

Fifth Session - Thirty-Ninth Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Social and Economic Development

Chairperson
Mr. Tom Nevakshonoff
Constituency of Interlake

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON SOCIAL AND ECONOMIC DEVELOPMENT

Tuesday, June 14, 2011

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

**CHAIRPERSON – Mr. Tom Nevakshonoff
(Interlake)**

**VICE-CHAIRPERSON – Mr. Daryl Reid
(Transcona)**

ATTENDANCE – 11 QUORUM – 6

Members of the Committee present:

Hon. Mr. Blaikie, Hon. Ms. Melnick, Hon. Mr. Struthers, Hon. Ms. Wowchuk

*Messrs. Cullen, Graydon, Maguire,
Nevakshonoff, Reid, Schuler, Wiebe*

Substitutions:

Ms. Braun for Mr. Wiebe at 7:31 p.m.

APPEARING:

Hon. Jon Gerrard, MLA for River Heights

PUBLIC PRESENTERS:

Mr. Karl Kynoch (by leave), Manitoba Pork Council

Mr. Bill McDonald, Winnipeg Humane Society

Ms. Eugennie Mercredi, private citizen

Mr. Mike Sutherland, Peguis First Nation

Mr. Morris Swan Shannacappo, Southern Chiefs Organization

MATTERS UNDER CONSIDERATION:

Bill 46–The Save Lake Winnipeg Act

* * *

Clerk Assistant (Ms. Monique Grenier): Good evening. Will the Standing Committee on Social and Economic Development please come to order.

I have before me resignation letters from Mr. Reid, as Chairperson, and Mr. Nevakshonoff, as Vice-Chairperson of the Standing Committee on Social and Economic Development.

Before the committee can proceed with the business before it, it must elect a new Chairperson. Are there any nominations for this position?

Hon. Stan Struthers (Minister of Agriculture, Food and Rural Initiatives): Yes, I'd like to nominate Mr. Nevakshonoff for Chair.

Clerk Assistant: Mr. Nevakshonoff has been nominated.

Are there any other nominations? Hearing no other nominations, will you please take the Chair.

Mr. Chairperson: Our next item of business is the election of a Vice-Chairperson. Are there any nominations?

Mr. Struthers: I would nominate Mr. Reid, Mr. Nevakshonoff.

Mr. Chairperson: Thank you, Mr. Struthers. Mr. Reid has been nominated.

Are there any other nominations? Hearing no other nominations, Mr. Reid is elected Vice-Chairperson.

This meeting has been called to consider Bill 46, The Save Lake Winnipeg Act.

I would like to inform all in attendance of the provisions in our rules regarding the hour of adjournment. Except by unanimous consent, a standing committee meeting to consider a bill in the evening must not sit past midnight to hear presentations unless fewer than 20 presenters are registered to speak to all bills being considered when the committee meets at 6 p.m. As of 6 p.m. this evening there were 76 persons registered to speak to these bills. Therefore, how late does the committee wish to sit this evening?

Mr. Larry Maguire (Arthur-Virden): Until we've concluded the business of the committee.

Mr. Chairperson: Mr. Maguire has said. What is the will of the committee? [*Agreed*]

As you will see from our presenters' list, we have a number of presenters registered to speak this evening of whom some are listed as an out-of-town presenter, and others listed as previously being called

once. These individuals are marked with an asterisk or a plus sign on the list.

In what order does the committee wish to hear presentations?

Mr. Struthers: I have a request that I'd like the committee to consider.

The—we've already received a presentation from the Manitoba Pork Council, Karl Kynoch left that with the committee. Karl is here this evening and would like—I think it'd be natural, I think it'd be reasonable to allow Karl to speak to us about Bill 46. I think if you canvass the room there'd be leave to have Karl speak on this bill.

Mr. Chairperson: Minister Struthers has proposed that Mr. Kynoch speak first.

Is that agreeable to the committee? *[Agreed]*

Mr. Maguire?

Mr. Maguire: Agreed.

Mr. Chairperson: One moment here, in regard to out-of-town presenters, is there any advice from the committee?

Mr. Struthers: Can we hear the out-of-town presenters first? And I want to note that Karl Kynoch is from out of town.

Mr. Chairperson: Okay. Mr. Struthers has suggested out-of-town presenters first.

Is that agreeable to the committee? *[Agreed]*

Before we proceed with 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 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 that you provide 20 copies. If you need help photocopying, please speak with our staff.

As well, I would like to inform presenters that in accordance with our rules, a time limit of 10 minutes has been allotted for presentations with another five minutes allowed for questions from committee members.

Also in accordance with our rules, 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.

Speaking in committee. 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 microphones on and off. Thank you for your patience.

We will now proceed with public presentations.

* (18:10)

Before calling the first presenter, I would like to note, for the information of the committee that certain presenters on the list are marked with a plus sign, have previously been called once, and, as mentioned at last night's meeting, if called tonight and are absent, their names will be removed from the list of presenters.

Bill 46—The Save Lake Winnipeg Act

Mr. Chairperson: I will now call on Mr. Karl Kynoch of the Manitoba Pork Council.

Good evening, Mr. Kynoch. Do you have any written materials for the committee?

Mr. Karl Kynoch (Manitoba Pork Council): No, I don't. I just have my one copy, as this was a last-minute thing here, so—I've already submitted copies to the Premier (Mr. Selinger) and it's been widely circulated.

Mr. Chairperson: Okay, sir, you may proceed.

Mr. Kynoch: Minister Struthers, I'd like to thank you and I'd like to thank the committee for making an exception to allow me to speak tonight. I want to do two things. I want to have a—my letter to the Premier read. I want to read it out, so it's entered into the *Hansard*; and, as well, I'd like to a short explanation on why the no-show.

My name is Karl Kynoch. I am chairman of Manitoba Pork Council, which represents approximately 600 pork producers around the province. I appear here this evening out of a request that Minister Stan Struthers had asked that I would come tonight and present, and out of respect for the minister that is why I'm here tonight.

I have already submitted a letter to Minister Struthers, the Premier, Minister Blaikie, stating the position of the Manitoba pork industry, but, for the benefit of the entire committee, I will read it into the record now.

I would like to take this opportunity on behalf of hog farmers in Manitoba to express our deep disappointment and utter dismay with the Bill 46, The Save Lake Winnipeg Act.

We fully support the need to protect the environment and Lake Winnipeg. The release of our *Embracing a Sustainable Future* plan on March the 16th, 2011, is a strong indicator of our intention to constantly reduce our environmental footprint.

We recently informed both Minister Struthers and Minister Blaikie that we were going to release our new *Plan P*, which deals more directly with phosphorus issues. We have repeatedly demonstrated our willingness to work with your government in a co-operative manner, yet you continue to blindside us with new and ever more draconian laws and restrictions.

We cannot understand how you can consistently blame the hog farmers for polluting the lake. It is absolutely without merit. We have been under continuous attack by your government for more than 10 years, and I fail to understand why. You have passed at least 28 pieces of legislation and regulations and have negatively impacted hog farmers.

Your government changes the regs over and over again before we can even understand and meet the last set of rules. We haven't had time to make the required changes, let alone to see results on the landscape. One of the most infuriating things about this total ban on new hog production is the unfairness of it all. You have not treated any other group of Manitoba with the same mean-spirited tactics. For example, while the city of Winnipeg contributes several times more nutrients to the lake than the hog industry, including numerous major spills of raw sewage every year directly into the rivers, you haven't banned all new buildings in the city the way that you have the hog sector.

