

**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. 10 - 6 p.m., Monday, October 23, 2017**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Forty-First Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
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BINDLE, Kelly	Thompson	PC
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**LEGISLATIVE ASSEMBLY OF MANITOBA**  
**THE STANDING COMMITTEE ON LEGISLATIVE AFFAIRS**

**Monday, October 23, 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. Eichler, Friesen, Gerrard*

*Messrs. Allum, Graydon, Mrs. Guillemard,  
Messrs. Lindsey, Martin, Reyes, Swan,  
Yakimoski*

**PUBLIC PRESENTERS:**

*Mr. George Matheson, Manitoba Pork Council  
Mr. Peter Williams, private citizen  
Mr. Ralph Groening, Association of Manitoba  
Municipalities  
Mr. Justin Jenner, Keystone Agricultural  
Producers  
Mr. Dennis Hodgkinson, DGH Engineering Ltd.  
Mr. Michael Stainton, Lake Winnipeg  
Foundation  
Mr. Scott Dick and Mr. Cliff Loewen (by leave),  
Agra-Gold Consulting Ltd.  
Ms. Michelle Gawronsky, Manitoba Government  
and General Employees' Union  
Mr. Kevin Rebeck, Manitoba Federation of  
Labour  
Mr. Hugh Arklie, private citizen  
Ms. Janine Gibson, Organic Food Council of  
Manitoba  
Mr. Grant Rigby, private citizen  
Ms. Jennifer Demare, private citizen  
Mr. Edward Stahl Jr., private citizen  
Mr. Jeroen Van Boekel, private citizen  
Mr. Arian DeBekker, Independent Hog Farmers  
Co-op  
Mr. Andrew Dickson, private citizen  
Mr. Jonathan Alward, Canadian Federation of  
Independent Business  
Mr. Eric Reder, Wilderness Committee  
Mr. Glen Koroluk, private citizen  
Mr. William Gould, private citizen*

*Mr. David Nickarz, private citizen*

*Mr. Mike Teillet, private citizen*

*Mr. Derek Brewin, private citizen*

**WRITTEN SUBMISSIONS:**

*Carla Antonation, Trilogy Tree Services Ltd.  
Jesse Antonation, Arboriculture Canada  
Training & Education Ltd.  
Kerienne La France and Gerry Engel, Trees  
Winnipeg (Coalition to Save the Elms)  
Carl Epp, Parkland Tree Care Ltd.  
Moe Feakes, private citizen  
Harold Froese, private citizen  
Lynn Murphy, private citizen  
Cory Rybuck, Manitoba Egg Farmers  
Matt Vinet, International Society of Arbori-  
culture, Prairie Chapter*

**MATTERS UNDER CONSIDERATION:**

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

\* \* \*

**Clerk Assistant (Ms. Monique Grenier):** Good evening. Will the Standing Committee on Legislative Affairs please come to order.

Our first item of business is the election of a Chairperson.

Are there any nominations?

**Hon. Ralph Eichler (Minister of Agriculture):** I nominate Mrs. Guillemard.

**Clerk Assistant:** Mrs. Guillemard has been nominated. Are there any other nominations?

Hearing no other nominations, Mrs. Guillemard, will you please take the Chair.

**Madam Chairperson:** Our next item of business is the election of a Vice-Chairperson.

Are there any nominations?

**Mr. Cliff Graydon (Emerson):** I nominate Mr. Martin.

**Madam Chairperson:** Mr. Martin has been nominated. Are there any other nominations?

Hearing no other nominations, Mr. Martin is elected Vice-Chairperson.

This meeting has been called to consider Bill 24, The Red Tape Reduction and Government Efficiency Act, 2017.

I would like to remind the committee that the Standing Committee on Legislative Affairs will meet again tomorrow, Tuesday, October the 24th, 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 tonight's committee meeting so we will hear—oh, I'm sorry—we will hear from 29 of the 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 the presentations?

**Mr. Shannon Martin (Morris):** I suggest out-of-towners as per tradition, Madam Chair.

**Madam Chairperson:** We shall proceed with out-of-town presenters. Is that agreed to? *[Agreed]*

And then we'll proceed with the remaining. Is that agreed? *[Agreed]*

The written submissions on Bill 24 from the following persons have been received and distributed to committee members: Lynn Murphy; Carl Epp, Parkland Tree Care Ltd.; Matt Vinet, international society of 'arboriculture'; Carla Antonation, Trilogy Tree Services; Jesse Antonation, Arboriculture Canada Training; Gerry Engel, Trees Winnipeg; Harold Froese and Moe Feakes.

Does the committee agree to have these documents appear in the Hansard transcript of this meeting? *[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 the staff at the entrance of the room. Please note that additional presentations will only be heard if time permits after hearing from those previously listed for this evening. 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 with photocopying, please speak with our staff.

As well, 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. 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 to please not disturb the committee proceedings by applauding or commenting from the audience.

