrictions on timing and amount of manure spreading, requirements for anaerobic digestion of hog manure and so on.

Those regulations did not go far enough to protect Manitoba's soils and water from excess

phosphorus. This has been ably demonstrated by respondents to the manure management regulation consultation, and I refer you to the submission that Ruth Pryzner and Joe Dolecki made for some really excellent analysis. Instead, those regs were compromised, allowing much of the industry to continue, albeit under a stricter regime.

Without doubt, regulations and laws need periodic review and updating, but an ideological approach that says all regulations are bad and therefore they should be reduced is not compatible with the goals of sustainable development.

Environmental degradation continues. Examples include Lake Winnipeg's algae blooms, increasing greenhouse gas emissions and more. Clearly, we have not done enough for environmental protection in all areas, including many of the ones affected by this bill. In 2017, we should be reviewing the phosphorus and livestock regulations with utmost transparency, accountability and evidence to see where levels of phosphorus runoff can be further reduced.

So far, such a review has not taken place. Instead, the industrial livestock industry is being blatantly promoted by simply dismantling regulations or by reducing the level of legal protection and oversight they afford. Why is the government not giving equal promotion and support to Manitoba's thriving sustainable agriculture sector, with its demonstrated value to the soil, the water, the food supply and the rural economy?

Reducing frequency of things like drinking-water testing and audits is simply going in the wrong direction. We should be spending our efforts finding out why there are still boil-water advisories in this province, and not just on First Nations, and giving serious consideration to innovations on how to fix this problem at the same time as preventing further degradation. Waiting for Walkerton-type tragedies to occur is just plain bad policy if not criminal.

Similarly, reducing the frequency of reporting on ecological reserves makes no good sense. Reserves are created to protect biological diversity, land and water. It's important to know if they are fulfilling those needs, and to be able to take timely steps to rectify the identified problems.

* (23:10)

Many of the amendments we see before us have the direct effect of reducing the amount of information available to the public, to analysts

and to decision makers. Clearly, that's the case with repealing The Public-Private Partnerships Transparency and Accountability Act, yet access to information is a key element of sustainable development guidelines. Why is this government so keen to limit access to information?

I close with a suggestion that all committee members review The Sustainable Development Act, including the principles and guidelines and then look at Bill 24 in that light to see how consistent this bill is with the act.

I also suggest that we acknowledge just how much more there is to do in respect of protecting our environment here in Manitoba.

I spent many years working in the environmental sector. I agonized over the continued pillage and disruption of the planet, including our beautiful province. What kept my spirits up was the truly remarkable work going on in non-governmental sectors, in research institutions, and community social enterprises, on organic farms, in neighbourhoods, and First Nations.

To reverse the destruction and bring our lives and livelihoods back in harmony with the natural world we all depend on, please let's stop going backwards and instead use the talent, ingenuity, and vast knowledge of Manitobans to actually move towards a more sustainable future.

Thank you.

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Mr. Allum: Well, Ms. Lindsey, thank you for coming down here and sharing your views and thoughts with us. It's, of course, greatly appreciated, and I'm going to say this to everybody now that we're past the 11 o'clock. Thank you all for hanging in there and thanks for hanging in there.

I can't believe it's 30 years since the Brundtland Report, so thank you for reminding me of that. That's simply, utterly shocking.

I guess—I'm glad you raised the issue of ecological reserves. It hasn't got enough attention in our debate over the course of the last couple of nights.

Given your background with Eco-Network and whatnot, could you just explain a little bit more

about ecological reserves for the rest of us if that's possible? *[interjection]*

Madam Chairperson: Ms. Lindsey.

Ms. Lindsey: You know—sorry—thank you. Yes, well, as we all know, ecological reserves are something that are suggested in, amongst other places, our common future, as a way to ensure that some of the endangered species and habitats, not to mention land and water, are protected into future generations, and it's just really critical that we be very vigilant about studying them and ensuring that they're, in fact, fulfilling that purpose and that, if any infringements are happening on ecological reserves, that they be rectified.

Therefore, I think five-year reviews, which I believe have not even been honoured at this point, are much more suitable than 10-year reviews for such a thing.

Mr. Gerrard: Thank you so much for coming and waiting so long and presenting.

You know, for a lot of long-term studies, which is basically what we're doing in terms of ecological reviews, it's often most effective to monitor on an annual basis what's happening. Couldn't we be, in some fashion, monitoring what's happening annually on these ecological reserves, and, you know, maybe every so often doing more detailed analysis, but at least having some level of monitoring on an annual basis?

Ms. Lindsey: Sure. I mean, I think if we had all the resources in the world that would be ideal. I think perhaps five years was put in place as a kind of compromise as to maybe not being able to do it on an annual basis. I'm not really sure what the argument was at that point.

I think, you know, when you look at things like the Lake Winnipeg Foundation's citizen monitoring program that's going on, that something like that could also perhaps apply in the case of some ecological reserves. It could be resources made available for citizen networks to help support the work that government employees are doing, for example.

I mean, I think the bottom line is that we do need to know what's happening in ecological reserves and to ensure that they are, in fact, doing what they need to be doing.

Mr. Gerrard: We have volunteers monitoring the annual bird counts and censuses and so on, and it would seem to me that it might be able—you've

already talked about community monitoring as is to the Lake Winnipeg Foundation is supporting. Some of this is not, you know, super difficult, but needs some technical expertise.

Ms. Lindsey: Yes, I would agree with you. But—and they also do need support. So I think to also turn around and give all the responsibility for any of this kind of monitoring of our legal responsibilities to citizens also could bear some problems. So I think that it maybe needs to be a combination and that citizen groups need to be resourced for that kind of work.

Madam Chairperson: Seeing no more—further questions, thank you for your presentation.

I will now call on Michelle Tree, private citizen. Michelle Tree? Ms. Tree will be moved to the bottom of the list.

I will now call on Michele Rogalsky, University of Manitoba.

And, Ms. Rogalsky, do you have written materials to distribute to the committee?

Ms. Michele Rogalsky (University of Manitoba): I do have written materials.

Madam Chairperson: Please proceed with your presentation.

Ms. Rogalsky: Thank you, Madam Chair, members of the committee. Thank you for this opportunity to participate in these hearings.

My name is Michele Rogalsky, and I've been serving as the director of the School of Agriculture at the University of Manitoba since 2011. Prior to this, I served as a manager of general services at the university—at the Physical Plant Department. And I was responsible for the maintenance of the campus grounds, which included the care and stewardship of the trees.

As director of the School of Agriculture, I'm responsible for the administration of the Manitoba arborist licensing—training and licensing course. I'm here to express conditional support of Bill 24 as it relates specifically to reducing red tape associated with the arborist licensing in Manitoba. However, I'd like to express concerns that I have and share with key industry stakeholders about two of the proposed amendments to the forestry health protection act that are included in Bill 24. The specific concerns are with amendment 27.1(2), which deals with tree extraction, and amendment 27.1(3), which

deals with transitional issues impacting training and professional development of arborists.

This past week, I've been collaborating with a group of industry stakeholders to develop a proposal to address the shared concerns we have with these two proposed amendments. It's unfortunate that these industry leaders are unable to join me tonight and—presenting to this committee. Many of them are attending the International Society of Arboriculture's—ISA's—prairie chapter annual conference, which is being held in Moose Jaw. I understand that some organizations and individuals registered to present to this committee, which was initially scheduled to meet on October 25th and 26th, are now unable to attend because of the conflict with the ISA conference and/or other commitments.

I have reviewed and support the recommendations contained in the written presentations, which I understand have been submitted by the following industry stakeholders representing educational and professional bodies, private sector entrepreneurs and community members. These stakeholders include the prairie chapter of ISA, Arboriculture Canada Training and Education Ltd., Parkland Tree Care Ltd., Trilogly Tree Services Ltd. and Trees Winnipeg. Trees Winnipeg is an organization representing various stakeholders connected to the urban forest, which includes members of the general public.

The School of Agriculture's Manitoba Arborist Training and Licensing course is based on the Arborists' Certification Study Guide that is published by the International Society of Arboriculture. The course we deliver is 28 hours in length for the in-class version and it's also delivered using the University of Manitoba's UM Learn distance education platform, which allows us to serve rural Manitobans and northern Manitobans. To meet licensing requirements, students must obtain a minimum passing 'grade' in each of the 12 modules in our program and course, and they must achieve an overall passing grade on the evaluation.

The course that we have, the Manitoba Training and Licensing course, is one of the ISA-approved credentials as a prerequisite for their Tree Risk Assessment Qualification, the TRAQ. The School of Agriculture course provides very basic, entry-level arborist training. The students that are registered in our program—or, course, are strongly, strongly encouraged by the instructors to continue with their

professional development and pursue ISA certification.

* (23:20)

In my presentation this evening, I'll speak to four areas: one, the licensing of arborists; two, arborist certification requirements; three, exceptions for cutting down and removal of an entire tree; and fourthly, transition issues with licensing removal as they relate to training and ongoing professional development of arborists.

Regarding the licensing of arborists, as I indicated earlier, the School of Agriculture in the University of Manitoba strongly supports the proposed amendment repealing section 27 that will remove the licensing requirement and reduce red tape and improve government efficiency.

The School of Agriculture currently notifies the licensing section of the Financial Services Branch of the Sustainable Development Department when candidates successfully complete the Manitoba arborist training and licensing course. The successful candidates, then they must go through some more red tape and submit an application to the licensing section who issues new and renewing licences for three-year terms.

The University of Manitoba School of Agriculture and the ISA both have effective mechanisms and data systems to verify and communicate credentials. We believe there's no need for a licensing section to duplicate this service. Removing the provincial licensing requirement will reduce red tape for arborists, and it will improve efficiencies for the prescribed bodies or organizations like the University of Manitoba and ISA and other ones that the minister may appoint to certify and validate arborist credentials. And, finally, there will be a cost saving to the Department of Sustainable Development, enabling more efficient allocation of the department's limited resources.

The second thing I'd like to speak to is the arborist certification requirements. The University of Manitoba School of Agriculture supports the proposed amendment 27.1(1) dealing with arborist certification requirement. The ISA and the University of Manitoba School of Agriculture both have the capacity to verify and communicate credentials as prescribed bodies or organizations.

The third thing I'd like to speak to is the proposed exemptions for cutting down and removal of an entire tree. University of Manitoba School

of Agriculture strongly opposes proposed amendment 27.1(2), which we believe will put tree care workers and the general public at significant risk. Tree care work is dangerous and it doesn't make sense that one of the most dangerous components of tree work be exempt from any certification and subsequent training. The School of Agriculture is a leader in farm safety curriculum development training across Canada. The school's recently expanded the safety content in our Manitoba arborist training and licensing course. The school's recently hired a new farm safety co-ordinator, who is also an ISA arborist, and we're in the process of developing a web-based arborist safety course and we'll be making an application to ISA to have it approved as a continuing education unit.

The fourth thing I'd like to speak to is the proposed plan to allow individuals to act as arborists without holding certification. The University of Manitoba School of Agriculture strongly opposes proposed amendment 27.1(3). This proposed amendment would enable individuals with minimal education and training to operate as arborists and continue doing so without any requirement for ongoing professional development. Our forests are an important resource in this province; trained tree care professionals are needed to maintain and protect this resource.