While you may have restricted fertilizers on golf courses, you haven't banned all new golf courses the way you have banned hog barns. While failed and leaking septic fields in the Selkirk corridor are pouring raw sewage directly into the Red River, you haven't banned new buildings or new septic fields in

the Selkirk corridor the way you have with hog buildings. You only put forward a weak restriction limiting fields in two acres each.

There is simply no creditable science showing Manitoba hog farmers are adding any significant nutrients into the lake. Certainly, the small amount of nutrients we may contribute does not merit the measures taken against us. The Leavitt report brought out by your government last week bases their conclusions on a mere three lake-bottom core samples taken five years ago. It then attempts to draw correlations between an increase in nutrient loading in the lake and the increase in hog production but without any actual evidence showing how the—how they connect, mainly, of course, because there is no evidence.

Creditable science attempts to provide evidence providing a correlation; it does not simply imply that there must be one. The portion of the report attempting to link livestock and hogs to excess nutrient loading in the lake is extremely poor science, and I truly hope this is not the foundation of your decision.

We have constantly asked your government for any real science, any evidence to show that we are polluting the lake, but we have yet to see any. In fact, the science that is in place shows the opposite, that, at most, hog production indirectly contributes 1.5 per cent of the nutrients to the lake, compared to the general agriculture. Overall, agriculture only contributes 15 per cent, and the city of Winnipeg 6 per cent. The irony is that our most recent proposed alternative, the zero per cent solution, would actually go further toward your goal of preventing soil phosphorus from affecting the quality of our waters raise.

Stopping farmers from building new structures will have no impact on water quality. As we have stated before, you could fly every pig in Manitoba to the moon tomorrow and it would have almost no impact on Lake Winnipeg, largely because farmers would replace their natural organic fertilizer with artificial fertilizer.

Without banning new structures in all of Manitoba, our zero per cent solution would effectively prevent expansion in areas of over concentration, while still allowing expansion in areas where it is reasonable to do so, especially since, according to the experts, the hog industry has a minimal effect on Lake Winnipeg in the first place.

Every expert we have talked to agrees that good nutrient management and better water management are the real answers to preventing surface water contamination. A ban on structure does not even begin to deal with the issues. Regulations already in place prevent excess buildup of nutrients from new operations anyway, making this banned even more pointless. Based on a detailed survey of producers, we estimate that 88 per cent of producers now inject and incorporate hog manure into the soil. The manure is buried four to five inches under the surface. None of the hog manure applied this way can run off.

Those remaining farmers are almost entirely small producers and apply relatively little manure. By regulation, producers are not allowed to let manure run off fields into waterways. Your own inspection staff can confirm this statement. Manure is a valuable organic, natural source of fertilizer; it is not waste. By applying manure as fertilizer, growing a grain crop, and feeding the grain back to pigs, we actually keep the phosphorus in a closed loop, known as the nutrient cycle. This is not the case with artificial fertilizers.

In England, manure is considered so viable that farmers pass down rights in their wills. In Minnesota and Iowa, which have about six times more hogs than Manitoba, hog manure is a valuable commodity and is—its sale is a major source of income for farmers, sometimes exceeding the value of their pigs. Here it is treated like some—for—by some like nuclear waste.

Even the 2007 Clean Environment Commission report stated, on page 90, that manure should replace synthetic fertilizers as much as possible. The real problem related to nutrient overloading in the lake is spring runoff and proper water management. The vast majority of nutrients enter waterways, and ultimately the lake, in times of high water, in spring and early summer, so to—the key to stopping most nutrients from entering the lake is better water management.

But that, of course, is difficult, complex and expensive. Apparently, it is much easier to attack farmers, and put them out of business, than to actually do something real to protect the lake. You will not save Lake Winnipeg with this bill, but you will eventually kill a billion-dollar industry which currently employs 11,000 people in Manitoba. I can only conclude that we have too much employment to

Manitoba and, therefore, can afford to lose that many jobs.

You must realize that you are putting the processing plants in Brandon and Neepawa at serious risk because of this banned on hog farms, as well as secondary processing plants in Winnipeg. These plants employ more than three and a half thousand unionized workers in the province, many of them new immigrants. And, as hog production decreases, these plants will not be able to get enough hogs. Production must now decrease somewhat since farmers naturally exit the industry because of retirement, or for economic reasons, and they cannot be replaced.

The plants will either have to import hogs from the USA and Saskatchewan, or they will consider moving out of the province. In fact, as a result of the partial banned, passed by your government in 2008, those plants are already at risk of not being able to access a full supply of hogs. Apparently, you haven't considered the other 'implemlications' of this legislation which is—that could very likely force the importation of American hogs, and the closure of the largest food processing plants in the province, accounting for about one-third of the food processing in Manitoba.

* (18:20)

Manitoba farmers are good stewards of the land. While we may not be perfect, we continue to improve our practices to feed the world and make it a better place in which to live. We live here and have families here. We enjoy the beaches of the Lake Winnipeg too. We want to continue to improve, but Bill 46 will kill the industry and stop it from making any 'substantative' improvements.

Bill 46 is purely political action. While I understand that governments often feel the need to pass legislation and regulations that are mainly intended to make them look good politically, I do not understand the objective when such actions purposely—purposefully harm thousands of citizens in Manitoba while helping no one, simply to gain a few short-term political points.

In conclusion, dealing with your government on these issues has been an extremely frustrating and draining experience for us. While many producers have expressed to me their deep personal disappointment in your government, more have expressed a real disillusionment with the political

system in general, and in particular, this—the cynicism and dishonesty this bill represents.

They asked me why the government will not listen to reason and I have no answers for them. But farmers are external optimisms and so, again, we respectfully urge you to reconsider this legislation. It is never too late to do the right thing and properly address the issue. Please amend this bill and remove the ban on hog facilities.

I have also attached—no, skip that. As I mentioned in the letter, the people I represent are tired. They're angry; they're disillusioned. We, at Manitoba Pork Council, we're not prepared to put them through another experience like we had in 2008 with the hearings into Bill 17. About 400 people registered to participate in that process. Most drove to Winnipeg from around the province and stayed till all hours of the night only to take their turn to speak and be faced with turned backs or visibly bored committee members. Not a word on Bill 17 was altered as a result. With both bill—

Mr. Chairperson: Excuse me, Mr. Kynoch. I'm sorry, but you are at 11 minutes already.

Mr. Kynoch: I'm just about done. With both Bill 17 and Bill 46, we met the key ministers just prior to legislation being introduced. Despite being asked directly, the minister gave us no warning of what was to come and failed to work with us on any part of it.

The government has repeatedly implied it would not change Bill 46, and why the no-show last night? Like we said, our producers are tired. For seven years, I've been chair of Manitoba Pork Council and have been trying to work very professionally with your government. We have spent millions of dollars inside the Perimeter to win over the public. We have implemented, leading in North America, our sustainable plan. Nowhere in North America has a plan that is that advanced and that aggressive. Yet, all these things that we do have been completely thrown out and disregarded. No other industry that we believe has come to you with such professionalism and other options.

Mr. Chairperson: Mr. Kynoch, I'm going to have to seek leave of the committee for you to conclude your remarks.

Mr. Daryl Reid (Transcona): Yes, Mr. Chairperson, I'm wondering if the committee would give leave for a moment or two for Mr. Kynoch to conclude his remarks and move on with questions.

Mr. Chairperson: Is that agreeable to the committee?

Some Honourable Members: Leave.

Mr. Chairperson: You may conclude, Mr. Kynoch.