Taking of photographs are not permitted from the public gallery, as well as any audio or video recordings, and please ensure that your phones are on 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 Hansard recorder to turn the mics off and on.

Thank you for your patience. We will now proceed with public presentations.

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

**Madam Chairperson:** I will now call upon George Matheson, Manitoba Pork Council.

Mr. Matheson, do you have any written materials for distribution to the committee? Please proceed with your presentation.

**Mr. George Matheson (Manitoba Pork Council):** As introduced, my name is George Matheson. I'm the chairman of Manitoba Pork Council and I am a hog producer from Stonewall, Manitoba.

First of all, let me state that we at Manitoba Pork are in full support of the proposed amendment to The Environment Act contained in Bill 24. This proposed amendment is very simple. It will remove the requirement for anaerobic digesters for a new or expanding pig farm. Despite what opponents say, this simple change will in no way lead to the harming of the environment. Anaerobic digesters never would have helped the environment in the first place and were impractical and 'prohibitedly' expensive. Even the previous government recognized this and allowed us, through an agreement reached in April of 2015, to start building hog barns again without anaerobic digesters.

There have been pigs in Manitoba from the beginning of European settlement. As a hog farmer and a descendant of the original Selkirk settlers, my family has been 'continuously' farming in Manitoba for over 200 years, so I believe I can speak with some knowledge of farming sustainably here.

Farmers have been called the original environmentalists. We live here, as do our parents, our children and our grandchildren. We intend to leave the land and water in as good or better shape than when it was passed on to us. Sustainability is all about ensuring that upcoming generations can have a good future with the land and other resources.

So today I would like to address three basic questions that are raised over and over again by opponents to the industry.

\* (18:10)

First question: is hog manure getting into our rivers and lakes? No. The vast majority of hog manure, about 85 per cent, is injected into the soil of farmland or immediately incorporated into the soil. This method of application essentially stops manure from running off the land. I cannot overemphasize this point.

This means manure does not get into rivers and lakes. In fact, it is illegal for manure to leave a field. Injecting manure also reduces greenhouse gases and significantly reduces odour. By law, manure management plans with soil test results are filed annually with Manitoba Sustainable Development showing where the manure will be applied, at what rates, and what crops will be grown that season. Farmers are then required to follow that plan. These requirements will not change with this proposed amendment.

Crops love manure and soak it up as nutrients, helping them to grow vigorously. Then some of those crops are fed back to the pigs. It is a perfect nutrient cycle: local organic manure fertilizing local crops feeding local pigs.

Second question often presented to us: Is hog manure bad for the environment? Again, no. Manure is an excellent fertilizer and has been used by humans for about 10,000 years. Manure is locally sourced, natural, organic, renewable, builds up soils and breaks down very quickly in the environment. Synthetic fertilizer, which will be used if manure isn't available, is imported, manufactured or mined, non-renewable, inorganic, costly and does not build up soil.

So, if farmers do not use manure, they will put synthetic fertilizer on their crops. And they need fertilizer for crops because over 90 per cent of agro-Manitoba is phosphorus deficient. That is, crops will not grow well without fertilizer being added. Even the Clean Environment Commission in its 2007 report recommended that more manure should be used in Manitoba, not less.

Manure is very good for the soil and the environment when it is used responsibly, as it is in Manitoba. Human waste, on the other hand, must be treated with expensive systems. Manure, however, is not treated like in human waste, and does not need to be treated for a variety of reasons. Untreated manure is better for the soil. And, unlike all municipal systems that eventually outflow their effluent into waterways, hog manure storage effluent is never allowed to go into ditches or waterways. This requirement will not change with the proposed amendment.

It has been estimated that perhaps 1 per cent or less of the phosphorus in Lake Winnipeg may come indirectly from hog manure. Not that manure itself is getting into the lake, because it's not. But, as manure breaks down, some of its phosphorus binds to soil

particles and occasionally—during spring melt, for example—some phosphorus-bound soil particles may run off into ditches and eventually make their way into the lake. Again, this is not manure running off; it is soil particles with some of the element phosphorus in it.

And question No. 3 that is often posed to us: Are there too many pigs in Manitoba? Again, no. The best way to determine this is to compare available cropland to the amount of pigs raised and the amount of manure produced. Some jurisdictions like North Carolina, the Netherlands, South Korea and others do not have enough cropland to apply their pig manure at environmentally sound, practical, agronomic rates, so one could argue they have too many pigs; they must export or treat manure with expensive treatment systems. In Manitoba, we have about 19 million acres of farmland, about 16 million acres of which do not receive hog manure.

So not only do we not have too many pigs, we could safely handle many more without any nutrients getting into our waterways. Even with about 3.2 million pigs in Manitoba at any given time, the amount of manure produced can only fertilize about 15 per cent of the province's total farmland, so over 85 per cent of cropland does not get manure and must be fertilized with imported, synthetic fertilizer. There are millions of acres of farmland in Manitoba that have never seen hog manure. So, again, we do not have too many pigs and could easily handle many more.