To address the issues related to transitioning from licencing to certification by prescribed organizations or bodies, I recommend that the Minister of Sustainable Development (Ms. Squires) make regulations prescribing the ISA and the University of Manitoba School of Agriculture as organizations to validate an individual to act as an arborist for a three-year period. This will allow those who have completed the Manitoba arborist training and licensing course and are not ISA certified to continue providing tree care services until they meet the requirements for ISA certification. During this three-year period the school would provide additional training with access to online course materials and offer additional sessions to assist candidates as they prepare for the ISA examination.

In conclusion, the School of Agriculture supports the introduction of Bill 24 on the condition that the two proposed amendments 27.1(2) and 27.1(3) to The Forestry Health Protection Act be repealed. By repealing these two amendments, educational institutions, professional bodies, private sector entrepreneurs and other industry stakeholders will be able to work with the Minister of Sustainable

Development (Ms. Squires) and the Minister of Education and Training (Mr. Wishart) to develop a sustainable, cost-effective, long-term strategy that will protect the safety of Manitobans and its forests. Thank you.

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Mr. Friesen: Thank you, Ms. Rogalsky, for being here at the committee this evening and presenting. Thank you also for your support for this amendment in principle, as you stated, and for support of our overall goals of being able to reduce red tape, understanding, of course, that red tape is that part of the regulatory body of work that does not add value, does not meet key policy goals, and that is our approach as well. I've reflected on this; I've read along and followed as you stated this. We'll take into consideration the requests that you're making.

I'm looking for one clarification from you. On 27.1(3) with that transitional provision, tell me why you think a grandfather clause would not be appropriate in this case. A grandfather clause is often used in this type of approach. I'm just wondering, from a policy point of view, what the key concern is of containing it in this way.

Ms. Rogalsky: The grandfathering would result in having, I believe, unqualified professionally trained arborists to care over this resource. Unfortunately, we haven't been addressing this issue in the past. I—the last time the advisory committee met on this, we stressed to the bureaucrats that we felt we needed to work towards professional ISA certification.

I know when I was the manager of general services, the arborists that I hired and the arborists I know that are contracted right now on the campus of University of Manitoba are all ISA. As a manager, for me, the individual had to be qualified, experienced, and my understanding of the course that we offer at U of M with the licensing—I do not believe prepares the individuals for that licensing. It's a beginning entry level. It enables, I think, individuals to come into the work—forced—hopefully work with qualified ISA arborists while they are employed and then eventually, hopefully, get the ISA certification.

Unfortunately, we don't have an apprenticeship program here and—but I think the industry stakeholders can work collaboratively with the two

government departments to come up with something that really will be effective and cost-effective.

Mr. Lindsey: Thank you for coming tonight and talking to us about this aspect of this act. It's certainly something that—to date, you're the only person that has talked about this, and I appreciate the effort you've put into not just talking about it, but actually making some recommendations.

I just have a couple of questions around those recommendations, for clarification. One is where it talks about licensing being allowed by a third party. Are you suggesting that there only be one third party that is allowed to be that licensing group, or are you suggesting that the act or the regulation could designate any number of people? And, if that's the case, then how would you ensure that the training and certification was of equal quality for everyone?

Ms. Rogalsky: I believe the regulations would allow the minister to make multiple organizations or bodies—currently, right now, to be eligible for licensing, individuals have to pass our—the U of M course or else they have to be ISA certified.

And so I think we already do have, you know—have a two-tier system. I anticipate that that could be even a growth area. When I look at the challenges that we have in responding to the workplace health and safety regulations in the ag community, and, I think, even, there's less compliance in the arboricultural community. I anticipate and hope that the minister would also look at, perhaps, another certifying body that would address specifically those safety concerns.

So, I would hope that there'd be some good dialogue, problem solving, to address the issue of having a trained workforce to be stewards of our forests and ensuring that the public and those workers are safe.

Mr. Gerrard: Just because I don't know a lot about this area but I'm trying to understand where this applies—I mean, if somebody has a farm and they want to cut down a tree, do they have to have an arborist to do that instead of doing it themselves, and what size of a tree? Is it applied just to somebody who's hired to do the work, or where does it apply?

* (23:30)

Ms. Rogalsky: I'm not totally certain as it applies, let's say, to a farm or your own private property. I know as it relates, let's say, at the University of

Manitoba we would require an arborist to be certified to conduct arborist activities on campus.

Madam Chairperson: The time for questions has expired. Thank you very much for your presentation.

I will now call upon Gord Delbridge, CUPE Local 500. Mr. Delbridge, do you have any written materials for distribution to the committee?

Mr. Gord Delbridge (Canadian Union of Public Employees, Local 500): Yes, I do.

Madam Chairperson: Please proceed with your presentation.

Mr. Delbridge: Thank you and good evening. My name is Gord Delbridge, and I am the president of CUPE Local 500. Tonight I have the privilege of speaking to you on behalf of the 5,000 members of my local, despite the fact that it is after my bedtime,

I am pleased to have this opportunity to speak before committee today. CUPE 500 represents over 5,000 employees working at the City of Winnipeg; Riverview Health Centre; Assiniboine Park Conservancy; Canlan Ice Sports; Commissionaires, the RCMP "D" Division; Emterra Environmental; Gateway Recreation Centre; Historical Museum of St. James-Assiniboia; Kirkfield Westwood Community Centre; Rural Municipality of East St. Paul; St. Boniface Museum; Southdale community club; Varsity View community club; Winnipeg Convention Centre; Winnipeg Humane Society; and the Winnipeg Regional Health Authority.

On behalf of my fellow workers I ask that you amend Bill 24, The Red Tape Reduction and Government Efficiency Act, and not repeal the existing legislation titled The Public-Private Partnerships Transparency and Accountability Act.

This government has said that it wants to make greater use of public-private partnerships. It seems to be of the belief that P3s are innovative and efficient ways to procure public infrastructure and to deliver public services.

My union, the Canadian Union of Public Employees, has been a critic of P3s for a very long time. We have experience with these across Canada and we have found them to be more expensive, less accountable to the public, and that the public continues to hold significant risk.

But the debate on this issue today isn't about whether or not we use public-private partnerships in general or on any particular project. We can save that

for another day. The issue is whether Manitobans are better served with or without The Public-Private Partnership Transparency and Accountability Act.

Let's be clear. The Public-Private Partnership Transparency and Accountability Act does not stop this province, Crown corporations, school divisions, health authorities or municipal governments from pursuing private-public partnerships. What it does do is mandate steps to be taken to ensure transparency and, hopefully, reduce the likelihood that the public will be fleeced.

The existing P3 legislation does do the following: No. 1: It requires a report be written that compares P3 projects with that of traditional procurement; No. 2: It ensures that consultation, writing this report has no financial interest in the project; No. 3: It requires basic public consultation, including making the report above public; No. 4: Establishes a monitor to provide oversight on procurement, make recommendations on public reporting, and prepare a final report on the process. These are to be reviewed and commented on by the Auditor General; and No. 5: Requires the public sector entity to submit reports after construction during the project and upon completion of the project. These are to be reviewed and commented on by the Auditor General.

None of these requirements prevent a P3 from occurring. All of these actions encourage transparency and accountability. Frankly, we need this legislation. There are enormous complicated projects with a terrible history littered with horror stories that, as Manitobans, we should all want to avoid.

In 2014, the Ontario Auditor General released a thorough review of that province's P3 projects. In reviewing 74 projects, the Auditor General concluded that the province could have saved \$8 billion if those projects had been procured using traditional public methods.

She also questioned existing methods for calculating risk transfers, arguing that there was no jurisdiction for the use of unrealistically high risk transfers which averaged 50 per cent of capital costs. In particular, she found that, quote, there is no empirical data supporting the key assumptions used by Infrastructure Ontario to assign costs to specific risks.

In British Columbia in 2014, the Auditor General of British Columbia raised major concerns

about the high cost of debt through P3 projects. She examined 16 different P3 projects in the province and reported, and I quote, the interest rates on this \$2.3 billion of P3 debt range considerably from 4.42 per cent to 14.79 per cent and have a weighted average interest rate of 7.5 per cent. Over the last two years, government had a weighted average interest rate on its taxpayer-supported debt of about 4 per cent. Her review shows that P3 projects are created—are creating higher levels of debt than if government had financed the projects itself since interest rates are almost double with P3s.

In Quebec in 2010, the provincial auditor of Quebec found that the Montreal university health-care centre—the P3 cost more than the public option, and that the analysis used to compare P3 model to a conventional public model was extremely faulty. Instead of the P3 model, the—saving \$33 million—the provincial auditor found that the public model would have saved \$10 million. The auditor's special report to the National Assembly also found that there was a cost overrun of \$108 million to the original price tag of \$5.2 billion. Not only that, but a number of key people involved in the McGill University hospital P3, such as Arthur Porter and the former CEO of the—CNC—Lavalin have been charged with corruption associated with this project. Arthur Porter, who was accused of taking \$22.5 million in bribes for the \$1.3-billion construction contract, was arrested by Interpol agents in Panama in 2013. Unfortunately, Porter died in Panama while fighting an extradition order. His co-accused are still set to stand trial beginning in January of 2019, and the Montreal Gazette suggests it may end up being the longest judicial proceedings in Quebec's history. Recently, two researchers from Montreal calculated that the government of Quebec would save up to \$4 billion if it had brought back the two super hospitals from the P3 consortium.

In conclusion, we point out that—Ontario, BC and Quebec experiences for a reason. In fact, all three cases, independent government auditors looked after the fact and in all cases found P3s were bad deals for the public. Wouldn't we prefer that a true comparison between P3 and traditional procurement be completed and made available to the public before a project started? Wouldn't we prefer that the public be consulted with before a project gets approved? Wouldn't we prefer that the Auditor General to point out that the reported risk transfers are unreliable at the start rather than at the end of the project? Wouldn't we prefer that the Auditor General point

out that the—where money could be saved on financing before it's spent rather than years later like in Ontario and BC? Wouldn't we rather have Manitobans' Auditor General involved in reviewing these cases from the start when we may have the ability to change course rather than well after the fact?

While some may call this red tape, most Manitobans would call this common sense. Rather than throwing out this legislation, we ask the government to instead return—turn its mind to improving The Public-Private Partnerships Transparency and Accountability Act to ensure even more transparency and better oversight of P3s from the beginning to the end of the P3 projects.

Thank you very much.

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Hon. Cliff Cullen (Minister of Crown Services): Thank you, Mr. Delbridge, for joining us tonight. Thanks for hanging in there for this late hour. We do appreciate your comments, and just want to thank you and your members for the good work you do on behalf of the citizens of Manitoba. Thank you.

Mr. Lindsey: Thank you for coming out and talking about the P3 and the transparency and accountability act as it exists now.

* (23:40)

I just have a couple of points and questions to ask you about that. So you're not opposed to P3s outright, but you believe that the best way to do that would be to have all the information available up front so that Manitobans, governments and everybody else is very clear what the costs would be.