Mr. Kynoch: I—the last few days, I have received more calls from producers and especially small producers, and the government here has always stated that you support small producers. One producer from up at Swan River called me up and says: My mom and dad has 20 sows. This bill destroys our farm. I cannot expand it. He says: I wanted to expand that farm. That's another farmer going to shut down.

The Holdemann Mennonites at Cartwright in the area that I live in, some of them have asked me, they've stopped me on the street, and saying: What am I supposed to do? The 2013 regs are going to shut me down. Now the Bill 46 is going to shut me down.

These small farms cannot meet these restrictions that you're implying on it—on them. So I ask you today: Show us that you do support the farms, the family farms and make an amendment to Bill 46 and withdraw the ban. Thank you for your time.

Mr. Chairperson: Thank you, Mr. Kynoch. I open the floor to questions.

Hon. Bill Blaikie (Minister of Conservation): My thanks to Mr. Kynoch for deciding to come forward and to put his views, and the views of the Manitoba Pork Council, on the record. I think it's important when the bill addresses the hog industry in the way that it does, that it would—that it's important that you're here to let us know how you feel about it.

You just finished speaking about the 2013 regulations with respect to winter spreading. I got the impression the last time I met with you that you were okay with that. All this bill does is take that from being a regulation and put it into legislation; doesn't actually move it up or move it ahead or do anything to it; doesn't actually change any of the existing regulations with respect to that ban on winter spreading that's to come into effect in 2013.

But, with respect to winter spreading, I wonder if you're able to tell us, because this is obviously a concern that people have, you know, how many of your members' operations over 300 animal units had to winter spread their manure this winter because they had full storage facilities and they had no dry land to spread their manure on. Do you have any idea of how extensive that was?

Mr. Kynoch: That would be very minimal, and any of those that had to do—had to spread would have had the okay through your government for an emergency release at that time. But the amount of those is minimal.

Mr. Blaikie: So you don't have any idea how many there would have been. I mean, I guess I could find out by asking my department. I just wondered—but I just wondered if you had any idea.

The other—one of the other things that, you know, that—which is being talked about, that was not in the bill per se, is this, you know, the practice whereby people are able to put manure on the land at rates five times more than crops can take up in one year, and, of course, with so much flooding happening, sometimes the land doesn't get that five years. It's washed away.

I wonder how—if you could tell me how many of your members are using that particular method of applying five times more manure than the land can take up in one season.

Mr. Kynoch: That is information that probably only you have access to through the government. But the one thing is, I will say, is phosphorus is a nutrient that actually attaches itself to the soil and it doesn't actually float off in the water.

Mr. Blaikie: Well, there's obviously sort of a fundamental disagreement between our—my view of the situation and the government's view of the situation and the Manitoba Pork Council, but others may want to ask Mr. Kynoch questions.

Hon. Stan Struthers (Minister of Agriculture, Food and Rural Initiatives): Thanks for coming down, Karl, and representing your producers. I'm glad that you did. I want to put it on the record that I'm—I've been very pleased to work with you in my time as Agriculture Minister. I'm glad that you've had an open door to me and members of my government to speak with you. So I thank you for that, and I'm hoping that that continues into the future.

I only have one—the one question that I want to ask you about, and you've mentioned the political end of this. You will remember in Bill 17, that the last night after all the presentations we were going through line by line, the Leader of the Opposition (Mr. McFadyen) got up and announced to the crowd, to great cheers, that they would repeal Bill 17.

Mr. Chairperson: Mr. Kynoch. Sorry, Mr. Struthers. Thought you'd finished.

Mr. Struthers: Okay. Is it your expectation or your belief that my friends across the way would also repeal Bill 46?

Mr. Kynoch: I have never talked to your friends about Bill 46 or repealing the bill.

Today my concern is to represent the producers of the province, and your bill is actually going to shut down a lot more producers in the province, and that's my concern.

Politics is not my business. My producers are.

Mr. Struthers: I understand that, and I think you do a very good job of representing the farmers that you represent.

But last Thursday we saw the members of across the way who actually stood and voted in favour of Bill 46. My contention is that that was a phony vote, and that they have no intention of implementing Bill 46 if they ever had the chance to do it. I—as the leader of the hog farmers in Manitoba, wouldn't you want them—wouldn't your expectation be that they would honour their word on Bill 17 and not move forward to repeal it?

Mr. Kynoch: The way I look at this is, I don't want to get mixed up in the politics. Today you are the government. You are a majority government and you will decide whether Bill 46 goes through or not, no matter what the Conservatives do, or other parties, or what we do.

* (18:30)

My interest right now is to talk to the governing—the government of the day and see if we can come to some agreement on the regulations. The regulations are not acceptable to our producers. They are going to destroy some family farms, and that's my concern, not the political side.

Mr. Chairperson: We're at six minutes for questions, but I'd given the minister some supplementary so I'll offer Mr. Maguire the opportunity to put a question.

Mr. Larry Maguire (Arthur-Virden): Thanks, Mr. Chairman, I just wanted to thank you, Mr. Kynoch, for coming in tonight, Karl, and noting the deviation from the normal procedure that we have to—agreed to allow you to come and make a presentation. I think it's important that industry representatives, as were here last night, make presentations to this and—on

this important bill, and, as I say, it's—this bill has been brought forward by the government to save Lake Winnipeg, and we appreciate you putting forth your views so succinctly on this particular bill to provide the minister with an update on where your group is at with it. And so thank you very much for coming and making a presentation.

Mr. Chairperson: Any response, Mr. Kynoch?

Mr. Kynoch: No. The only thing I'm going to say is that I appreciate the opportunity and you making the—or the exception for me to come and speak here tonight. And I would ask that you remember last night that there were a lot of producers registered, and they didn't show. And they didn't show for a reason. And I'm going to repeat again: they're tired. We don't know which direction to go anymore. At Pork Council we are struggling. We don't know what way to go. We've tried every avenue to be positive and professional.

Now, those producers are tired and they're beat up, and they just feel that they're being used. So I would ask that you listen to our comments and our concerns, and, again, I'm going to ask that you withdraw the ban, which are devaluing property, on Bill 46.

Mr. Chairperson: Okay, time for this presentation has expired.

Hon. Jon Gerrard (River Heights): Just ask leave to make a brief comment.

Mr. Chairperson: Mr. Gerrard seeks leave to make a brief comment or ask a question. What is it, sir? Brief comment or—

Mr. Gerrard: Brief comment.

Mr. Chairperson: What is the will of the committee? *[Agreed]*

Mr. Gerrard, you have leave to make a brief comment.

Mr. Gerrard: Okay, thank you.

I just wanted to compliment you on the presentation, which was provided to us yesterday and which was clearly very thorough and heartfelt in the way you put it forward, and I just want to say thank you.

Mr. Chairperson: Okay, that concludes time for this presentation. Thank you, Mr. Kynoch.

I call Mr. Rick Bergmann, private citizen. Mr. Rick Bergmann? Mr. Bergmann's name will be dropped from the list.

Ms. Wendy Friesen, private citizen. Wendy Friesen? Ms. Friesen will be dropped from the list.

George Matheson, private citizen. George Matheson will be removed from the list.

Mr. James Hofer, private citizen. James Hofer will be removed from the list.

Arian DeBekker, the independent hog farmers co-op. Arian DeBekker will be removed from the list.

Claude Vielfaure, private citizen. Claude Vielfaure will be removed from the list.

Mr. Andrew Dickson, private citizen. Mr. Dickson will be removed from the list.

Miles Beaudin, private citizen. Miles Beaudin will be removed from the list.

Mr. Dan Klippenstein, private citizen. Mr. Klippenstein will be removed from the list.

Mr. Garry Tolton, private citizen. Mr. Tolton will be removed from the list.