I am very proud of being the chair of Manitoba Pork. Manitoba hog farmers treat their animals well; we follow all national animal care codes; our herds are regularly checked by veterinarians; and we are moving all of our sows into group housing environments. Antibiotic use is being continuously and responsibly reduced. No growth hormones are used in our pigs. Barns are engineered and constructed to high standards following national building codes, ensuring animals are protected from the harsh environment. Manitoba Pork supports the responsible application of all national codes, and Manitoba Pork invests heavily in research to ensure we are continuously improving how we raise our livestock.

Manitoba's hog industry employs about 13,000 people and generates up to \$2 billion in annual revenue for Manitoba. To conclude, the hog sector is a good industry. It's good for the environment; it is good for the economy, and good for the people of

Manitoba. We would urge the government to proceed with this bill so that the useless requirement for anaerobic digesters, which should never have been implemented in the first place, is removed from The Environment Act.

Thank you.

**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. Matheson, for being here this evening. Just a quick question for you—you called the anaerobic digesters useless. What was the primary concern or cause for that language you used?

**Mr. Matheson:** The initial goal was to reduce phosphorate levels. You cannot reduce phosphorus levels in manure. You can reduce the amount of manure, but not the phosphorus in it. So, if you're trying to keep less phosphorus in the soil, then anaerobic digesters isn't your answer. In fact, there's no answer. When you distribute the manure on the farmland, that's where you either lessen or increase the amount per acre, so to speak. But a device such as an anaerobic digester in itself will not take away phosphorus.

**Mr. James Allum (Fort Garry-Riverview):** Mr. Matheson, thank you so much for coming tonight and for such a concise presentation with so many others here. We greatly appreciate you getting right to the point, and I want to compliment you on 200 years of farming. That can't be simple from a family point of view.

I think there—it's quite fair to say that others will come up tonight and talk about the science of what you've described, so I'm going to leave that alone for now 'til we've heard from all Manitobans. But one of our objections about this bill is that it's an omnibus bill that includes a wide variety of measures all thrown together. It's reminiscent of the way Stephen Harper used to run government when he was prime minister of Canada.

Wouldn't it be better to have this as an isolated matter so that Manitobans can have a full and complete dialogue on this issue as opposed to throwing so many issues together into one bill?

**Mr. Matheson:** Okay. I'm sorry; I can't speak one way or the other on that. I'm assuming this is the best

way of handling it, but which would be the most effective way, yes, it's not my area of expertise, sir.

**Hon. Jon Gerrard (River Heights):** In your presentation, you talk about the fact that injection of the manure is good practice, that it decreases any manure running off the land and that we've got about 85 per cent now being injected. Could we go higher than that 85 per cent and increase that amount to good end?

**Mr. Matheson:** Eighty-five per cent synthetic fertilizers?

**Mr. Gerrard:** I think the figure you told me was 85 per cent of the hog manure is injected into the land, right? Could we go higher to 90 or 95 or—*[interjection]*

**Madam Chairperson:** Mr. Matheson.

**Mr. Matheson:** Sorry.

**Madam Chairperson:** Go ahead.

**Mr. Matheson:** The other method is, once it's put on the surface, it's immediately cultivated in, so that's another way of dealing with it. But one of those two methods would have to be used. And we also have the regulation in place where you can't spread manure over the winter months, you know, when the ground's frozen and then it lays on the surface, and then it would run in during the spring. So, between that regulation, injecting and/or cultivating, all three systems would keep manure from moving off the land, but yes.

A smaller farm may be inclined to use a cultivation system. Some of your professional manure handlers, they have systems where it's injected, and they do handle most of the manure in the province. Individuals who are handling on their own may go to cultivation. But one way or the other, it will be embedded into the soil.

**Mr. Andrew Swan (Minto):** Yes, Mr. Matheson, thank you for presenting tonight. As you know, my family has visited your operation, and we're a fan of yours.

And I think that Mr. Gerrard dealt with this a bit. I do take issue with one thing you raised—this bill is only about anaerobic digesters. The government itself, in the bill, says that one of the other changes to The Environment Act is eliminating the prohibition on winter spreading of livestock manure.

\* (18:20)

So can you speak about your own operation, but then also about other operations that would be considered more intensive that don't use all the outdoor practices and everything else that you do? Can you comment, then, on the winter spreading of livestock manure?

**Mr. Matheson:** The regulation will still be in place as far as not spreading manure during the winter months. My practice—I have a straw-based system, and I use large tractors and trucks to remove it during the summer months and spread it, and then in my case, because it is not liquid, I will cultivate it in. So it's a smaller operation. I'm the chair, as I said, of Manitoba Pork. It's a board of directors of 10. I am the smallest, by far, producer of hogs along that table, producing around 100 per month capacity that I have for. But one way or the other, we all follow the same regulations.