And, further, we've heard the government on different things earlier tonight talk about evidence-based or fact-based. Now, you've presented quite a few facts on some problems with P3s and certainly your union has been involved, really, across Canada with the outcomes of P3s as they've been applied elsewhere, so you'd have some expertise in that and be able to talk facts and evidence based on your union's experience. So would you, then, agree that at least this part of this Bill 24 should be completely removed from the existing proposed bill and, if anything, stand-alone review of what's there with an

eye towards making it better not lessening the transparency?

Mr. Delbridge: Yes. No, absolutely. You know, I agree that this should be removed. It should be reviewed. I think Manitobans want to see a transparency in government and when we're spending tax dollars, Manitobans' tax dollars, the last thing they want to see is that they're being used in P3 projects that are typically not very transparent.

You know, basically, what this is is credit card debt for future generations. Time and time again, we have seen P3s typically end up costing more. There are significant cost overruns. There are many factors that are built in. They are most certainly not transparent. That's one of the reasons that the previous government had brought forth—the first government in Canada to bring transparency, accountability to P3 projects.

So I would most certainly like to see that this be removed. It be reviewed in the best interests of Manitobans, moving forward, when we're dealing with their tax dollars, that it shouldn't be—we shouldn't be spending projects in a secret manner with our tax dollars.

Mr. Allum: Thanks for coming out tonight, Gord. I much appreciate it for you hanging in here.

The Finance Minister asked another presenter earlier in the evening. Said, well, Manitoba is the only one with this P3 legislation; why should we do it if nobody else is? I tend to think of us as a leader in that regard in having this kind of oversight legislation. Would you comment on that?

Mr. Delbridge: We anticipate that there's probably going to be another province that's going to be looking at this transparency legislation. I would think that BC is going to be looking at it in the near future. But, you know what? If you want to be accountable and transparent to Manitobans with their tax dollars, that's the whole purpose of why this was put in place, this legislation.

I have some concern that is being buried within this bill. I think that that's not the way to do it. I think if you want to be transparent, then let's be transparent and especially when we're dealing with taxpayers' dollars. If we're trying to hide, well, I mean, this clearly appears that this is what the—is the attempt here, is trying to hide and is complete lack of transparency.

Mr. Gerrard: It seems that the P3 model may save governments a few dollars up front, but will tend to cost a lot more down the road. Is that a reasonable summary?

Mr. Delbridge: Absolutely. I mean, we've—like I said, our union is the largest union in Canada, and we deal with these issues right across the country. We've done a lot of follow-up, a lot of research on the history of P3s, and they got a terrible track record, you know. And that's why it was so important to bring in some transparency. All too often we can't even get the details. They're, you know, going back when we started seeing some of these P3 projects in Winnipeg, the—you know, some of the bridges and some of the other projects and police stations and whatnot that, you know, have nothing but, to say the very least, a terrible track record. I've got many, you know, folks on City Council when this was taking place, and we were trying to find details, we couldn't get the details; they were secret. You know, there were companies that were coming in saying that, you know, there was different proprietary reasons for keeping them secret, and that's why I think that the—you know, often there's certain governments that sometimes want to use this method is because we can't get a lot of information, and it's hidden from taxpayers. And that's why it was so important to bring this legislation in place so that taxpayers could see the transparency behind it. I mean, after all, it is our tax dollars that are being spent. So we expect that.

But the track record on P3s right across the country are typically that they do cost more. Time and time again, I mean, it doesn't take much to look this up, I mean, you've all got Google on your phones, check it out for yourselves.

Madam Chairperson: The time for questioning has expired. Thank you very much for your presentation.

I will now call upon Terry Egan, CUPE Manitoba.

Mr. Egan, do you have any written materials for distribution to the committee?

Mr. Terry Egan (Canadian Union of Public Employees, Manitoba): Yes.

Madam Chairperson: Please proceed with your presentation.

Mr. Egan: Hi, my name is Terry Egan. I'm the president of CUPE Manitoba.

The Canadian Union of Public Employees, CUPE, is Canada's largest union, with 650,000 members across Canada, and 26,000 members in Manitoba across the broader public sector. In CUPE Manitoba, our members work in health-care facilities, personal-care homes, school divisions, municipal services, social services, child-care centres, public utilities, libraries, family emergency services and post-secondary education.

On behalf of CUPE Manitoba's 26,000 members, we urge the government to amend Bill 24, The Red Tape Reduction and Government Efficiency Act, and not repeal The Public-Private Partnerships Transparency and Accountability Act.

When the government was elected, one of the key messages to the public was that it was going to improve 'transparency'—transparency. Eliminating the P3s transparency and accountability act is moving in the complete opposite direction.

I'll talk about P3 schools as an example and why we need P3 accountability legislation in place. Since this government told P3 lobbyists and business community that they wanted to build four schools throughout—through private-public partnerships, one in Brandon, one in Seven Oaks, one in Pembina Trails, and one in Winnipeg School Division, we need this legislation more than ever. I was president of one of the school division unions for a very long time and I spent most of my career being president of one the Winnipeg school division unions, so this announcement has come to a total shock to me. I wonder who on Broadway could come up with a backwards idea and why.

The history of P3 schools in Canada has not been good. This experiment started in Nova Scotia in the 1990s when the government was building—built 39 P3 schools. Since then, Nova Scotia—to—the Nova Scotia Auditor General found that the procurement process was flawed, and no public sector comparator was used in assessing the value for the money. The Auditor General also found that the risk had not been transferred to the private partner. Insignificant resources were provided to monitor the contractor—contracts, and there were cases where the private contractor failed to do mandatory child abuse registry or criminal background checks on his employees. The P3 schools cost \$32 million more than they could have—would have cost if the project used traditional public sector financing. As of July 2017, the government has decided to buy back 37 of

the 39 schools, leaving two schools, valued at \$11 million, in the hands of the private sector.

The modelling is failing and no made-in-Manitoba solution is going to fix that.

Alberta has also played around with the P3 schools up until around 2014, when the Conservative government shut down the program because the P3 models cost more than the public sector financing of the project. The Alberta government estimates that it saved \$14 million by scrapping the plans for more P3 schools.

* (23:50)

In New Brunswick, they used a P3 muddle—model to build two schools. The provincial Auditor General found that the P3 schools cost \$1.7 million more than it would have cost to build through the traditional public sector financing.

The most recent examples of P3 problems are coming now from Saskatchewan, where the Auditor General has recently raised red flags on this process. The government claimed that P3 schools are widely successful across Canada. It's not true.

The made-in-Nova Scotia model failed. The made-in-New Brunswick model failed. The made-in-Alberta model failed, and the made-in-Saskatchewan model is failing. What makes this government so sure that the made-in-Manitoba model will not fail? Perhaps if P3 accountability legislation in those provinces existed like it does here, those projects—and those projects were put under a microscope right from the start, they could have avoided those mistakes in the first place.

Let's not repeat the mistakes of others. Let's make sure we fully evaluate these P3 deals before they even start and keep reviewing them as we go along.

Wouldn't we rather have outside experts and the Auditor General raise red flags now or do you want to wait 10 or 20 years before a scandal hits the public?

We ask this government to amend this legislation in order to keep the private-public partnership transparency and accountability act in place.

Thank you.

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Mr. Cullen: Thank you, Mr. Egan. I appreciate your comments tonight. Thanks for joining us and thanks for taking the evening of your time. Again, appreciate the work your people do on behalf of Manitobans.

We're excited about building four more schools in Manitoba. Certainly, there's room for four more schools in Manitoba and maybe even more, and we're looking forward to that and, rest assured, that I would say this government is really excited about making sure that we're investing taxpayers' money wisely. That's why we're looking at options in terms of how we build schools going forward.

It's been a long time, I would say, since any government has been this cognizant of how we spend Manitoba taxpayers' money, and we're excited about the outcome of this review.

Mr. Egan: Well, you want me to respond to that. I'm excited about four schools being built too. However, I'd like them to be built by the public and controlled by the public and have no private interest in it whatsoever. And I believe that the general public would believe with me, would also side with me on a situation like this.

I don't believe that there's any room for private interest in the public school system. I mean, we've got private schools. We could send our kids to private schools if we want to. The public school system should remain public, should be funded by the public.

Mr. Allum: Mr. Egan, Terry, thanks so much for coming tonight. I appreciate that.

One of the things that interests me about the government's announcement about the construction of four public schools using the P3 model was the actual quality and character of the schools themselves. We had the great honour—I did, as Education Minister—to open up a beautiful new school in the Finance Minister's riding in Morden-Winkler. I know he was ecstatic, as we were joined together on the stage that day.

We opened up a beautiful new school in Steinbach in the Minister of Health's—and these are quality learning environments for our children, and I know you've been involved, as you said, with Winnipeg School Division. You know how important that infrastructure is, and we're concerned that not only will P3s waste money, but more than

that, they'll build the kind of schools that aren't conducive to 21st century classrooms.

I wonder if you had any observations about that.
[interjection]

Madam Chairperson: Mr. Egan.

Mr. Egan: Sorry. I spoke out of turn again. Of course, I have opposition to it. I think that the public school system is a fantastic system. It works really well here. I don't believe that we should be looking at substandard staff which could possibly happen if you go into a private sector. If you're going to start trying to make money on it, you're going to start losing the quality of education.

We have schools that are over 100 years old in Winnipeg School Division and actually in the entire city and in the province itself. These schools have been maintained to absolute perfection. You can walk inside these schools and see that the maintenance standard in there, the teachers sitting in the classes that are sitting in classes that are of an adequate size. It's just—the public education system in Manitoba is probably the best public education system we have. If the—I mean, what can I say?

Mr. Lindsey: Thank you for coming out and sharing your thoughts, and certainly your union—both the bigger union and yourselves here—are—have some expertise in how these P3s have worked elsewhere. We've recently seen some goofy news out of Saskatchewan where the owners of the schools now put real restrictive use rules in place for teachers that, really, are going to clamp down on the freedom of a teacher to be able to teach in a school because the public doesn't own that school anymore.

So do you have any thoughts or any experience with jurisdictions elsewhere that did similar type things that really were so restrictive for teachers?

Mr. Egan: We made our—we've met on P3s across this country for years, and the same concerns keep coming up. The private people are trying to make money on the system, the qualities of the maintenance of the buildings, the education level are not of the standards that we now enjoy.

Well—as you well know, the union is nationwide and I think between—I think most, if not—most of the provinces have tried this and almost all of them don't like it.

Like, in the end—

Madam Chairperson: Mr. Egan, I'm sorry, but the time for questioning actually has ended and we need to finish off our business before midnight. So thank you for your presentation and thank you for your feedback.

I have been advised that Molly McCracken, No. 38 on the presenters list for Bill 34, is unable to make their presentation at this meeting but would like to have their written brief considered by the committee as a written submission.

Does the committee agree to receive these documents and have them appear in the Hansard transcript of this meeting? *[Agreed]*

Pursuant to our rules of standing committee meeting, to consider a bill must not sit past midnight to hear public presentations or to consider clause by clause of a bill, except by unanimous consent of the committee. Therefore, does the committee agree to sit past midnight to conclude public presentations and clause by clause of the bill? I heard an agree. *[Agreed]*

I will now call on James Beddome, Green Party of Manitoba.