Mr. David Kraut, private citizen. Mr. Kraut will be removed from the list.

Mr. Matt Reimer, private citizen. Mr. Reimer will be removed from the list.

Mr. Sheldon Stott, private citizen. Mr. Stott will be removed from the list.

Mr. Jeremy Janzen, private citizen. Mr. Janzen will be removed from the list.

Mr. Clayton Block, private citizen. Mr. Block will be removed from the list.

Mr. Sam Gross, private citizen. Mr. Gross will be removed from the list.

Mr. Richard Prejet, private citizen. Mr. Prejet will be removed from the list.

Ms. Sheila Kolesar, private citizen. Ms. Kolesar will be removed from the list.

Ms. Lorraine Langlois, private citizen. Ms. Langlois will be removed from the list.

Mr. Norm Paisley, Pro-Ag Products Ltd. Mr. Paisley will be removed from the list.

Ms. Diane Desorcy, private citizen. Ms. Desorcy will be removed from the list.

Mr. Gary Stott, private citizen. Mr. Stott will be removed from the list.

Mr. Geroen VanBoekel, private citizen. Mr. VanBoekel will be removed from the list.

Mr. Lionel Gauthier, private citizen. Mr. Gauthier will be removed from the list.

Ms. Rose Klippenstein, private citizen. Ms. Klippenstein will be removed from the list.

Ms. Michelle Martel, private citizen. Ms. Martel will be removed from the list.

Mr. Ken Martin, private citizen. Mr. Martin will be removed from the list.

Mr. Tom Waldner, private citizen. Mr. Waldner will be removed from the list.

Mr. Steve Hofer, private citizen. Mr. Hofer will be removed from the list.

Mr. Mark Lanouette, private citizen. Mr. Lanouette will be removed from the list.

Mr. Heinz Reimer, private citizen. Mr. Reimer will be removed from the list.

Mr. Paul Beauchamp, private citizen. Mr. Beauchamp will be removed from the list.

Lindsey Banman of Hylife. Lindsey Banman will be removed from the list.

Mr. Albert Dacquay, private citizen. Mr. Dacquay will be removed from the list.

Mr. Dennis Kornelsen, private citizen. Mr. Kornelsen will be removed from the list.

Jackie Klassen, private citizen. Jackie Klassen will be removed from the list.

Mr. Keith Waldner, private citizen. Mr. Waldner will be removed from the list.

Mr. Richard Badiou, private citizen. Mr. Badiou will be removed from the list.

Mr. Rob Radawetz, private citizen. Mr. Radawetz will be removed from the list.

Mr. David Hildebrandt, private citizen. Mr. Hildebrandt will be removed from the list.

Mr. Andy Cardy, private citizen. Mr. Cardy will be removed from the list.

Mr. Jason Falk, private citizen. Mr. Falk will be removed from the list.

Mr. Richard Taillefer, private citizen. Mr. Taillefer will be removed from the list.

Mr. Don Carganillo, private citizen. Mr. Carganillo will be removed from the list.

Mr. Ben Hofer, private citizen. Mr. Hofer will be removed from the list.

Enoc Gonzalez, private citizen. Enoc Gonzalez will be removed from the list.

Karine Talbot, private citizen. Karine Talbot will be removed from the list.

Ernie Kehler, private citizen. Mr. Kehler will be removed from the list.

* (18:40)

Chief Adrian Sinclair, Lake St. Martin Indian Reserve. Chief Adrian Sinclair will be removed from the list.

Bill McDonald, CEO, Winnipeg Humane Society. Mr. McDonald. Do you have any written materials for the committee, sir?

Mr. Bill McDonald (Winnipeg Humane Society): No, I don't, Mr. Chair. We're going to save some trees tonight.

Mr. Chairperson: Okay, you may proceed.

Mr. McDonald: Thank you very much.

Mr. Chair, ministers, members of the committee, the Winnipeg Humane Society always appreciates the opportunity to come before the Legislature and express our opinion on bills and other matters, and we thank you for this opportunity tonight.

Let me just first say that the Humane Society supports Bill 46, and I could stop there, but I just would like to get on the record and focus on one particular clause of the bill, and that's under part 2, The Environment Act, in article 4, which is the prohibition on expanded hog operations in Manitoba. The previous speaker, of course, was very much dead set against that, and I would suggest to you that the Winnipeg Humane Society is very much for it, and I'm going to explain why.

For years, the Winnipeg Humane Society has advocated and lobbied the government for a ban on confinement systems in production barns, particularly the sow crate confinement system, and while Bill 46 does not ban confinement systems,

what it does prevent is any further construction of hog barns, and being utterly simplistic in our thinking, therefore it's going to lower the number of sow crate confinement systems that are in the province, and there won't be any barns that are using the system in the future and we're in support of that.

Having said that for the record, the Humane Society is trying and attempting to work with the hog producers, and our position is pretty simple. We want to see the animals humanely raised. We want to see the animals humanely transferred, transported, and we want to see them humanely slaughtered, and any organization that can meet those three objectives of the Humane Society, we will work with.

I am pleased to inform you that over this period of time—particularly since the Manitoba Pork Council came out with their sustainability plan—we've had two meetings with them. We've had a meeting with the Keystone Agricultural Producers, and everybody agrees that it's time for a new direction and new strategies concerning confinement systems in this province, and I'm pleased that the minister has agreed to meet with us, as an informal coalition, if you will, by the end of June, and we're going to present some ideas to the government at that time.

So I'm going to close there, Mr. Chair. It's very brief, and I'd be happy to take any questions from any member.

Mr. Chairperson: Thank you, Mr. McDonald. Questions?

Mr. Maguire: Thank you very much, Mr. McDonald, for making your presentation and your views known this evening and taking the time to come in. Thanks.

Mr. Gerrard: There's just—you're focused on the confinement systems, in particular, and there's some changes occurring in the international scene in terms of marketing and the requirements for changes to hog confinement systems.

Can you bring us up to date on what's happening internationally that we would need to be paying attention to?

Mr. McDonald: The last conversation we had with the Pork Council, with Andrew Dickson, we raised this matter because Australia—the largest importer of pork products in Australia recently announced in the—probably must be February time period—that they, by a certain date, probably 2013—I'm going from memory here, Mr. Gerrard—that they will not

allow pork imports into Australia from any producer that uses a confinement system.

So that is a pretty big hit for Canada. I think the figure—our exports from Manitoba alone are in the range of 39 million annually to Australia. So Mr. Dixon's aware of that, and I think that's one of the reasons, in their sustainability plan—one of the clauses that they put forward was that they are urging their producers to move to non-confinement systems by 2025.

And the Humane Society, at the board level, has supported that decision. Not everyone is happy, of course, with the date that far out. People are suggesting 2017 and so on. But we maintain, as well, that the Pork Council doesn't have any regulatory authority. It's simply a suggestion to their producers. And if the producers meet that date of 2025, they will probably start accomplishing some of these things that the other markets want, like Australia.

Mr. Struthers: Yes, thanks. I just want to not only thank you for coming this evening but also I want to publicly state that I think that's a very good approach, that you and Karl Kynoch and the Pork Council have put together to deal with what has been a historically—a tough issue.

I just see good things coming from that and I want to commend both your organization and Manitoba Pork for working in that kind of a co-operative way.

Mr. McDonald: I think that's it, Mr. Chair.

Mr. Blaikie: Mr. Chairperson, I just wanted to add my own thanks, as the minister in charge of the bill, to Mr. McDonald for coming forward and extending his support for the bill and giving us the benefit of his thoughts on the matter. Thank you.