**Madam Chairperson:** And that concludes the time we have for questions.

Thank you very much, Mr. Matheson.

I will now call on Peter Williams, private citizen.

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

**Mr. Peter Williams (Private Citizen):** I do not.

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

**Mr. Williams:** Thank you for this opportunity to comment on this proposed legislation. I'm not going to address the issue du jour; I am going to deal with another aspect of this omnibus bill.

I live and work in the RM of Springfield. As a small-business owner, I'm quite aware of the burden that red tape places on the private sector. I'm comfortable with the concept of red tape reduction to streamline processes in governments at all levels and for individuals and organizations that they serve. I'm comfortable with the concept of increased government efficiency as long as it does not diminish the effectiveness of what legislation was designed to address.

The cost of monitoring and enforcement of regulatory legislation should be balanced against the interests of the public, socially, economically, health-wise and environmentally. I want to address certain proposed changes in this bill that I believe are weakening that balance. In May 2000,

contamination of the drinking water supply in a small Ontario community resulted in the deaths of seven people and ill effects for about 2,500 others. The government set up a judicial inquiry into the circumstances surrounding this outbreak under Justice O'Connor, and moved quickly to introduce new drinking water legislation that incorporates significant requirements for drinking water providers.

Other provinces followed suit. Manitoba enacted The Drinking Water Safety Act in 2007. Bill 24 has proposed changes to this legislation, and I want to address those and provide you with four examples of related issues in my municipality to illustrate my concerns. Now, but first, I want to give you a brief history of what's happened over couple of decades in the RM of Springfield.

In 1997, a public water system was put into place to serve the communities of Dugald and Oakbank. The source of water for this system is a sand and gravel aquifer in an area that was and remains actively mined for aggregate. Successive Springfield councils were appraised by the public of concerns with gravel operation practices affecting the viability of the aquifer as a drinking water source, but no actions were undertaken by the local council to deal with these concerns.

In November 2012, I wrote to the director of the Office of Drinking Water, documenting a number of issues that I and my colleagues felt were threatening the safety of the public water system. I received a fairly quick response in February of 2013, addressing each of these concerns that we raised in the letter, but not all were resolved to our satisfaction. As a result of what we perceived as a lack of action appropriate to our concerns, we submitted a complaint a year and a half later to the Ombudsman, with much of the information provided to the Office of Drinking Water in 2012. The Ombudsman felt that an investigation was justified and undertook our case in July 2014. The final report of that investigation was completed in August of this year.

The first example to illustrate my concerns—I'm wondering if I can get a drink of water as well. This is good water?

**An Honourable Member:** Yes. We sure hope so. For now—for now.

**Mr. Williams:** The first example to illustrate my concerns with this bill is related to the raw source of raw water for our public water system serving

Oak Bank and Dugald. For a water system legislation categorizes the water source as either secure groundwater, typically accessed from a well, or surface water. The best known example is Winnipeg, which uses water piped from a lake in Ontario, or a source designated as GUDI, Groundwater Under the Direct Influence of Surface Water. This category of water is defined in Manitoba Regulation 40/2007, The Drinking Water Safety Regulation. Monitoring, testing and treatment regimes for water plants that have a source of surface or GUDI is much more stringent than those plants that have secure groundwater.

In our complaint to the Office of Drinking Water, we indicated our concern about the increased surface water near the wells resulting from nearby gravel operations. That particular issue resulted in a letter in early 2013 to Springfield from the Office of Drinking Water amending their operating licence with altered monitoring and testing.

The Office of Drinking Water, however, disagreed with our assessment that the source should be classified as GUDI but gave it a category of potential GUDI and ordered a monitoring period to determine if it should be reclassified.

It was only after the involvement of the Ombudsman that they reviewed our arguments and reclassified the water source to GUDI and amended the operating licence accordingly. Anecdotally, they indicated that they had been inattentive.

The second example to illustrate my concerns is related to an abandoned landfill. In March 1994, Manitoba Environment revoked Springfield's operating permit for the Hillside Waste Disposal Ground located in Springfield's sand and gravel area and no longer allowed the disposal of solid waste at that location. The terms of the provincial closure order issued 23 years ago was a site closure plan, capping of the site, installation of monitoring wells, and the preparation of post-closure monitoring or maintenance program.

An engineering firm hired by the municipality submitted a report to Manitoba Environment in November of 1994 which read in part: The landfill area has been characterized as a groundwater pollution hazard area and is described as a recharge area for the municipality's groundwater aquifers.

Regional groundwater flow, and I'm quoting from that report: Regional groundwater flow is



reportedly to the south. However, local anomalies in the regional flow patterns aren't anticipated.

In this statement it is significant that the municipal wells for the public water system are three kilometres south of this landfill in the path of the regional groundwater flow. Transmissibility of water and sand and gravel is high.