Do you have—Mr. Beddome, do you have any written materials for distribution to the committee?

Mr. James Beddome (Green Party of Manitoba): I do, Madam Chairperson. Thank you.

Madam Chairperson: Please proceed with your presentation.

Mr. Beddome: I firstly want to start out further to comments of Grand Chief Daniels and acknowledge that we're on Treaty 1 territory in the homeland of the Metis Nation.

I'm here today to speak in opposition to Bill 24, The Red Tape Reduction and Government Efficiency Act. It's very much my hope that this government will decide not to pass this act, but if it does I believe it should be renamed the public blindfold and government laziness act, because it is basically an attack on public transparency, public access to information and it relieves the government from doing its homework in terms of performing assessments and filing reports in the Legislature.

So this is an omnibus bill. And I wanted to also raise a comment that—the honourable Minister Friesen and Ms. Whelan Enns had an exchange where he said—basically, he said, why, thank you for acknowledging the Bill 46, The Save Lake Winnipeg Act was also an omnibus bill.

Well, firstly, I'd say the common thread was more common but, secondly, I would say that excuse of they did it, too—that's the excuse of a five-year-old child—with respect, Mr. Minister.

So I'd like to see a little bit better. I'd like to see this government step up its game. Don't say, hey, the other side did it, too. No, let's say that wasn't right; we're going to do better. We're going to aim for a higher standard.

Now, I want to move through the act because, although I am going to comment on section 5, there's a number of sections in this act that deserve comment on.

* (00:00)

So let's start with section 1, The Consumer Protection Act. This is an act that's going to basically hit up vulnerable people. The people who do not have bank accounts and rely on payday loan companies to cash their government cheques are no longer going to have the protection of the Public Utilities Board. And, unfortunately, these tend to be people who are going to find themselves in a tough financial situation in life.

And so the situation now is, what this act is 'assually'—actually asking for them to do is, we're not going to have periodic reviews every three years mandated by the Public Utilities Board. We're not going to give the Public Utilities Board the power to make these decisions. No, we're going to politicize it and put it in the hands of the minister on the presumption that somehow people who are struggling to get by on their government cheques have the power to go lobby the minister.

And I'd suggest to you that, unfortunately, that's just not always the case. It's harder for them to advocate, and that really is an affront to those who are most vulnerable, and I am very disappointed in this government in moving forward on that. And I also don't see much government efficiency being accomplished by that.

Moving along to section 2. Now, this section deals with The Drinking Water Safety Act. Now, the suggested redrafting of replacing an application for a permit with a written request in section 3.2—it's understandably an attempt to create a less formalistic wording, more plain-language legal drafting. I can appreciate that, but I have a caveat. The reason why you have an application rather than just a written request is it's important to outline what information needs to be provided to the director in order for them

to grant an alteration. So in some ways, I think you may need to look at that. I appreciate what you're trying to accomplish, but at the same time I think you may be missing that.

Of course, the real problem is section 3.3. This is a catastrophe waiting to happen. We need more public assessments of our public water supplies, not less. I also really have some worries in the way that you guys have done it retroactively in terms of section 9.1.2 that a reduction in frequency under section point one may be made to apply retroactively, but not to a date earlier than March 1st, 2017. My question is, so who didn't do their public water quality assessment, and who are you trying to give a break to? Let's be honest with the purpose of this. And once again, we need more, not less, water testing.

I also want to note, though, that the changes to—if you refer to the clause 22.2—that's 3.5—that's also extremely worrisome. And you'd have to actually take a look at the old act to understand what you're doing—the challenges. But if you look at the old 22.2, emergency response of results, it had an (a) and a (b). The (a) is similar to what's in the proposed, that a serious health 'risk' to the user of the system exist or may exist. But (b) was that non-compliance with the drinking water quality standards specified in the regulation. If there was a non-compliance found from a laboratory test, they had to tell the director, the medical officer or water quality officer.

Well, certainly this government realizes that non-compliance with regulatory water quality standards is likely to increase risk to public health, or does it? To me, it seems like you don't.

The additions, however, of regulatory powers to create clear rules about chains of custody in relation to water samples submitted to laboratories for analysis—this can be seen as positive, but I note the irony. It's a regulation—or, I would prefer to call it a public protection—in an anti-regulation bill. Regulations can often be a good thing, right?

Moving along, we get to section 4 of the ecological reserves. And we have the reports out here which aren't really that long. They're a 20- or 30-page report. If you look at the previous ecological reserve reports, they basically outline what ecological reserves have been nominated, which ones have been designated, what actions have been happening.

Worth noting, when I was reading through them earlier tonight, how we dealt with TLE in some of the earlier—treaty land entitlement—in some of the earlier ecological reserve reports and how we deal with them now. Once again, this gives valuable information to the public. And The Ecological Reserves Act was first passed in 1989, and since that time, Progressive Conservative and New Democratic governments have both issued five-year reports on the status, management and use of ecological reserves. These reports have valuable information, so why does this government not want to at least reach the same standard as Gary Filmon or the governments after them that did submit these reports? No, instead, the decision is to completely remove the requirement for any five-year reports.

That's unacceptable. What—why does this government not want to do its homework? Why does it not want to provide Manitobans with information on its ecological reserves? It begs the question: What are you hiding?

Moving on to section 5 with respect to The Environment Act. Now there are a number of factors leading to toxic algal blooms in Lake Winnipeg, but, without a doubt, agriculture has been a significant determining factor to the pollution in Lake Winnipeg. That's not to say our sewage system in Winnipeg hasn't. That's not to say that sources outside of Manitoba haven't. But the point being, once again, you can't say, oh, they're doing it over here too. No, it's about all of us moving forward to deal with this problem.

Now the 2011 study led by Dr. Peter Leavitt and numerous other individuals at the University of Regina entitled Sudden Ecosystem State Change in Lake Winnipeg, Canada, Caused by Eutrophication Arising from Crop and Livestock Production during the 20th Century found that almost 75 per cent of the increase in algal blooms in the south basin of Lake Winnipeg was explained by concomitant increases in production of livestock, mainly cattle and hogs, and crops wheat, potatoes and canola, but not by variation and climate. So it's agriculture.

Now, let's be honest, the Green Party of Manitoba has long spoken out against confined animal feeding operations in industrial agriculture, and it's not just hog operations. If it's a—I would say if it's a large cattle feed lot, if it's a dairy operation, the issue here is the large slurries, lagoons of manure. That is the issue: the high concentration and the storage issue. That's what we have to deal with.

The issue isn't anaerobic digestion—digesters but rather the concentration of manure in a single place.

The Green Party would cease the expansion of confined animal operations. We wouldn't just restrict it to pigs. So maybe the way you should look at it is expanding it broader rather than trying to repeal it completely.

Now I also just wanted to note that one of the key recommendations of the 2007 Clean Environment Commission, CEC report, Environmental Sustainability and Hog Production in Manitoba were 9.1 and 9.2 which dealt with, effectively, a ban on winter application of manure spreading and acceleration of bringing into place the Livestock Manure and Mortalities Management Regulation.

In response in 2008, The Environment Amendment Act permanent ban on building or expanding hog facilities was passed. And it's these amendments that the government is now largely repealing.

Now I would—now I recognize that there has been arguments tonight, and some will argue the ban on winter spreading still applies because in accordance with the Livestock Manure and Mortalities Management Regulation under The Environment Act, but here's the problem: Regulations can be changed by Cabinet. One speaker earlier today, a couple signatures on a Wednesday morning; you put it in the Manitoba Gazette; it's law within two weeks.

This isn't—if this was really about reducing redundancy, then remove the clause from the regulation and keep it in the act so that if you guys want to deal—if you're honestly committed to no winter manure spreading, then keep it in the act and get it out of the regulation. Because then, if you do want to make that change, you're not going to be able to do it quickly on a Wednesday morning without giving proper notice to the public. You're going to have to come back here, and I'll make sure I keep you guys going until one, two in the morning again if I have to. It's my honour to do that.

Now I also want to deal with a couple of questions. And I was quickly looking this up on my phone, so I would like to do some more thorough analysis. But I heard over and over and over again that Manitoba has the most stringent regulations of anywhere. Well, I started looking around on my phone quickly. Quebec put in place a moratorium on

new and expanding operations in 2002. Now that was demanded when the Liberal government replaced the Parti Québécois, and in that case, the moratorium still applied if a municipality chose to. They basically gave local government control on that and it also has manure spreading is prohibited between October 1st and March 31st and any other time that the ground is frozen. And this isn't uncommon.

The Ontario regulations, although not quite as stringent, I will admit, they allow a three-degree grade, also move against manure spreading. This is something that is becoming accepted practice, and why would we not want to be a leader? Why would we not want to push forward and be even more of a leader?

I also want to note that there's this argument that there's no expansion allowed under the act. And I think that's a misreading of it, and it doesn't necessarily—first there are a couple of points to note. So, if you read 40.1(1) that's being repealed, it says—it starts out, except as authorized by a permit. So, if you get a permit, you actually can expand.

Let's go in a little bit further in the regulations and look at the definition for confined livestock area. First, they don't know if you have this in your bill. The Green Party leader could have given you a 17-page report rather than a three-page report, but with 20 copies, I figured I would save the trees.

* (00:10)

But, if you look at the confined livestock area—that means an outdoor non-grazing area where livestock by fences or other structures and include a feedlot, paddock, corral, exercise yard, holding area and hoop structure. So this only also applied to confined livestock areas. So that means that pasturing pigs, expanding in that way on grazing could be done, and there are farmers that—

Madam Chairperson: Mr. Beddome, your time has expired for presentation.

We are going to move on to questioning at this point. Are there any questions from the committee members?

Mr. Friesen: Thank you, Mr. Beddome, for being here and making a presentation on behalf of the Green Party. I would recognize that you raised parts of this bill that presenters prior to you had not raised, so thank you for raising some of those provisions.

You encouraged us to do our homework; I would suggest that in some cases tonight you did not do yours, sir. If you had understood our changes to The Consumer Protection Act and read the changes, you'd understand that, really, this is a protection to the marginalized groups that you cited because right now, under our reflexive requirement to do that review by the PUB—understand that PUB challenges would be there to raise the rate. In the absence of a reflexive requirement to raise the rate, the rate would remain lower. This sets a threshold requirement for the passing of government cheques.

On the issue of fisheries act, you said there was a fire there; there's no fire. There's a difference between two acts and a reporting period. This brings those reporting periods into alignment. Essentially, we get two acts for the price of one, one report for the price of two. A simple housekeeping measure.

On the subject of drinking water, Ontario, Alberta, Saskatchewan all have the same changes. You said it's literally a catastrophe waiting to happen. In some of those provinces, those changes have been in place for years. The catastrophe, I suppose, in your mind just continues to wait to happen. I would call it best practice.

Final one I would want to just indicate to you is just that on the environmental act, wasn't sure quite what the quarrel was but I assure you that we've had any number of presenters over the last two nights indicate that Manitoba does, indeed, have the most stringent environmental conditions for the hog industry. You looked it up on your phone; you found otherwise. We have not, from evidence from presenters, heard otherwise.