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

I now call Ms. Eugennie Mercredi, private citizen. Ms. Mercredi, do you have any written materials for the committee?

Ms. Eugennie Mercredi (Private Citizen): Yes, I do. Give me a minute.

Mr. Chairperson: Our assistant will distribute them.

Ms. Mercredi: It's my birthday today.

Some Honourable Members: Happy birthday.

Ms. Mercredi: Thank you.

Mr. Chairperson: Committee, you can do better than that.

An Honourable Member: You're 29?

Ms. Mercredi: I'm 29.

An Honourable Member: If we're going to do this, we're going to do it on pitch.

We're going to do it?

"Happy Birthday" was sung.

Ms. Mercredi: Mr. Chairman, thank you for allowing me to speak. First of all, I want to acknowledge the Creator for being here today.

I greet you all, my fellow brothers and sisters. You are chosen to be leaders, and as a leader myself back home, as a ex-officio Cross Lake band councillor and elected through Pimicikamak Okimawin governance, we have our own self-government system.

I am an activist on environmental issues and speak the truth of environmental destruction. As you listen to me speak carefully, we all need to listen to the one who gives life. And sometimes we don't listen to each other carefully.

The mess that's happening, Creator is cleansing it, using the water to cleanse it. In your world view, you say you blame the climate, the weather. It cleanses the earth, the air, the fire. We are all aware of the climate change all over the world: mudslides, tornadoes, forest fires, floods. We have floods happening in our lives every day back home in our backyard—Jenpeg dam. What is that Winnipeg regulation?

*(18:50)

We have to listen to the Creator sometimes. That's why we are ill, that's why our Mother Earth is dying. You know, the Mother Earth is like those blood vessels, the lakes that we breathe, you know, we breathe on them. But who destroys it? We are all responsible, the Creator wouldn't have to clean it up.

That's my introduction, I just wanted to share with you who I am, and I'm going to read this. Pimicikamak, one is the name—where I come from is one of the name of the Cree Aboriginal peoples of Canada. Pimicikamak is a people of rivers and lakes. The traditional territory of Pimicikamak is around Sipiwesk Lake in the heart of the boreal forest, 500 kilometres north of Winnipeg. Flowing through our

lands is Kichi Sipi, the great river. Pimicikamak traditional territory also is known as Pimicikamak.

Pimicikamak and other related terms were understood as connoting flowing across. This is widely presumed to be the origin of the name of Cross Lake in Pimicikamak territory. Pimicikamak is the collective singular name for the whole people and also the collective name for its traditional territory.

Pimicikamak traditional territory is reported to have been a wide watershed of the upper Nelson River. It is located within the boreal forest of—or taiga of Canada. Like other indigenous peoples, Pimicikamak sees its spiritual relationship with the land, the water, as a fundamental to its identity. Oral history passed down by Pimicikamak elders say that Pimicikamak existed since time immemorial. Anthropological and archeological evidence places—Aboriginal places occupation of Pimicikamak after the last ice age sometimes before 14,000 BC.

I'm just reading this. You can read this in Wikipedia of Pimicikamak, of who we are.

So, I'm going to read my statement. You have copies of those.

Legislative Review Committee, Bill 46, Save Lake Winnipeg Act. We need to change the view. This is about the water, not just the lake that is ill. Our relationship beliefs are with water, earth, air and fire. Water has to do with all of us. Indigenous peoples on the lakes, the lands and elders must be included in the future of the water and the lake. We have much to share, to give, to saving Lake Winnipeg.

Balance is needed to save the lake and to save the water. To achieve balance, all of us, all people and all the communities, must find themselves in how we can clean and keep the water. The Creator gave us the water as pure, as clean, as healthy and sustainable. If we co-operate and we share—we all share our knowledge, remembering we all share the same world: air, earth and fire.

Our spirits, all our faiths refer to living water and the spiritual value of water. Now we are healing water—our water, and may heal ourselves also. It's our responsibility and our interest to clean up the mess in the water in order to protect it, to save it. If we view water as a living, spiritual entity, we change how water is perceived.

Water is life giving. In my language, water, nipi; nipiwin means death. See, there's a balance. We got to balance everything what we talk about. If we don't have water, we will all die. It carries the spirit to heal and sustain all life. Keeping water clean is a responsibility of everyone. It is in our interest.

An elder is a wisdom keeper, not legislatively defined. An elder expresses love, peace, and harmony through spoken word. The Manitoba government needs Aboriginal knowledge and wisdom to heal the waters.

Women are the life givers. Women are responsible for the water. Two weeks ago, I did a ceremony in my community—

Mr. Chairperson: One minute, Ms. Mercredi, sorry.

Ms. Mercredi: Yes—about this water, cleansing it, honouring the water, and that's part of our traditional way of cleansing the water and thanking the Creator for the water.

The leadership must listen to our elders and to the women. The government of Manitoba must listen to the elders and the women of every nation. The elders are the wisdom keepers and the women are responsible for they are the life givers and the carriers. It is in the government's interest to invite all peoples, the elders and the women if they are going to be seriously talk about cleansing the water in attempt to save and protect it.

How many minutes, seconds do I have?

Mr. Chairperson: Your time, technically, is up at this point.

Ms. Mercredi: Okay.

Mr. Chairperson: If you could please conclude your remarks. *[interjection]* Yes, we will actually need leave from the committee to conclude your remarks.

An Honourable Member: Leave.

Mr. Chairperson: Okay, leave is granted.

Ms. Mercredi: Okay, thank you for listening to me.

Mr. Chairperson: Okay, you're ready for questions then, ma'am?

Ms. Mercredi: Yes.

Mr. Chairperson: All right. Thank you. Floor is open to—for questions.

Mr. Gerrard: Thank you for your passionate presentation about the importance of water and the role of women in making sure that we have healthy lakes.

Mr. Blaikie: Yes, just a word of thanks from myself as minister and from the government for your presentation today, and for emphasizing the need for—the need to integrate traditional knowledge and science and all the other perspectives that people bring to these problems so that we can come up with the best possible solution.

Mr. Maguire: I, too, would like to thank you, Eugennie, for being so patient last evening and staying right through and for coming back this evening and making your presentation and providing a copy of your presentation to us tonight. Thank you for taking the time to do that.

Mr. Chairperson: Seeing no further questions or comments, I thank you for your presentation, ma'am.

Ms. Mercredi: *[Cree spoken]* Thank you for listening to me. *[Cree spoken]* God bless you all.

Mr. Chairperson: Mr. Jon Boyko, private citizen. Mr. Boyko will be dropped from the list, or is this the first call, is it?

* (19:00)

Point of Order

Mr. Maguire: Just a point of order.

I know that we had gone back to Mr. McDonald, who was an urban member, or at least he wasn't indicated as a rural one. We went back to Ms. Mercredi, who indicated she—it was indicated she is a rural one, but there are other rural members who haven't been called at all yet. I wonder if we would proceed to them, or does it matter? Just for the order that you're going in, the last page is all rural again.

Mr. Chairperson: We made a mistake, Mr. Maguire, by calling her out of order. So now—okay, just on your point of order, we accidentally missed one out-of-town presenter, and we're now going back to the list in its proper order. My apologies.

Mr. Maguire: My point is the last page is out-of-town presenters, from No. 70 on.

Mr. Chairperson: Mr. Maguire, you do have a point of order and I stand corrected. And we will go to presenter No. 70, Mr. Irvin Funk, and then down the list to presenter No. 76, at which point we will return

to 51 people who were called once already. So thank you for that, for pointing that out to the committee.