In October of 1995 an engineering report proposed a post-monitoring and maintenance program to be undertaken for the closed landfill which was accepted by the Province, and the report says, and I quote: It is recommended that post-closure maintenance and monitoring be conducted to ensure that the closure cap remains secure and stable and that the leachate for the disposal grounds does not affect the groundwater in the area.

Post-closure activities will include (1) inspection of the site monthly, maintaining the integrity and effectiveness of the erosion control there; (2) inspection of wells, vents, and other appurtenant structures; and (3) chemical and hydraulic monitoring of the groundwater.

\* (18:30)

For over 20 years the municipality did not comply with this post-closure plan ordered by the Province, orders designed to protect the health of the citizens of the municipality. Neglect by the municipality has allowed the capping to be breached on occasion by neighbouring gravel operations and the monitoring wells have been lost or damaged. The potential for leaking of toxic elements from the buried garbage in the groundwater is significant.

In 1995, there was a relatively small rural population on private wells that would have been affected by this potential contamination of the aquifer. Today, the population would be affected by contamination is significantly larger due to the implementation of a public water system servicing those dwellings in the communities of Oakbank and Dugald, currently estimated at 3,500 people which draws on this aquifer. The municipality only recently installed-re-installed the groundwater monitoring wells, and will be undertaking a study to determine the integrity of the cap. A lack of enforcement or monitoring these orders by the Province, and the lack of adherence to these orders by the municipality is a potential disaster in the making.

My third example—I sure hope I have time for these—is related to a legislated requirement dealing with the process of permitting for significant

expansion of a public water system. Section 3.1 of Manitoba Regulation 40/2007 outlines the requirements for a permit for construction or alteration of a water system which includes a design brief, project specifications and copy of the engineering design plans. The operating licence for the Oakbank-Dugald public water system—

**Madam Chairperson:** Mr. Williams, your time has expired for the presentation. We have to go on to questioning now for our members.

**Mr. Swan:** Madam Chairperson, I understand we have many witnesses presenting tonight.

Given that we don't have a written presentation, I wonder if there's leave from the committee to allow Mr. Williams to continue on with the understanding that comes out of the five minutes allotted for questions.

**Madam Chairperson:** Is this suggestion agreed to, that we allow Mr. Williams to continue his presentation and we will stop at the 15-minute mark and no questions will follow? *[Agreed]*

**Mr. Williams:** The permitting requires that a significant expansion of the water treatment source process, storage facilities or the drinking water distribution system be undertaken with the approval of the Office of Drinking Water. Over a six-year period, the municipality has connected water lines to the public water system to service about 700 homes without applying for a permit to do so.

Doubling the number of dwellings connecting to a water system would be considered a significant alteration of the water distribution system. When asked under an access to information request for a copy of their permit approvals, the municipal response was, quote, approvals for water system expansion were not required as they were not a condition of the subdivision by the province, unquote. So the municipality failed to comply with The Drinking Water Safety Act. But the Office of Drinking Water was copied on the circulation of these subdivision applications, and they provided advice. Yet they neglected to investigate why the municipality did not make permit applications for those significant subdivisions.

I'm going to skip my fourth illustration and go on to the specifics of my concerns with the proposed legislation. Most of the amendments to The Drinking Water Safety Act in Bill 24 I consider housekeeping updates, but I challenge the following: current legislation sets the frequency of water system

assessments at every five years; Bill 24 proposes with the addition of subsections 9.11 and 9.12 that the frequency may be reduced to 10 years at the discretion of the director. In the examples I've given for noncompliance with the legislation by the public water system operator, Springfield, were have gone undetected by the regulatory agency, relaxing this periodic scrutiny with these additions will, in my opinion, increase the risk to public health and safety.

There were some amendments to the regulation that also reinforces this reducing of scrutiny by professionals, but I think I may just close it off there.

**Madam Chairperson:** Thank you for your presentation.

Do the members of the committee have questions for the presenter?

**Mr. Friesen:** Thank you, sir, for presenting this evening, and listened carefully to your presentation.

I know you referenced, as well, you see the vast majority of the changes we're placing here to be housekeeping ones, and I agree with that assessment. That's our aim, here: is nothing would change for system inspections of municipal water systems. But, also, I just wanted to clarify one thing, and that is we've attempted here to be able to differentiate between immediate, emergency reporting that would require—when there would be any kind of like a biological or micro-organism threat to a system, separate that out from the range—the tolerance range that normally occurs like when your parts per million fluoride calculation is out by a little bit. Right now there is no ability for that flexibility in the system; it makes everything an emergency, even when it's something like chlorine parts per million. So we have attempted to put that into the bill as well. I was just wondering if you were aware of that approach of ours.

**Mr. Williams:** No, I wasn't.

**Mr. Allum:** Mr. Williams, thank you so much for coming tonight and for your very informed presentation as well as your advocacy over many years. I think that's absolutely essential.