Thanks for your presentation, sir.

Mr. Beddome: Certainly have a number of things to respond to.

My comment was more I heard everyone say we have the most stringent requirements, but they didn't actually provide any evidence and outline the differences between one act or the other act.

In terms of the catastrophe and best practices, I take that if we see a catastrophe you're willing to take all the blame, Mr. Minister. I would note that that act does bind the Crown.

In terms of your arguments on The Consumer Protection Act, my point is that you're politicizing something instead of leaving it with an independent agency. There may be, as you said, applications to

increase it. I would argue if you look at the original provisions in The Consumer Protection Act, by giving the board the power to review its decision, it actually could work both ways; both protect vulnerable people, and/or protect institutions that need it to consider reasonable increases on that.

With respect to the concerns about The Environment Act, the point that I'm trying to make is that there's room to expand the hog industry through sustainable ecological practices, as you heard many presenters point out, but many of those may be different practices that are not industrial agriculture, that don't deal with large amounts of confined animals but rather work more towards decentralization, to supporting small, local farms first.

I also—just because you're raising the—you know, there's so many pieces in this omnibus bill. I just wanted to quickly comment. I had some comments there on the public-private transparency and accountability act and I just want to second some of the CUPE people that what that act does, it doesn't stop them but forces you once again to do your homework and perform an assessment first and that's not me quoting it, you know, venerable, much more experienced lawyer than I, John Stefaniuk, succinctly, I think, captured the overview of that act.

Mr. Allum: Thanks for coming tonight and thanks for an energetic presentation for us, because a jolt of energy at midnight after six hours of committee meeting, it's a well—deeply appreciated, and I mean that quite sincerely.

I also want to compliment you on your tie. You don't see many Roughrider fans here in these parts but—yes, you know, it's excellent.

Really, I know better than to challenge you on having done your homework. I know that you do your homework and I greatly appreciate that about you and about many of your colleagues in the Green Party.

You leave many of your questions, though, unanswered, but I don't think they're meant to be rhetorical. So I want to ask you about one of your questions in here, which says, what does this government have to hide? Could you answer that for us?

Madam Chairperson: Mr. Beddome, there are 20 seconds left on your time. Go ahead.

Mr. Beddome: I think that's anyone's question. I think the last presenters in the school made the

perfect example. If they get rid of the transparency act, they don't have the data, then we have no way of holding them accountable; that's the situation right now with the Veolia Water contract in Winnipeg, for instance.

Madam Chairperson: Thank you for your presentation. The time has expired for questions.

We will now call upon Terry Wachniak, private citizen.

Mr. Wachniak, do you have any written materials for distribution to the committee?

Mr. Terry Wachniak (Private Citizen): I do not.

Madam Chairperson: Go ahead with your presentation.

Mr. Wachniak: I'd like to thank you, Madam Chairman, and the committee for staying past midnight to hear what I have to say. Some of you may be appreciating that I will try not to repeat ground covered by everyone else. I do have the same concerns, of course, but my assessment is that we should all be agreeing that we're looking at an extreme decade of decline in the quality of Lake Winnipeg water and the tributaries to it, and the question that I have, and that all of you should have, is is that a decade of decline by design?

What is it that we are messaging when we say we will stop testing as often as we should when we know things are getting worse all the time?

The question I'm going to ask is: Is there a relationship between the decade of decline and the pumps being turned on on Devils Lake in North Dakota?

Are—is this committee aware of a media blackout on the entire subject of water coming from North Dakota? The last time the Winnipeg Free Press, or any other paper in Canada, printed one word about North Dakota water was in 2008. The last time anyone, well, the last time that the government of Manitoba information page that deals with Garrison diversion water, Devils Lake water, the last time that page was updated was 2007, more than a decade without any information on a subject that has been part of the public record of the United States newspapers in the hundreds of articles. In the last two years alone, more than 100 articles, I guarantee it, more than 100 articles.

Is anyone at the—at this table aware that our Premier (Mr. Pallister) was in North Dakota this

week? Do you know that he was talking water down there? Do you know that it was not in the paper? Do you know that there's not one word in The Canadian Press about it?

Whenever the issue of water is—are the people at this committee aware that the Garrison diversion project is fast-tracking below us right now, today, the Garrison diversion project that was put aside in the '80s. Supreme Court of the United States stopped it. It has been fast-tracked. North Dakota has \$1.1 billion, either in cash in hand or promised on completion. And their shovels hit the ground this construction season. They are starting a three-year, \$1.1-billion project, and not one word has been in the paper.

* (00:20)

Before 2010, the Devils Lake pumps—we were negotiating, still negotiating, I bet today we're still negotiating for the filtration system to be put on. Does anyone at this table know that the Government of Canada offered \$20 million as a contribution to that, and it was declined? North Dakota declined \$20 million. Do you know why? They doubled the pumps. They built more pumps that are not filtered and not one word has been in the paper. And do you know what that means? That means not one politician has said a word, both on the provincial and a federal government level. No words have been spoken; therefore, the press prints nothing. Between 2008 and August of 2017 nothing has been said in the press about this, any of those issues.

Rob Altemeyer, not here today, a critic in opposition now for environment, he broke the decade-long blackout. It reached the back page of the Winnipeg Free Press, single column, no photo. Do you think anyone paid attention? He then held a press conference with Blaikie, a Member of Parliament. The two of them held a press conference discussing these issues in North Dakota. It made the exact location in the paper: back page, single column, no photo. That represents the entire body of Canadian information in the public press about any of this.

I'm surprised my time has not ran out, Madam Chairman, but I will say this: these are the concerns that I have. In today's paper we noticed that the federal government is saying we're giving up on Lake Winnipeg freshwater fish industry. This is a message that there is no hope.

Everything indicates that a decade ago a deal was made to allow North Dakota to pump Missouri River water into Lake Winnipeg. They started with Devils Lake; we accepted that. We have not got a filter on there. They've doubled the pumps; Manitoba was not made aware of that.

There's a problem here. The problem may be that a deal was made a decade ago to sell out Lake Winnipeg. I'd like to know the answer to that. Did that happen? Was there something that the federal government did when they made a deal—most mysterious thing that happens in Canadian politics was the deal that the Prime Minister of—Stephen Harper made a deal with the sitting NDP premier of Manitoba, turned him into the ambassador, Stephen Harper's No. 1 man in America, an NDP premier, and the press don't ask any questions. A decade is gone by; it's the biggest mystery.

Does anyone here know why the Prime Minister of Canada would have chosen the premier of Manitoba? Could it be that there was something related to the premier of Manitoba allowing those pumps to be turned on on Devils Lake? Is that a possibility? Shouldn't there be an inquiry to find out?

I'm here to say that I have concerns, great concerns. The press—you know, it's—it sounds outrageous that something as important like this that can be daily, weekly news in—just below us in North Dakota. The Minot news covered that the—our premier was there, but the Winnipeg Free Press and the Winnipeg Sun did not. The—one of the reasons, I presume, is that he was there to talk water. The two articles that were published being the only two in the Canadian press, those two articles never generated the editors to send one person to ask any questions. There's never been a follow-up story.

Madam Chairperson: Mr. Wachniak, your time has now expired for presentation, so we're going to move on to questions.

Are there any questions for our presenter?

Mr. Friesen: Thanks, Mr. Wachniak, for being here and sharing your views on the importance of water sustainability. I'm just quoting from the Winnipeg Free Press, October 13th, 2017: Province fights North Dakota water transfer plan. It goes on to state that the Sustainable Development Minister says the Province is intervening in an effort to prevent North Dakota from potentially sending invasive species into the Red River and Lake Winnipeg from the Missouri River.

Mr. Wachniak: I'm sorry, did you—I'd like to know what the date was.

Mr. Friesen: October the 13th, 2017.

Mr. Wachniak: Okay, and I said that there was nothing printed before August. Find something that the Winnipeg Free Press printed between August of 2017 and 2008. Find something in the nine years. There's nothing in Canada that was printed.

But I can tell you this: In the last two years alone, I guarantee more than 100 stories on Garrison Diversion. Yes, we can all google it. Try. Try and find one story.

I'll tell you a funny story, if I have a moment. On the front banner of all Canadian newspapers there's an organization called NewsMedia Council. And, if you have concerns about Canadian news, you're supposed to contact the editor. And, if you don't get satisfaction, you contact the NewsMedia Council, an independent—financed by the NewsMedia body to look at problems.

I told them, I—look, I've discovered a blackout—a decade-long blackout on a critically important issue in the Canadian press. Their official response to me is we are—we have a mandate to examine what has been printed. We do not have a mandate to examine what has not been printed. Therefore, we cannot open a file for you. Thanks for your time.

Mr. Allum: Terry, thanks so much. I'm not going to ask you any questions. I think you've raised a number of concerns tonight. And our obligation, you know, as legislators is to listen to what you have to say. Well, we were listening closely. I'm not inclined to argue back. The press might phone to find out information to challenge you, but I appreciate you staying. It looks to me like it's almost 12:30. That's a true citizen, in my books, so thank you so much for coming out tonight.

Mr. Wachniak: Did you find anything when you looked? Contrary Canadian information between 2008 and August of 2017?

Mr. Gerrard: I just want to thank you for raising this and bringing this to our attention. Thank you.

Mr. Wachniak: Thank you, sir. I appreciate that. And I'm sure you're all going to be thinking about it and trying to imagine, could it possibly be true. And if it is true, what could we possibly do about it? What control do any of you have over what the media chooses not to print?

And I can only tell you this, that Rob Altemeyer proved that if you speak, they will print it. They may not like it; they may not follow up with questions; they may put it on the back page, but it does get printed. So, if I've set you to thinking, start talking and it will make the press. Check my facts. Prove me wrong. It's been out there—I've been trying to get somebody to vet this into oh, you're making a big mistake. That—the—you're not looking in the right place. You haven't put the questions correctly. No. Everyone has looked, including the NewsMedia Council. They're not arguing that the blackout exists; they're just saying they don't have a mandate to look at it. I wonder if you do.

Thank you and good morning.

Madam Chairperson: Thank you very much for presentation.

Okay, we will now call upon Dr. M.J. Willard, private citizen.

Dr. Willard, do you have any written submissions for distribution to the community—or to the committee? That's a yes?

Ms. M.J. Willard (Private Citizen): Yes.

Madam Chairperson: Please proceed with your presentation.

* (00:30)

Ms. Willard: I'm a definite novice at this. Who am I? Yes, I'm a private citizen. I also have a background in environmental science by way of an undergrad degree. I'm also a veterinarian and I'm also a physician. So that's part of why this bill came to my attention.

My other problem is, is I have a dislike of omnibus bills that seem to be a patched-together group of unrelated clauses. So I did actually read all of the original legislation and try to make some sense of it.

It's kind of hard to figure out how this fits together, and I would encourage consideration of pulling the bill, starting over, breaking it up into little bits and let's deal with the hog-versus-Lake-Winnipeg issue and then the other issues separately. The big issue seems to be the hogs versus the environment.