* * *

Mr. Chairperson: And on that basis, I call Mr. Irvin Funk, private citizen. Mr. Irvin Funk is not present, so his name will be dropped to the bottom of the list.

Mr. Ron Klippenstein, private citizen. Mr. Klippenstein is not here. His name will be dropped to the bottom of the list.

Mr. Kurt Stoess, private citizen. Mr. Stoess will be dropped to the bottom of the list.

Andrea Wiebe, private citizen. Ms. Wiebe will be dropped to the bottom of the list.

Mr. Jacob Waldner, private citizen. Mr. Waldner will be dropped to the bottom of the list.

Mr. Menno Bergen, private citizen. Mr. Bergen will be dropped to the bottom of the list.

Mr. Mike Sutherland, Peguis First Nation. Good evening, Mr. Sutherland. Do you have any written materials for the committee, sir?

Mr. Mike Sutherland (Peguis First Nation): No, I don't.

Mr. Chairperson: You may proceed then.

Mr. Sutherland: I could send it to you smoke signal, but nothing today.

Mr. Chairperson: Okay, you may proceed, sir.

Mr. Sutherland: I'd just like to thank everyone for letting me attend and speak here tonight. It was on short notice. I am a newly elected official for Peguis First Nation. I was elected to council March 25th of this year, so pleased to be here today. And I guess I'd just like to thank the lady before me. She did a tremendous job and I respect her for the words that she brought forth here today.

And for me, too, being brought up on the land, it's very important. And the work that I do today, I work for the Province on conservation and I also worked—I worked for Peguis the last three years in the area of lands and resource management. But my education wasn't through any university or college; it is on the land, trapping, hunting, fishing. I've been on the land since I was a boy, and I teach land-based education. I sit with elders and I carry messages forth—forward.

One of the greatest things that's been, I guess, that we've been having to deal with in these recent

years, is the use of the land, but not by us, but by others. And one of the things I have to ask with this bill, is that, has consultation taken place with First Nations people within Manitoba? Another question I have to ask is, when a legislation is put forth, is consultation with First Nations a part of this process?

As a previous employer—now, I'm not really hesitant to say this, but I'll probably never work for the Province again after this. But, as a previous employer of Manitoba Conservation, I was asked to review a number of acts to see if they had an effect on First Nation's rights. And all that I have reviewed showed that they all negatively affect First Nations people and their rights, or worse, they don't even mention First Nations in the act or legislation.

Anything, whether it be an act, legislation, application or disposition, that affect the rights of First Nations people, require consultation before they move forward. And that comes from the Supreme Court of Canada, right, with consultation. And there's many, many cases that show that.

Even though save our lake may be a move to try and save the lake, as other acts and legislations, our First Nations people are again left out. It makes me wonder why the Province is making more—making this move, when it's the same government that maintains the high water level with Manitoba Hydro to create—generate energy. As First Nations people, we have seen that the high levels of Lake Winnipeg has done more damage to our lands than anything else.

In Peguis, we flood constantly. And not just in the spring anymore, as was years past, but we flood throughout the summer as well. Drainage south of us is one of the main contributors to the flooding, but it's the high water in Lake Winnipeg that compounds it, because the water can't leave the reserve.

Throughout Canada, drainage into our rivers and river systems sends water to its final destination, which is Lake Winnipeg. And you see that, everything east of the Rockies comes this way. Precambrian Shield comes this way. The Red River, the Assiniboine, come this way. Your act, even though it's here in Manitoba, is not really going to help because all the stuff that's put in the lake comes from out of province as well. So the farmers suffer, First Nations suffer.

You know, and you're—it's like the moose management. You know, you ask people in the Ducks to stop hunting moose, but everyone else

comes there and hunts the moose. But the people, the First Nations people in the Ducks, they can't hunt that moose. Are we going to close it down on the east side? But yet other First Nations will go there and hunt.

You know, you're putting acts here in Manitoba to affect the people in Manitoba, but yet, the water that comes into our lake, the pollution that comes with that water, the amount of water that affects Lake Winnipeg's level, comes from out of province. So how do you deal with that?

Three years ago I provided Chief Hudson and Councillor Cochrane from Peguis First Nation to give the Minister of EMO a package. I created that report through traditional land-use knowledge. And I told them that there was more water to come than what we seen previous years. From what I've learned from traditional knowledge, I told them it's going to get worse. And I used traditional knowledge and points that I've learned from the land from what I've seen, to hopefully, people would understand and listen. Unfortunately, nobody even read the report. And, you know, it's through the traditional knowledge that we learn about the land and how it works. But unfortunately, nobody listens to us.

They were coming to meet with a promise to repair our flooded homes. I asked them, don't repair the homes, replace them, because it's going to get worse. But no, they were giving hundreds of thousands of dollars, or millions. Homes were repaired and the following year they were all flooded again. The point being, traditional knowledge is not a novelty; it's real and it's true.

* (19:10)

If consultation is followed, traditional knowledge can be provided as a part of this consultation process. As a First Nations people and people of the land, everyone has a say in the land that we live in, our traditional territory, but us. Yet we are the ones that are most affected by the acts of legislations and things that are done outside our community. And, again, today, Bill 46 is just another example of that, because no one came to my community. No one asked our fishermen, our hunters, our trappers what they thought about Bill 46.

I, too, am concerned about Lake Winnipeg and the future of Lake Winnipeg, but it boggles my mind as how the government could be the ones to move forward to save the lake and pass legislation, but yet

they could be part of the destruction of the lake as well. To me that don't make sense. To our elders, they shake their heads and wonder why and how people could do this and act this way.

If you knew problems were coming with Lake Winnipeg years ago, why are we acting at the 11th hour when things should have been done years ago? If we knew there's problems with moose and other wildlife, why did we act in the 11th hour? As First Nations people, we look at this on the land and everything that's in it to make sure that there's always a balance, and the lady before me spoke about that balance. First Nations should be a part of everything that goes on within our land, not left out, not left till last. And we will show to you and prove to you that we have an understanding of the land and how it should be managed and how she should be looked after.

You know, it's—there's a time now. I think that there's, what do you call it, you know, like, the 11th hour; there's no looking back anymore. Next year, our First Nations leaders and elders and medicine people are going to converge in Mayan territory to talk about, you know, this 2012, because for us there's something there, something significant, and we will see what's to come. But we see what's happening within the land, and the lady before me, Ms. Mercredi, talked about Mother Earth cleansing itself, and we firmly believe that's what's to come.

So, regardless of what happens here, it may be irrelevant, and that's the way some of our elders and medicine people see it. And I leave here today, you know, asking you to think about that and to think about the First Nations people that live in that land. Everyone here probably lives within the city limits now. Some of you have been out there on the land before. You know what it's like, the pristine, the beauty and so on and so forth.

Mr. Chairperson: One minute, Mr. Sutherland.

Mr. Sutherland: Okay. What you've seen is anger. You've seen the storms throughout the world and even here, you know. So please think about that because you people, as government people, have the power to change people through your legislation, if it's done right, and positively and help protect the land, not destroy it. Thank you.

Mr. Chairperson: Thank you, Mr. Sutherland. I open the floor to questions or comments.

Mr. Blaikie: Yes, Mr. Chairperson, just a word of thanks to Councillor Sutherland for—and, of course,

congratulations on his election to the band council. I hope his political life is as interesting as everyone else's around here. And, as I say, thank you for your perspective on water and the land and the perspective that you think we should bring to these questions.

Mr. Sutherland: Thank you.

Mr. Maguire: Yes, Mr. Sutherland, thank you very much for being patient and waiting and being here tonight to make your views known and to make your presentation to us. Thank you very much.