You suggest that the change from five to 10 years may well put public safety and health at risk. Is it your view that it should stay at five years, or should that actually be increased to indeed a shorter period?

**Mr. Williams:** I agree that it should remain at five years, but the assessments should be done by

professionals. The—part C to the amending of the regulation allows for self-evaluation and also allows for individuals who are not professionally—or engineers to do evaluations and that disappointed me.

**Mr. Gerrard:** Yes, just quickly. When I spoke at the second reading, I expressed concern about the—increasing the length of the time for checking the infrastructure. And I agree with your concern.

**Madam Chairperson:** The time has expired for questions.

Thank you very much for your presentation, Mr. Williams.

I will now call upon Ralph Groening, Association of Manitoba Municipalities.

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

**Mr. Ralph Groening (Association of Manitoba Municipalities):** Yes, I absolutely do.

**Madam Chairperson:** Please proceed with your presentation, Mr. Groening.

**Mr. Groening:** Thank you, Madam Chair. Hello—or, and committee members. My name is Ralph Groening. I am the AMM vice-president. I'm representing President Chris Goertzen, and it is my privilege to make some comments on behalf of Minister Friesen's Bill 24, which is The Red Tape Reduction and Government Efficiency Act.

So my comments: On behalf of the Association of Manitoba Municipalities, AMM, I would like to thank you for the opportunity to present municipal concerns relating to reducing red tape, and that's our focus.

So I will 'egin' my presentation today by providing a brief overview of the AMM, Association of Manitoba Municipalities, our ongoing advocacy efforts to reduce red tape and regulatory burdens on our members, and our recommendations to help address this challenge.

The AMM was formed in 1999 as the result of a merger between the Union of Manitoba Municipalities and the Manitoba Association of Urban Municipalities. Our organization's independent. We're non-partisan, and our mission is to identify and address the needs and concerns of our members in order to achieve strong and effective municipal government. Our membership consists of

Manitoba's—all of Manitoba's 137 incorporated municipalities, and that includes city of Winnipeg.

\* (18:40)

So now a few comments in regards specifically to Bill 24 and how the AMM welcomes the elimination of the need for municipalities to gain 'miniserial—ministerial approval to charge more than the specified amount to property owners for controlling noxious weeds under The Noxious Weeds Act.

The regulatory change further recognizes municipalities as an elected order of government accountable to their residents. However, it is essential the Province of Manitoba assures that adequate training is provided to weed supervisors and inspectors. We also encourage Manitoba Agriculture to make available department staff to answer questions from weed supervisors and weed inspectors when required.

Now, in relation to our advocacy efforts, the AMM made a comprehensive written submission March 3 of this year to the Red Tape Reduction Task Force which included 20 targeted recommendations to address red tape and excess regulations which often hinders our members when delivering public services. Now, these recommendations were formulated based on our review of more than 75 written submissions from municipalities across Manitoba that identify inefficiencies in various provincial government processes; moreover, the AMM executive also made formal presentations to the Red Tape Reduction Task Force, transportation and land development subcommittees.

Overall, approximately 90 per cent of Manitoba municipalities have indicated to us that they encounter provincial red tape on a regular basis resulting in added financial and staff resources, and delays when dealing with provincial acts, regulations, licence requirements, and permit applications. Therefore, we are committed to identifying red tape barriers and sharing practical ideas to streamline provincial government processes to benefit Manitoba municipalities.

Our members often experience process delays when dealing with the municipal, public utilities, and highway traffic boards. And our recommendation to conduct a full review of the function and purposes of these three particular bodies compliment the provincial government's commitment made in its 2016 Speech from the Throne.

Now, in addition, more than 80 per cent of municipalities experience red tape with regards to land development due to provincial requirements causing process delays, additional paperwork, and labour costs. For instance, it is currently common for—common practice for municipalities to experience multi-year delays in the acquisition of Crown lands. And in some cases, it has taken more than a decade for applications to be processed, which not only hinders economic growth, but potentially discourages new investments in our local communities.

Now our position when new regulations are being contemplated and implemented, it is essential that they are matched with provincial funding support. Unfortunately, over many years, municipalities have often—too often—had to deal with a download of provincial responsibilities and regulations with no provincial funding. For example, in 2011, the AMM repeatedly voiced concerns over the lack of provincial funding to municipalities to support the effective implementation—it's very important—effective implementation of accessibility standards. Funding support must be provided to ensure that the effective implementation of these standards happens, as there will assuredly be financial cost associated not only with the customer service and employment standards, but also with the three subsequent standards yet to be developed by the committee.

The—many Manitoba communities are currently proactively implementing accessibility plans in order to comply with provincial regulations, yet they shouldn't have to shoulder these priorities alone. In short, the implementation of the mandated accessibility standards will be undermined so long as no provincial funding support is provided.