Hog farms do need some improvements. We know that agricultural contamination involves the—or is affecting the environment. We know we're losing Lake Winnipeg. We know we're suffocating the fish

due to the green algae. If you can see it from the International Space Station, it's a concern. If that's how we have to identify our lake, by the colour of the algae, it's an issue. We just need to back up, do some consultation and sort this out, this part of the bill out.

We also definitely need to listen to our First Nations advisers. They know a lot about this land. They've passed it down from generation to generation to generation. And they have a much broader scope than me who has been scientifically trained, and I—but I have worked with them long enough to really appreciate the depth of their knowledge and how it interfaces with scientific knowledge and can be used to make evidence-based science that can be applied.

The other thing that concerned me was the fact that a lot of the parts of this bill are directed at repealing regulations that would actually provide that data that we need in a very large number of issues. There's—data has a role. If we don't make records of stuff, even if it doesn't seem logical at the time, if we encounter a problem, we've got nothing to go back on. If your physician doesn't write down what happened in the physical exam and then something goes haywire, *[interjection]* yes, it's the doc's problem, but it's also your problem because something got missed that might have been resolved if it was written down and caught the next time. Same idea for all of these issues.

The Forest Health Protection Act, I did have a question about that. I think that's been well explained.

The groundwater and well water, you have to check these groundwater. We really do have a shallow soil level, we have bedrock, we have aquifers that run through this, and if you don't check these wells that are used in a public manner and, really, in a private manner, you're going to miss something and we're going to end up with an issue we wish we had caught before it got out of hand.

Checking drinking water every 10 years is just a farce. Where I come from, which is not this country—I'm a first generation immigrant—we have to do it every year.

The one question I really have that nobody's spoken to is The Health Services Act and I listed all of the other acts that are under this act. What's going to replace it? That's my question to you. And then, on the other hand, The Veterinary Services Act

requires more audits. Excuse me? I've done both, and animals are important, but our grandkids are more important, in my opinion.

We have to be good citizens. We have to be citizens of the environment. This just seems to be, to me, a way to get out of paperwork, like everybody else has said, and I have a major concern about it. Same thing with The Noxious Weeds Act. Okay, that's just so you can send me a bigger bill if I have the weeds—my wildflowers don't meet your desires.

But we have to kind of concentrate, really and truly, on how we're not taking care of the environment and how this bill does or does not take care of the aspects of our environment. We have ecological reserves where we keep biodiversity, where we protect the water. We need to be doing that all over this province—in fact, all over the country, all over the world. But those kinds of things are all key.

And just to give you one point that relates to habitat destruction and what the effects are going to be, you ever noticed you don't have any mosquitoes on your windshields this year? Have you noticed your bumper grille isn't full of bugs? Do you know that we are—we—they just weighed it, compared it to 27 years ago. We've lost 76 per cent of our flying insects now. They're just gone.

This is how serious these kinds of problems are. Repealing data collection, repealing laws that monitor what's going on, is absolutely crucial. I think we need more regulation, not less, and I don't think we should stitch a bill together like this.

Madam Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Mr. Friesen: Thank you, Dr., for coming to the committee tonight to present to us.

Two clarifications I want to provide to you: you were the first presenter to reference The Health Services Act part of this bill. Wanted to indicate to you that that act had actually governed the establishment and operation of health boards and nursing districts in an era prior to the establishment of the regional health authorities, so that—you had asked where that authority was now contained. The authority is now contained in The Regional Health Authorities Act. That means that these are a bunch of dead references, so we're simply cleaning up, tidying up legislation by removing references that are

circular. They don't apply anywhere. So it's simply a housekeeping act.

And then the other question—or the other comment I was going to make to you is on The Veterinary Services Act. You had talked about the need for consultation. We consulted with veterinarians. They strongly called for the removal of the audit provision. There are three levels of inquiry that a professional accountant can make into an operation. An audit is the highest one of those. There are other forms of assessment of the books. This was asked for, and we've provided for it here.

So it was called for by veterinarians, and I was wondering if you were also in support of the measure that so many veterinarians called for.

Ms. Willard: I'm not sure if I support it or not. I actually would like to go back and reread the legislation. Reading this amount of legislation when you're not used to reading legislation was a lot to absorb in a couple of days. So, on first glance, no, I don't necessarily agree with it. I think we need to keep some of these levels in place because there are ways to get around some of the lower levels. You just need that final step.

Mr. Allum: Dr. Willard, thank you so much for coming in. As I said to the earlier presenters who have stayed so late, this is a true act of citizenship on your part, and it's greatly appreciated, I know, by all members around the table. And I merely want to say what your—what you have told us tonight is the bill in general is terrible, presented under the guise of reducing red tape when it's not about any of those things. So I thank you for pointing that out. We hope—we're going to be voting on this clause by clause in a few minutes. We hope the government will take your advice—I'm not confident about it, but that you've stayed so late and helped to educate us is greatly appreciated. Thank you so much for being here.

* (00:40)

Mr. Gerrard: Thank you for coming here and talking about these various acts and bringing up some good points.

Mr. Lindsey: I, too, want to thank you for coming out and really just want you to reiterate that in order for these many parts to be properly debated and discussed and reviewed that, in your opinion, it should be—the whole thing should be repealed and started over with, if they want to talk about a specific thing like The Fisheries Act, that that should be a

stand-alone thing, that stand-alone regulation act as opposed to lumping it all in together so that things get lost in the shuffle, if you will. Is that correct?

Ms. Willard: If I could vote that would be my vote. Back up; start over.

Madam Chairperson: Seeing no further questions, thank you very much for your presentation.

I will now call on Dave Gaudreau, private citizen. Dave Gaudreau? Dave Gaudreau will move to the bottom of the list.

Okay. I'll now call upon Janice Pennington. Janice Pennington will move to the bottom of the list.

I will now call on Candi Bezte. Candi Bezte will move to the bottom of the list.

I'll call upon Justin Lecocq. Justin Lecocq will be removed from the list.

Josh Brandon? Josh Brandon will be removed from the list.

Michelle Tree? Michelle Tree is removed from the list.

Chief Kevin Hart? Chief Hart is removed from the list.

Dave Gaudreau? Dave Gaudreau is removed from the list.

Janice Pennington? Janice Pennington is removed from the list.

Candi Bezte? Candi Bezte is removed from the list.

Just to clarify, the names who have been removed from the list have been called for a second time and are not present.

That concludes the list of presenters I have before me.

Are there any other persons in attendance who wish to make a presentation?

Seeing none, that concludes public presentations.

* * *

Madam Chairperson: We will now proceed with clause-by-clause consideration of the bill—oh, sorry; no; yes.

We will now proceed with clause-by-clause consideration of the bill.

During the consideration of a bill, the preamble, the enacting clause and the title are postponed until all other clauses have been considered in their proper order.

Also, if there's agreement from the committee, the Chair will call clauses in blocks that conform to pages with the understanding that we will stop at any particular clause or clauses where members may have comments, questions or amendments to propose.

Is that agreed? *[Agreed]*

We will now proceed with Bill 24.

Does the minister responsible for Bill 24 have an opening statement?

Mr. Friesen: Madam Chair, it's a privilege to speak on Bill 24, Red Tape Reduction and Government Efficiency Act. We stated as a government it is our goal to become Canada's most improved province for regulatory accountability by 2020. We want to create an efficient, effective and transparent regulatory system for all Manitobans.

We understand that this bill is the first step towards—for accountability in Manitoba by reducing red tape on business, non-profits, municipalities, and private citizens and civil servants.

We formed the government and asked the question about how many regulatory requirements there were in Manitoba and we couldn't answer the question. We finally did receive an answer and that was over 900,000 regulatory requirements.

Now, understand that a regulatory requirement is any act or step that a citizen or an individual business, non-profit, or other level of government would have to take to interface with government, do business with government, or just do activities with government. I could tell you that not every regulatory requirement adds value. The work of government is to ascertain which requirements add value and which do not.

We have said that The Red Tape Reduction and Government Efficiency Act eliminates regulatory requirements that Manitoba's civil servants have identified as not creating public value or moving Manitoba toward desired public policy goals. We will do these things without compromising human health, safety, environmental objectives or other essential economic and social goals.

Over the last two nights, we've been pleased to hear from Manitobans who have given us their time, their expertise and their opinion, come to this committee and commented on many facets of the bill. We have continued to explain that we believe that these changes we're bringing are all connected, in that they are all identified as areas of opportunity for our government to cut that regulatory burden.

When it comes to the P3 act, we are the only province in Canada that has legislation. Other provinces do P3s where they make sense. This province, before we got here, chose to ideologically obstruct. We don't choose that way forward.

The Veterinary Services Act responds to concerns from veterinarians that a \$4,000 audit requirement on an annual basis was onerous for an operation that may only have 60 or 80 thousand dollars of total expenditures. This is simply an efficiency measure that is acting on the advice of professionals in the field.

The Health Services Act simply eliminates references to an act that no longer exists because now the regional health authorities have assumed the operation of those former hospital boards and medical nursing districts. And they are governed by The Regional Health Authorities Act.

When it comes to The Consumer Protection Act, this change simply removes a mandatory requirement on a triannual basis for the PUB to review the threshold requirements for government cheque-cashing policies. In essence, for the last three times that that PUB hearing took place, there was no change to the cheque amounts. It acts as a protection, also, because those applications would be primarily to raise the allowable amount that could be paid for the cashing of a cheque. And in the absence of that provision, there'd be a further provision to those who actually have to avail themselves of these services.

But there are other changes in this bill. We won't go through all of them. We had a good discussion on some of them. I appreciated the amendments put forward by the—in respect of the forest health protection. We will contemplate and further discuss to see if these are changes that could be accommodated in this bill. However, I was pleased to see that presenter express support for our position of reducing red 'trape'—tape, and simply discontinuing the need for a provincial licence when the arborists already hold a valid arborist certification.

The fisheries and wildlife branches simply were reporting on a separate, five-year cycle. We're saving time and money by amending that five-year reporting cycle and presenting the information in one report, not two.

When it comes to groundwater and well water act, we are abolishing 'unproclaimed' provisions. Even department officials could not tell us what the point of these provisions were. We've just stricken them from the list.

When it comes to Dangerous Goods Handling and Transportation Act, we've created two categories—two classifications. Beforehand, those who were recycling reused oil were getting caught in a classification that was actually intended for much more significant hazardous waste facility licences. This creates a separate category, to make sure that those who are simply recycling used oils aren't being held to a standard that should be out there for much more serious issues like PCBs or mercury. This aligns Manitoba with Nova Scotia and other provinces who are doing the same.

The Ecological Reserves Act increases efficiency in the civil service by 'streamlining'—streamlining internal reporting requirements while maintaining access to information. It simply removes duplicate provincial reporting by removing the need to produce a report for the Legislature. For those who question that, Manitobans still have access to that same information through Sustainable Development's annual report and, also, through federal reporting systems such as the conservation area reporting and tracking service.

When it comes to natural resources, there was a change introduced in the 1980s that was never used. We are repealing that act as it serves no purpose whatsoever. Again, department officials could not even tell us what the point of the original act was.

We had a robust conversation around drinking water safety, but please note in the end, nothing changes in terms of the frequency in which water is tested. Nothing changes for a municipal water supply. Our system becomes aligned with Ontario, Alberta and Saskatchewan. That is called best practice, and we adhere to that.