Mr. Sutherland: Thank you.

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

Mr. Sutherland: I thank you.

Mr. Chairperson: Call Mr. Jon Boyko, private citizen. Mr. Boyko will be dropped from the list.

Mr. Glen Gratton, private citizen. Mr. Gratton will be dropped from the list.

Mr. Mike Teillet, private citizen. Mr. Teillet will be dropped from the list.

Kelly Funke, private citizen. Mr. Funke will be dropped from the list.

Mr. Arne Thorlacius, private citizen. Mr. Thorlacius will be dropped from the list.

Ms. Cyndy Goos, private citizen. Cyndy Goos will be dropped from the list.

Ms. Susan Riese, private citizen. Ms. Riese will be dropped from the list.

Ms. Laurel Lyons, private citizen. Ms. Lyons will be dropped from the list.

Mr. Jeff Clark, private citizen. Mr. Clark will be dropped from the list.

Mr. Jason Care, private citizen. Mr. Care will be dropped from the list.

Mr. Ron Marchenski, private citizen. Mr. Marchenski will be dropped from the list.

Mr. Matthew Klippenstein, private citizen. Mr. Klippenstein will be dropped from the list.

Mr. Mark Peters, private citizen. Mr. Peters will be dropped from the list.

Ms. Julianna Klippenstein, private citizen. Ms. Klippenstein will be dropped from the list.

Jean Prejet, private citizen. Jean Prejet will be dropped from the list.

Mr. Morris Swan Shannacappo, Grand Chief, Southern Chiefs Organization.

Good evening, Mr. Swan Shannacappo. Do you have any written materials for the committee, sir?

Mr. Morris Swan Shannacappo (Southern Chiefs Organization): My assistant will be passing them out right away.

Mr. Chairperson: Okay. We'll await those and then you may begin your presentation.

Floor Comment: It's an extremely long written presentation and I don't want to take too much of your time. I know I'm only allotted 10 minutes. So I'll be going through a bit of the presentation, but, moreover, I'd like you to see the visual aids which are pictures and attachments. So if you will—

Mr. Chairperson: Okay, Mr. Swan, I'm—I haven't recognized you yet. We'll wait for your materials which have now arrived I see. So you are free to begin, sir.

Mr. Shannacappo: Thank you very much. I want to thank you for allowing us and giving us a bit of time to come and speak. I come in here and I see a very ominous picture when I walked in and I seen nice prairie farmlands and the guy with the 50-year plan on how to divert waters and flood out all that good prairie area in the back and that's where it all started.

We'll go—the government of Manitoba announces that it'll take action to protect the province's water and save Lake Winnipeg through the introduction of Bill 46.

I want to thank the previous presenters because their concerns are very much like ours at the Southern Chiefs Organization.

Recently there was a video that was shared nationally and internationally called *Save My Lake* by David Suzuki, and he also outlined that Jenpeg is one of the reasons why we have the algae effect here in Lake Winnipeg—again, the 10th largest freshwater lake, and it would be a damn shame if we allowed you guys to kill it any further.

* (19:20)

My elders, again, as the previous speaker had said, speak lots on traditional knowledge, but they are so humble because they always start off their speeches: I don't know anything. And I'm going to

say, I collected all their knowledge, and gathered it, so I know a lot. And, mainly what I know is, that the current conditions of the lake are very unsatisfactory. It's dying of a slow death like Lake Erie had in the past, and we should have learned our lessons from those Great Lakes as well.

But we need to change not only the characteristics of the lake, the characteristics of the north, the water diversion. We'll go to attachment No. 1, Overland flooding as viewed in the 2005 trapline 18 video, and it's appeal submission to Canadian Environmental Assessment Agency. These are the characteristics of the land there when it is flooded out and when it is killed.

Underneath these trees there is an area called permafrost. Our elders used to store and use these as refrigerators right throughout the summer. They would dig six feet down into this permafrost, and they would leave a hind quarter of elk or moose or caribou or whatever. And this would stay cold and this would also stay refrigerated for the rest of the summer.

They can't do that any more. They can't use that practice anymore because of the overland flooding. It's just like putting a frozen hamburger into a sink full of water. It immediately starts to thaw out and melt, and there's no solid structure that could stand on that hamburger. And that's what they're doing to the land up north. They're killing the permafrost. And the trees aren't even able to stand anymore because—they're not being uprooted; they're just falling over. They don't have a solid foundation to stand on.

When Dr. Suzuki talks about the bathtub effect, you know, if you travel back with me 50 years—maybe you didn't have that problem. But in Rolling River First Nation, when we bathed, I was about the third one to hit the bath water, and that's bathtub effect. And I'm certain that, if you were just to think of it and have your little brothers or your little sister share the same bath water, you wouldn't want to be the third or the fourth one in line to get in that bathtub.

That's what we're doing and that's what we're allowing to happen in Lake Winnipeg. And, as gross and as sickening it may sound, sir, that's the honest truth. I'm not telling you a word of a lie here. And it's a bloody shame and embarrassment that we would allow this to continue in our times with the knowledge that's gathered.

Well, go to the overland flooding aerial survey. When you fly in a plane up above this flooded area, it almost looked like there's a golf course. It looks like pristine country, but it's not. That's dead land. That will not be refurbished; that is dead. And dead is dead. It's not going to come back alive unless you stop the flow of water. And, again, it goes back to the Fairford water structures. What we did is we took a perfectly good, God-created water flow, watershed, and we perfected it—or you perfected it or you allowed somebody to perfect it, and it happened—and now we're in serious flooding.

The last I heard is that they might open the Hoop and Holler dam or Hoop and Holler Bend again. And the first day that they talked about opening it, the very second day in the newspaper, they said the farmers are looking at a class action suit. That's what my people are demanding—an environmental audit to see how much damage is done to the environment, to see if we can help protect it or reverse it in some form or fashion. And I'm certain that we can all lend a helping hand to be able to do this, to leave something great for our great grandchildren.

At the SCO we are now recording every meeting that we go to, also the presentations that we do, to be able to verify, to be able to leave a good historic record of who was doing what and when that was being done. And, when I look back at my treaties, I'm able to read my treaties. I'm able to see what those Indian chiefs at that time said. I'm able to see which Indian chief was about to give up everything and not sit with his fellow chiefs to work along with him. I'm glad that was recorded, because I know the history of those leaders.

I also know the history, and I'm recording the history of my own leaders, in present day. When I was the leader in Rolling River First Nation, for two years in a row my community came in second for accountability, transparency and good governance. That's what I bring to the Southern Chiefs Organization table, and we talk about accountability.

Accountability is not only about finances. Accountability is not only about your governance. Accountability also affects your spirit. There's also spiritual accountability. There's also the accountability that you're going to leave behind for your great-grandchildren. And, again, on record, I want to be able to record all of this. I want to be able to say who was all in the hall. So that one day your grandchildren will be able to say, I can't believe my grandfather sat at that table and allowed this to go

through. I can't believe my grandmother did not intervene at that time and say, we must move forth and do these things.

When we go to this one characteristics of over-flooded—overland flooding as seen by Google Earth, we need to put measurements in place to measure the carbon here. We talk big on carbon credits. Manitoba Hydro has erased all carbon credits from those First Nations where they built the dams. They've not only taken the carbon—they're not only taking the air, they're taking the land, the excess land, and flooded it.

But not only that, they've taken them off the trapline. They've taken them off their hunting and put them on welfare. Taken them off a total independent state and put them in a total dependent state, and that is the worst form of genocide that any person can impose on another person, by telling them, I will look after you, Stan; get out of here; go home and relax and be with your family; I will feed you and look after you and you don't have to do anything.