Now this is only one example of how excessive regulations are negatively affecting our members, our municipal members, and causing, unnecessarily, financial and administrative burdens for local communities. So, in closing, the AMM welcomes the identification, elimination, red tape, and excess regulation. Municipalities require clear, efficient, effective processes in order to grow and sustain local communities.

So I thank you for the opportunity to provide these comments and if you have any questions of me, I will be happy to answer them. Thank you.

**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, Ralph, for your presentation. In regards to part of your presentation, you talk about questions from the weed supervisor and weed inspectors when required.

Is there an instance there that you feel that we haven't been able to meet those requirements as outlined in legislation? [*interjection*]

**Madam Chairperson:** Mr. Groening.

**Mr. Groening:** Thank you. The point is made only to remind government and to remind your department that we need to work together with the weed supervisors, we need to work together with the Weed Supervisors Association which, I believe, has happened. But we thought it was important to emphasize that that continued support be made available to the association and the weed supervisors and the inspectors.

**Mr. Gerrard:** Thank you for your presentation.

One of the things which was discussed earlier on was the injection of hog manure into the land, and I think that the RM of Morris was ahead of most places in requiring injection of manure into the land quite some years ago. And then, of course, the provincial government, I think, took over the regulation of that area.

Maybe you could describe your experience in the RM of Morris with that?

**Mr. Groening:** Our experience in the RM of Morris—thank you, Mr. Gerrard—our experience with the hog industry has been successful. We were pleased at the management style and the communication of the many corporate farms but also individual farms.

What we took as a direction—and I believe some comments were made about the effectiveness of incorporation—and we included that in our request of the proponents of conditional use permits. We've been successful, and I believe we have done the very best possible to protect our environment and yet add the economic benefits that hog manure does offer.

**Mr. Allum:** Mr. Groening, thank you so much for coming tonight.

I think we heard you loud and clear that, as a representative of AMM, you are against red tape. But, seriously, are you in support of every single element of this bill, many of which could put the health and safety of Manitobans at risk?

**Mr. Groening:** This is a large bill. We're referencing only the principle of reduction in red tape.

Now, the detail of some of the inclusions in this bill—and I accept that it is a large bill—but we are mostly focusing on and directing our comments—representing municipalities, we are focusing on the areas where we see and we think we would, and our municipalities would, benefit from a reduction in red tape.

**Mr. Allum:** Thank you.

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

I will now call upon Justin Jenner, Keystone Agricultural Producers.

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

**Mr. Justin Jenner (Keystone Agricultural Producers):** Yes, I do.

**Madam Chairperson:** Please proceed with your presentation.

**Mr. Jenner:** Good evening, honourable members of the Legislative Assembly, ladies and gentlemen.

My name is Justin Jenner and I'm vice-president of Keystone Agricultural Producers, commonly known as KAP. I have a mixed operation with grains, oil seeds and cattle near Minnedosa. KAP is Manitoba's general farm policy organization, representing and promoting the interests of thousands of agricultural producers in Manitoba. Our membership consists of farmers in commodity groups throughout the province who set our organization's policy through a grassroots governance structure.

On behalf of KAP, I would like to share our organization's position and provide support for Bill 24, the red tape reduction and government efficiency act. In Manitoba, agriculture is a key economic driver. According to Statistics Canada, farmers generate more than 5 and a half billion dollars of farm cash receipts, or 4.5 per cent of Manitoba's GDP each year. When considering the secondary and tertiary contributions our sector

creates, agriculture represents more than 10 per cent of all economic activity in the province.

Manitoba is home to not only world-class farmers, but our food-processing sector generates nearly \$5 billion in revenue annually, which makes it Manitoba's single largest manufacturing sector. Hogs, cattle, canola and wheat are historically the top-earning commodities within the province.

\* (18:50)

In 2015, the estimated value of hog production in Manitoba was \$1.03 billion. We are the largest hog producing and hog exporting province in Canada, with approximately 30 per cent of natural-of national pork production. The hog industry itself has a net worth of more than \$6 billion invested in barns, land, equipment and livestock.

Hog production in Manitoba makes a significant contribution to the provincial economy, and it also provides market opportunities for Manitoba's crop producers. The Manitoba hog industry uses almost 2 million tons of feed annually, the vast majority of which is sourced from Canadian farmers. Many farmers look to their neighbours to source barley, canola meal, corn or soy to feed their hogs.

During the 2013-14 rail transportation crisis which cost Canadian farmers 6 and a half billion dollars, KAP districts that had the largest number of hog farmers reported the least amount of financial losses. This is because there was a local market available for farmers to sell their products. Selling feed locally is an important option as it provides an alternative market, which in turn creates industry resiliency, and it also enables farmers to profit from crops that may have received a low grade due to protein content or other factors.

Hog production also contributes extensively to the agri-food process in Manitoba—agri-food processing industry in Manitoba. The largest food-processing sector in Manitoba is red meat, which produced about \$1.4-billion worth of meat and meat products in 2015 and makes up one third of the total value of food processing. The hog processing sector also employs about 4,500 Manitoba residents. It is vital that the hog production remains stable to ensure job security and economic activity in rural Manitoba.