* (00:50)

For environmental act, we take a science-based approach. We had a good discussion in this committee by those who attended here. We heard the science on the use of anaerobic digesters and they

were found wanting. They could not have a useful application in our climate, they did not choose to—they did not serve to remove phosphorus and they were ineffective in Manitoba's harsh winter regime.

The same point in time, I want to underscore again: our approach is one based on science, not based on rhetoric, not based on political ideology. We take a science-based approach, and that is why we will remove a hard prohibition that was set ideologically by our predecessors. We take a science-based approach instead.

For The Labour Relations Act, we are simply making a change here that requests for appointments of conciliation officers and mediators, they go directly to the conciliation mediation services branch. There's no necessity for them to continue to pass through the minister's office.

And last but not least, The Noxious Weeds Act. For almost 50 years, this act has required the Minister of Agriculture to personally review and approve any weed-control action undertaken by a municipal weed-control board on private property when it costs more than \$500. We believe that a weed inspector is in a better position to make the determination of which weeds to control and how to do that. It's a simple cost-saving measure.

These are all sensible changes. They are based on evidence, they are based on dialogue and careful consultation. We present them for the consideration of this committee and we look forward to the support of all parties for these changes that will benefit all Manitobans.

Madam Chairperson: We thank the minister.

Does the critic from the official opposition have an opening statement?

Mr. Lindsey: I really want to not spend a lot of time talking about everything that's wrong with this bill, because in essence, everything is wrong with this bill.

We've heard any number of presenters come. Most of them chose to speak about one particular aspect; very few of them tried to cover more than one, simply because the very nature of this omnibus bill makes it almost impossible for any one person to have the knowledge and ability to be able to speak about the—so many varied and different parts that are captured in this bill that have absolutely nothing to do with each other. The only—the only thing that some of these things have in common is this

government's desire to make them go away. They bear no relationship other than that, in reality.

We've heard the minister talk about, well, we shouldn't have this regulation because we're the only jurisdiction that has this regulation. Why—why—why should we be better than anybody else? My heavens, what a horrible way to look at the world, that we shouldn't be better than anyone else, we should lower our standards to meet other people whose standards are lower than ours.

The minister talks about evidence based, and we heard a lot of very knowledgeable people here tonight that presented evidence that, I guess, if you don't have the right ideological tilt to the evidence you present, the minister discounts it because he doesn't want to hear some of the hard facts about what's wrong with parts of the bill that he's presenting here.

You look at things as varied and no resemblance—The Residential Tenancies Act. Explain to me what that could possibly have to do with The Fisheries Act. Well, I'll tell you what. Absolutely nothing. Again, other than this government's desire to start hacking and slashing and do away with regulations.

We've heard the minister say several times, well, Nova Scotia doesn't have this regulation, and I'm sure they don't. I'm not going to argue with the minister that Nova Scotia doesn't have this regulation. I might argue with the minister that perhaps Nova Scotia should have some of these regulations, having come out of a background where I spent a lot of time, not just dealing with regulations and acts, but actually going through the process of reviewing them, of going through the process of reviewing acts and regulations to make sure they were pertinent, to make sure they were current, to make sure they were effective. We certainly didn't go through the acts and regulations simply with the idea of reducing the number of acts and regulations. That's just a ludicrous way to look at acts and regulations and why they're there. And I won't argue with the minister when he says some of these things may have been redundant. They could very well be. I know some of the regulations that I reviewed at—before I became an MLA, some of them were redundant and didn't have any bearing on what was going on in the world today. And we were more than happy to make those ones go away. But we also looked at, should we be introducing something new that offered protection for workers or something new

that offered protection for environment. And many times we did. And certainly, as we went through that process, there were those, I suppose, who have the same ideological beliefs as the minister and some of the government members, that they were so dead set against regulation that, just, leave us to it, let us alone, we'll do what's right. Well, in fact, that's not true.

I remember sitting as part of a review of the workplace health and safety act in a tripartite committee that was going through line-by-line various sections of that act, and arguing, actually, with the regulator, about why a certain provision should be in that regulation. Don't ask me to tell you exactly what that provision was, because my memory's not that good, and the regulator and I argued for quite some time about whether it should be in or it shouldn't be in. Finally, the management representative on the committee said, you know, I probably shouldn't say this out loud, but I've got to agree with Tom. If you don't put it in the regulation, we're not doing it. That was a very telling comment about his honesty and about what the whole point of the argument was, that if the regulations aren't sufficient to protect that which they're designed to protect, then they're no good. If you don't have the people out there doing the checks that regulations talk about, then the regulation's no good. You know, we've heard that they're going to do audits of fields and that they've talked about 500 potential sites that they're going to audit, and they plan to have a—I think the term was an audit density of 10 per cent. So that means every 10 years they would get back to recheck a place that they've previously audited. A lot can change in 10 years, I can tell you that. So a lot of the things that this minister says are of no consequence and are just cleaning things up, nothing could be further from the truth.

* (01:00)

I urge the minister to scrap this bill, repeal it tonight, as we sit here. Do the right thing. If he wants to talk about hog barns and hog manures in a regulation or in an act, introduce that so that the full conversation, pros, cons, ideas, can be had about that. If he wants to do something with The Noxious Weeds Act, introduce that, so that that proper conversation can be had about that specific act, rather than trying to lump all these things together, which then leads us to late nights without fully discussing 90 per cent of what's covered in this act, which is really an affront to democracy. It's an affront to the style of government that we supposedly

believe in and adhere to that—but I guess I shouldn't be surprised, because things like the accountability act for P3s that made the provision for having P3s open and transparent so that government members, opposition members, so that the public, could have a clear understanding of what the costs of P3s would be, this minister wants to repeal that. At the same time, the government claims to be—or to have a desire to be open and transparent, while, clearly, in that instance they want to do the complete opposite. Clearly, in the instance of introducing this omnibus Bill 24, they want to do the complete opposite to being open and transparent, because they want to lump things in, all in one big bill that has no relationship to each other. They want to repeal things. They want to do all kinds of things and say that it's just cleaning things up; trust us.

Well, I urge, if the minister can't be convinced by our words, I urge the members opposite to really stop and think about what they've heard, what they've seen, what this bill will mean to their constituents, and maybe they don't fully understand. That's quite possible, because there is a lot of different moving pieces—

Madam Chairperson: The member's time has expired.

Shall clause 1 pass?

Some Honourable Members: Pass.

An Honourable Member: No.

Madam Chairperson: I heard a no.

Voice Vote

Madam Chairperson: All those in favour of clause 1, please say aye.

Some Honourable Members: Aye.

Madam Chairperson: All opposed, please say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Ayes have it.

Recorded Vote

Mr. Allum: A recorded vote, please, Madam Chair.

Madam Chairperson: A recorded vote has been requested.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 6, Nays 3.

Madam Chairperson: Clause 1 is accordingly passed.

* * *

Madam Chairperson: Shall clause 2 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Madam Chairperson: I heard a no.

Voice Vote

Madam Chairperson: All those in favour of clause 2, please say aye.

Some Honourable Members: Aye.

Madam Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Ayes have it.

Recorded Vote

Mr. Allum: Recorded vote, please, Madam Chair.

Madam Chairperson: A recorded vote has been requested.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 6, Nays 4.

Madam Chairperson: Clause 2 is accordingly passed.

* * *

Madam Chairperson: Shall clause 3 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Madam Chairperson: I heard a no.

Voice Vote

Madam Chairperson: All those in favour of clause 3, please say aye.

Some Honourable Members: Aye.

Madam Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Ayes have it.

Recorded Vote

Mr. Allum: Recorded vote, Madam Chair, please.

Madam Chairperson: A recorded vote has been requested.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 6, Nays 4.

Madam Chairperson: Clause 3 is accordingly passed.

* * *

Madam Chairperson: Shall clauses 4 through 6 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Madam Chairperson: I heard a no.

Voice Vote

Madam Chairperson: All those in favour of clauses 4 through 6, please say aye.

Some Honourable Members: Aye.

Madam Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Ayes have it.

Recorded Vote

Mr. Allum: A recorded chair, please, Madam Chairperson.

Some Honourable Members: A recorded chair?

An Honourable Member: A recorded chair.

Madam Chairperson: A recorded vote has been requested.

An Honourable Member: Did I say recorded chair in lieu of vote?

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 6, Nays 4.

Madam Chairperson: Clauses 4 through 6 are accordingly passed.

* * *

Madam Chairperson: Shall clause 7 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Madam Chairperson: I heard a no.

Voice Vote

Madam Chairperson: All those in favour of clause 7, please say aye.

Some Honourable Members: Aye.

Madam Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Ayes have it.

Recorded Vote

Mr. Allum: Recorded vote, please, Madam Chair.

Madam Chairperson: A recorded vote has been requested.

All those in favour, please raise their hands.

Clerk Assistant (Ms. Monique Grenier): One, two, three, four, five, six.

Madam Chairperson: All those opposed, please raise their hands—[interjection]

Clerk Assistant: Oh, I'm sorry. My apologies. Can we redo that?

Madam Chairperson: Okay.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 7, Nays 3.

Madam Chairperson: Clause 7 is accordingly passed.

* * *

Madam Chairperson: Shall clauses 8 and 9 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Madam Chairperson: I heard a no.

Voice Vote

Madam Chairperson: All those in favour of clauses 8 and 9, please say aye.

Some Honourable Members: Aye.

Madam Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Ayes have it.

Recorded Vote

Mr. Allum: A recorded vote, please, Madam Chair.

Madam Chairperson: A recorded vote has been requested.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 6, Nays 4.

Madam Chairperson: Clauses 8 and 9 are accordingly passed.

* * *

Madam Chairperson: Shall clause 10 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Madam Chairperson: I heard a no.

Voice Vote

Madam Chairperson: All those in favour of clause 10, please say aye.

Some Honourable Members: Aye.

Madam Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Ayes have it.

Recorded Vote

Mr. Allum: A recorded vote, please, Madam Chair.

Madam Chairperson: A recorded vote has been requested.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 6, Nays 4.

Madam Chairperson: Clause 10 is accordingly passed.

* * *

Madam Chairperson: Shall clauses 11 and 12 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Madam Chairperson: I heard a no.

Voice Vote

Madam Chairperson: All those in favour of clauses 11 and 12, please say aye.

Some Honourable Members: Aye.

Madam Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Ayes have it.

Recorded Vote

Mr. Allum: A recorded vote, please, Madam Chair.

Madam Chairperson: A recorded vote has been requested.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 7, Nays 3.

Madam Chairperson: Clauses 11 and 12 are accordingly passed.

* * *

Madam Chairperson: Shall clauses 13 through 15 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Madam Chairperson: I heard a no.

Voice Vote

Madam Chairperson: All those in favour of clauses 13 through 15, please say aye.

Some Honourable Members: Aye.

Madam Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Ayes have it.

Recorded Vote

Mr. Allum: Recorded vote, please, Madam Chair.

Madam Chairperson: A recorded vote has been requested.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 6, Nays 4.

Madam Chairperson: Clauses 13 through 15 are accordingly passed.

* * *

Madam Chairperson: Shall clause 16 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Madam Chairperson: I heard a no.