Thank you. Thank you for imposing that on our people, people that were once proud, people that once knew and still know about the effects on what government does to land. When we go to the overland flooding in the northern Interlake area, we see all the damage, but it's worse now. When James Bezan went on a air ride and he saw the presentation on trapline 18, he said: Chief, Greg, I understand everything on your video now. I realize the potential damage that could still be created if we do not do anything.

Mr. Bezan was at a meeting with us. I'm going to go quickly while it's still in mind here. Was at a meeting in Fairford, and I'm going to go to Jenpeg Generating Station photographed on May 4th, 2011. Now, we're getting these photographs from our good friends up in Cross Lake, the Pimicikamak Cree Nation, but on the website, Lake Winnipeg level current status as of June 2nd, flood waters to raise Lake Winnipeg and Nelson River levels. Flows into Lake Winnipeg from tributaries including the Red, Winnipeg, Saskatchewan rivers, are at approximately 230,000 cubic feet per second, or 215 per cent of normal for this time of year.

Flows out of the lake are approximately 160,000 cubic feet per second or 230 per cent of normal for this time of year. Now, on the website it says we continue to maximize the outflow of Lake Winnipeg to assist in moderating water levels on the lake, operating the Jenpeg control structure at maximum

outflow since July, 2010. Well, here's Manitoba Hydro. They forgot they left the machine on and closed tollgates so that they continue to make money while putting lives at risk in the south.

I'm telling you there's 26 First Nation communities—*[interjection]* Are you done? There are 26 First Nation communities that are affected in southern Manitoba. You know, when we were presenting in Fairford, I said, it's too bad that your people can't listen to the knowledge and wisdom of our elders, and as I was saying that, there's Mr. Don Norquay playing on his Blackberry and didn't hear a word I said. And I asked him the next question and he couldn't answer it because he wasn't listening, and that's what our elders are saying.

In my community of Rolling River First Nation, Eagle's Lake that my people—

Mr. Chairperson: Excuse me, Mr. Swan Shannacappo—

Mr. Shannacappo: One minute.

Mr. Chairperson: One minute, sir.

Mr. Shannacappo: And my grandfather had said at that time, just let the little wagon trail in there. Don't build a road there. If you build a road there, white people are going to come. These are his words, not mine. White people are going to come and they're going to eventually kill our lake. Where is that lake today? It's dead. It can't support any fish, but I guarantee you it's dead. From 50 fishing boats I used to see there on a beautiful sunny day, mixed, my people, your people, enjoying one another's company, talking about the good old days on how they helped your people survive. Today, no one's on that lake because it's dead, and I don't want to see Lake Winnipeg dead.

God bless you all, and thank you for the time. I'm open for questions and like I said, I know everything that my elder's given to me.

Mr. Chairperson: Thank you, Grand Chief Swan Shannacappo. I open the floor to questions and comments.

Mr. Blaikie: Well, I just want to thank Chief Shannacappo for his presentation and for, you know, bringing to our attention that the bill doesn't pretend to deal with everything. And there are questions about water management in the province that are going to have to be addressed, particularly in the light of what we've learned this year, but also in terms of what's always been there to learn. And when

we do that, I'm sure we'll want to have the benefit of the perspective that you and other First Nations communities and leaders bring to the table.

* (19:30)

Mr. Chairperson: Mr. Swan Shannacappo to respond to that. Sir, we're not done yet. There's—

Mr. Shannacappo: I have said, yes, ask us please before it's too late. Let us sit at the table. You know, let—we have some recommendations in here, and one of them is there has to be an independent monitoring system. I mean, you know, it's just like asking the council, police or chief. Well, they're going to tell you what the chief wants to hear, and it's just like the tail wagging the dog here when you say, give us the true water levels.

Manitoba Hydro is not going to give the true water levels. All it wants to do is continue to make money and keep the artificial levels high on the lake so they'll have energy in storage. And we can't allow for that any more. We need to offset that with something reliable, such as good 'practition' wind energy. And I know they have these three-prop design ones, but we've did a lot of our own homework to bring in something that's more—that's going to revolutionize wind industry. I'll put it that way.

Mr. Maguire: Thank you very much for your presentation, Chief Swan Shannacappo, as well. I want to say that I have had a chance, while you were speaking, to peruse your presentation. And I certainly appreciate the input you've made in putting this together for the documents for all of us to look at and read and digest as well. So thank you very much for your presentation.

Mr. Shannacappo: Thank you, sir. And it's pretty hard to digest anything in your kitchen when you're looking out the window and this is what you see.

Mr. Chairperson: Okay. Seeing no further questions or comments, I thank you for your presentation.

Committee Substitution

Mr. Chairperson: Before we go on, I have a substitution: Ms. Braun for Mr. Wiebe.

* * *

Mr. Chairperson: Call Mr. Jack Hofer, private citizen. Mr. Hofer will be dropped from the list.

Ms. April Klippenstein, private citizen. Ms. Klippenstein will be dropped from the list.

I now move to a number of people who were called once this evening already. I'll now call them a second time: Mr. Irvin Funk, private citizen. Mr. Funk will be dropped from the list.

Mr. Ron Klippenstein. Mr. Klippenstein will be removed from the list.

Mr. Kurt Stoess, private citizen. Mr. Stoess will be removed from the list.

Ms. Andrea Wiebe, private citizen. Ms. Wiebe will be removed from the list.

Mr. Jacob Waldner, private citizen. Mr. Waldner will be removed from the list.

And, finally, Mr. Menno Bergen, private citizen. Mr. Bergen will be removed from the lists.

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.

In what order does the committee wish to proceed with clause-by-clause consideration of these bills? During the consideration of a bill, the table of contents, the preamble, the enacting clause and the title are postponed until all other clauses have been considered in their proper order.

Also if there is 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 to clause-by-clause consideration of the bills.

Bill 46—does the minister responsible for Bill 46 have an opening statement?

Mr. Blaikie: I feel, Mr. Chairperson, it's more like a closing statement than an opening statement. But I'm just—I think we've had the benefit of a great many good presentations and I thank the committee for their willingness to hear everyone out, and I suggest we proceed.

Mr. Chairperson: Thank you, Minister Blaikie. Does the critic from the official opposition have an opening statement?

Mr. Maguire: No, I don't, Mr. Chairperson.

Mr. Chairperson: Thank you, Mr. Maguire.

Clauses 1 and 2—pass; clauses 3 through 5—pass; clauses 6 through 8—pass; clauses 9 and 10—pass; clauses 11 through 13—pass; clause 14—pass; clauses 15 and 16—pass; clauses 17 and 18—pass.

Shall clause 19 pass?

Mr. Maguire: Mr. Chairperson, I just noted that this is the coming-into-force section of this bill. A considerable amount of acts that are being changed in this bill, and I wondered what went into the decision to make the coming of this bill on the day that it receives royal assent.

Mr. Blaikie: Well, Mr. Chairperson, I mean, the idea was that—was to have the bill come into effect as

soon as possible, and having it come into effect when it received royal assent would be as soon as it was possible for it to come into effect.

Mr. Maguire: Couldn't be any clearer, Mr. Chairperson.

Mr. Chairperson: Thank you, Mr. Maguire.

Clause 19—pass; preamble—pass; enacting clause—pass; title—pass. Bill be reported.

The hour being 7:39 p.m., what is the will of the committee?

Some Honourable Members: Committee rise.

Mr. Chairperson: Committee rise.

COMMITTEE ROSE AT: 7:39 p.m.

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