Voice Vote

Madam Chairperson: All of those in favour of clause 16, please say aye.

Some Honourable Members: Aye.

Madam Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Ayes have it.

Recorded Vote

Mr. Allum: Recorded vote, please, Madam Chair.

Madam Chairperson: A recorded vote has been requested.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 6, Nays 4.

Madam Chairperson: Clause 16 is accordingly passed.

* * *

Madam Chairperson: Shall clauses 17 through 21 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Madam Chairperson: I hear a no.

Voice Vote

Madam Chairperson: All those in favour of clauses 17 through 21, please say aye.

Some Honourable Members: Aye.

Madam Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Ayes have it.

Recorded Vote

Mr. Allum: Recorded vote, please, Madam Chair.

Madam Chairperson: A recorded vote has been requested.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 6, Nays 4.

Madam Chairperson: Clauses 17 through 21 are accordingly passed.

* * *

Madam Chairperson: Shall clauses 22 and 23 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Madam Chairperson: I heard a no.

Voice Vote

Madam Chairperson: All those in favour of clauses 22 and 23, please say aye.

Some Honourable Members: Aye.

Madam Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Ayes have it.

* (01:10)

Recorded Vote

Mr. Allum: Recorded vote, please, Madam Chair.

Madam Chairperson: A recorded vote has been requested.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 6, Nays 4.

Madam Chairperson: Clauses 22 and 23 are accordingly passed.

* * *

Madam Chairperson: Shall clause 24 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Madam Chairperson: I hear a no.

Voice Vote

Madam Chairperson: All those in favour of clause 24, please say aye.

Some Honourable Members: Aye.

Madam Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Ayes have it.

Recorded Vote

Mr. Allum: Recorded vote, please, Madam Chair.

Madam Chairperson: A recorded vote has been requested.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 6, Nays 4.

Madam Chairperson: Clause 24 is accordingly passed.

* * *

Madam Chairperson: Shall the enacting clause pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Madam Chairperson: I hear a no.

Voice Vote

Madam Chairperson: All those in favour of the enacting clause, please say aye.

Some Honourable Members: Aye.

Madam Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Ayes have it.

Recorded Vote

Mr. Allum: Recorded vote, please, Madam Chair.

Madam Chairperson: A recorded vote has been requested.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 6, Nays 4.

Madam Chairperson: The enacting clause is accordingly passed.

* * *

Madam Chairperson: Shall the title pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Madam Chairperson: I hear a no.

Voice Vote

Madam Chairperson: All those in favour of the title, please say aye.

Some Honourable Members: Aye.

Madam Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Ayes have it.

Recorded Vote

Mr. Allum: Recorded vote, please, Madam Chair.

Madam Chairperson: A recorded has been requested.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 6, Nays 4.

Madam Chairperson: The title is accordingly passed.

* * *

Madam Chairperson: Shall the bill be reported?

Some Honourable Members: Yes.

Some Honourable Members: No.

Madam Chairperson: I hear a no.

Voice Vote

Madam Chairperson: All those in favour of reporting the bill, please say aye.

Some Honourable Members: Aye.

Madam Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Ayes have it.

Recorded Vote

Mr. Allum: Recorded vote, for old times' sake, Madam Chair.

Madam Chairperson: A recorded vote has been requested.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 6, Nays 4.

Madam Chairperson: The bill shall be reported.

* * *

Madam Chairperson: The hour being 1:13 a.m., what is the will of the committee?

Mr. Martin: I suggest the committee rise.

Madam Chairperson: Committee rise.

COMMITTEE ROSE AT: 1:13 a.m.

WRITTEN SUBMISSIONS

Re: Bill 24

As a citizen of Manitoba, I wish to express serious concerns about Bill 24: The Red Tape Reduction and Government Efficiency Act.

Buried among numerous articles repealing or amending regulations that may be poorly worded, confusing, or obsolete, are significant changes which weaken protections for rivers, watersheds, and Lake Winnipeg, reduce frequency of assessments of public water sources from every five years to every ten years, encourage further expansion of intensive hog operations, repeal The Public-Private Partnerships Transparency and Accountability Act, and in general reduce protections for public water supplies and ecosystems.

This is not mere housekeeping. These are significant pieces of legislation, each of which should be dealt with separately, with adequate time for public consultation and expert input.

We need a coherent, long-term plan to protect Lake Winnipeg.

We need a comprehensive, province-wide policy to protect and manage water resources, ensuring safe and sustainable water supplies, healthy lake and river ecosystems, and unpolluted watersheds.

We need more, not less, transparency. Repealing The Public-Private Partnerships Transparency and Accountability Act is a step backwards.

Regulations serve a purpose, just as safety guards on power saws and automatic shutoffs on electric kettles do. Wholesale deregulation may buy short-term "efficiency" at the cost of long-term damage.

With respect,

Ardythe Basham
Winnipeg MB

Re: Bill 24

Premier Pallister,

I am writing to request that your myopic Bill 24 be given serious reconsideration before being presented in the legislature.

In particular, allowing for more pig operations and manure storage facilities along with rescinding the ban on winter spreading of livestock manure is especially worrisome. Algal blooms, to which runoff of hog manure is a significant contributor, are dead zones. Nothing grows there. That they are expanding says loudly that the natural world cannot process the excessive amounts of nutrients pouring into Lake Winnipeg. We, humans, cannot continue soiling our waterways and expect good things in return.

It is surprising that you are extending the assessment of public water sources from five to ten years. This is negligent of public health and safety. Public water sources should be assessed regularly, annually, at the least.

I am also troubled that you are removing the requirements for reports on Manitoba's ecological resources. Turning a blind eye to abuse of the biosphere does not serve the public interest. We all, whether we realize it or not, rely on a healthy biosphere for our very survival. Both insects and birds in North America are in serious decline. The natural world is telling us something. Ignoring Mom (Mother Nature) is not a good idea.

I reiterate my statement at the top:

This bill needs to go back to the drawing board. As it stands it does not have the best interests of Manitobans in mind.

Regards,

Robert G Mears

Re: Bill 24

This is an intervention.

Our government is about to make an Astonishingly Bad and Nonsensical Decision regarding Lake Winnipeg in Bill 24, and we're all here, as good friends & neighbours, to help you see the error of your ways. Conservatives, you're about to unleash irreversible Permanent Damage on this beautiful Province of ours. We're not sure why you want to

inflict such devastation on your own homeland, so we'd like to give you a little Time Out to consider the consequences of your proposed actions...

Lake Winnipeg is sending us a 911 call. We can't pretend not to know the extent of the damage that we have inflicted upon this lake. How will we respond?

I admit I do not understand how this government could come to the conclusion that yes, further agricultural development is needed for Lake Winnipeg. We need to pollute it further. We need to hamstring the fishing industry. We need to diminish the quality of the lake for all the people who love the lake, enjoy the lake, live on the lake - now and for generations to come. We need to further interrupt the natural cycles of the lake. Even though Lake Winnipeg is Manitoba's own canary in a coal mine, we need to study it -- wait for it-- Less. We need to be the government who, having assessed the fragile and failing health of their Flagship Provincial Lake, puts the final nail in the coffin.

Oh, wait....Hang on -- Now I get why you want less research.... If you're going to further pollute the water, of course you don't want those dirty results to be revealed. Right. Duh.

Is this the legacy you are looking to create? Let me field this question for you... No. This is Not the legacy you want to create.

I implore you to reassess the conclusions you have come to regarding the development of Lake Winnipeg. We all know the many attributes Lake Winnipeg; recreation, tourism, fishing, etc. etc. Now, I do not have the resources to come up with the dollar amount, but even to look at our gorgeous Lake through the cold and narrow lens of fiscal Conservatism – doesn't the lake have a Huge Value as a healthy & flourishing lake as opposed to the value of a dying, nay Dead Lake? I dislike pointing out the obvious, but having a Dead Lake on your hands is Not Fiscally Responsible, is it? You'll be taking the 'Fresh' out of Fresh Water Lake. Perhaps that could be your tagline... 'Manitoba Conservatives - Taking the 'Fresh' out of Fresh Water Lake'

Lake Winnipeg has degraded in such a short period. The beach that many of us enjoyed when we were children and when our children were young is no longer a pragmatic choice to enjoy recreationally. This happened on Our watch. Shame on us all. It is your Duty & Responsibility to make a plan for

Manitoba that involves taking steps to protect our waters.

You could be recorded in the history books as the government who, when our Manitoba Lakes & Rivers were in trouble, answered the call.

The stakes are Extremely High. Please do your best. It's Important.

Thank you for listening.

Sincerely and with all my heart,

Elizabeth Cameron
Supporter of Common Sense and Advocate for
Sustaining Precious Natural Resources
Winnipeg, MB

Re: Bill 24

I speak in opposition to the Red Tape Reduction and Government Efficiency Act on the grounds that it does not pass the public policy administration standards of efficient, effective and equitable policy. All three must be present for good public policy.

Effective means policy achieves shared benefits

Equitable means benefits and costs are spread so that no one group of individual receives less than the minimum benefit or the maximum cost (Stuart Nagel, 1986 in Review of Policy Research).

And efficient policy keeps costs down.

Good public policy cannot just be efficient, it must also be effective and equitable. Removal of protections is not equitable or efficient. This Act threatens the health of the public, the environment and puts public assets at financial risk.

Bill 24 fails three particular areas:

- 1) Hog barn expansion
- 2) Elimination of reporting on Ecological Reserves
- 3) Elimination of the Public Private Partnership Transparency and Accountability Act

The Elimination of the P3 Transparency and Accountability Act removes oversight of P3 projects.

Oversight such as following 10 questions should be asked before making a decision on P3s according to Economist John Loxley. These questions were developed for municipalities but can also be applied to the province.

1. Will there be full public consultation about the project, including the question of whether the project should be publicly or privately delivered?

2. Will elected officials be fully informed about the alternatives and be able to speak freely about the information they receive concerning development of the P3?

3. Have the full lifetime costs of delivering the project through a P3 been calculated and compared to public alternatives delivering the same level and quality of service and will the detailed information and calculations be made public?

4. How important are assumptions of risk transfer in the P3 proposal and could any promised risk transfer instead be delivered through a public procurement process that involved a fixed price contract?

5. Will the municipality be responsible for guaranteeing the private sector's revenues, and who will be liable for cost over-runs, or project deficiencies?

6. Does the municipality have the capacity and resources to properly evaluate, administer and monitor a contract of the length, scale and complexity of the P3?

7. Does the P3 permit the municipality the flexibility to make future changes in service delivery or other public policy decisions, to end the P3 in the procurement stage and to terminate the contract if it is not meeting the public interest?

8. Are any private consultants involved in the project truly independent? Are they members of the Canadian Council for Public-Private Partnerships? Do they represent potential P3 bidders in any way? Have they profited in any projects from the delivery of P3s?

9. What impact will the P3 have on the local economy and on workers' jobs, pay and benefits?

10. What are the prospects of small and medium-sized local businesses bidding on the project?

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The Legislative Assembly of Manitoba Debates and Proceedings
are also available on the Internet at the following address:

<http://www.gov.mb.ca/legislature/hansard/hansard.html>