While farmers have a vested interest in the continuation and expansion of the hog industry, they also have an interest in healthy agro-ecosystems. Farmers are acutely aware of their responsibility towards Manitoba's environment, as their livelihood

depends on the health of the soil, air and water around them. The Manitoba Pork Council has a campaign called I am part of the solution that highlights the ways in which Manitoba's farmers are working towards environmental protections including soil testing, nutrient management and environmental certification.

In the past five years, of farmers who have completed an environmental farm plan, 14 per cent are hog producers yet they make up less than 2 per cent of the population of farmers in the province. Environmental farm plans, or EFPs, are voluntary self-assessments that farmers undertake in order to make management decisions for their operations with respect to the environment. There are sections of the EFPs that specifically deal with water-source protection and management, the storage and transport of livestock manure and confined livestock areas.

So farmers are voluntarily making improvements on their farm to reduce their impact on the environment, and there is also a regulatory framework in place that requires farmers to submit soil samples and follow strict nutrient management guidelines.

Manitoba farmers submit annual manure-management plans to the Department of Sustainable Development as per the Livestock Manure and Mortalities Management Regulation or LMMMR. Manure-management plans contain information on manure nutrient content, storage, field application and spreading. Farmers are also required to complete annual soil testing and manure analysis and share their records with the government of Manitoba.

There are also restrictions in place on when farmers can apply manure to their fields, as per section 14 of the LMMMR, and where farmers can spread manure, as per schedules B and C regarding setback requirements. These procedures will remain unchanged should Bill 24 pass.

We would also like to highlight the importance of hog manure as a component of cropping systems. Hog manure is a valued organic fertilizer containing phosphorus that is used by farmers in Manitoba to enrich their soils. Farmers use systems of manure injection which inserts manure 10 to 15 centimetres into the soil. By injecting manure so far below the surface, farmers are able to optimize their fertilization efforts, as the manure is placed at the roots of the crops. This method also prevents manure from running off the surface of fields and into lakes

and waterways. In Manitoba, 85 per cent of hog manure is injected into soils.

As well, removing the requirements outlined in section 40 of The Environment Act, relating to anaerobic digesters, will not harm the environment or the lakes and waterways in Manitoba. They are a poor tool for managing manure in Manitoba, both due to our climate and the excessive construction costs.

KAP members in the dairy sector who have been piloting this technology with Manitoba Hydro have concluded that this is not an effective technology for Manitoba, our environment and the structure of our industries.

It is important to note that the 2007 Clean Environment Commission report on environmental sustainability for the hog sector in Manitoba did not recommend the required use of digesters for the same reasons I have outlined.

It is important to note that many areas of agro-Manitoba are short of phosphorus and actually import synthetic fertilizers to increase phosphorus levels in the soil. On our president Dan Mazier's farm, north of Brandon, for example, they have done soil testing which has shown severe phosphorus deficiencies in the soil.

Dan must add synthetic fertilizer to his fields as adequate phosphorus is needed for 'improved' crop quality, greater stalk strength, increased root growth, and earlier crop maturity. Many farmers use their neighbour's manure as a made-in-Manitoba approach to achieving optimum crop nutrient levels.

To conclude, KAP is supportive of government's efforts to modernize and improve our regulatory programs. We want to stress that farmers in Manitoba, including hog producers, work within a strict regulatory framework and have made substantial environmental advancements in recent years.

Repealing the proposed sections of The Environment Act will not change these best management practices, and will allow our industry to modernize and enhance the safety and environmental performance of barns throughout Manitoba.

Thank you.

**Madam Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mr. Eichler:** Thank you for your presentation, Justin. Just coming back to the setback requirements for injecting manure, does your organization feel that those setbacks are meeting the needs of the farmers as well?

**Mr. Jenner:** Yes, I believe so. Not being a hog producer myself, I can't speak to specifics of involving-injecting hog manure, but we certainly haven't heard a lot at our office about problems with it, but we agree that we need setbacks from waterways for manure injection.

**Mr. Allum:** Mr. Jenner, thank you so much for coming. Last week, Wab Kinew and I—he's the new leader of the NDP—had the opportunity to have a very good meeting with Keystone about a variety of issues, most of them dealing with environmental sustainability and it seems to me that very—we disagreed on almost nothing during the course of that meeting, with one exception around a financial matter that was unrelated, I think, to the other issues that were identified.

I want to ask you the same question that I asked earlier of—this is an omnibus bill that includes provision over a wide variety of environmental regulations. I understand you've come in to speak on behalf of the hog industry, I guess.

Do you have any observation about the requirement that a report on ecological reserves every five years should be removed? Do you support that particular provision of the bill?

**Mr. Jenner:** Well, I'm not just here in support of the hog industry, I'm here in support of all farmers. As a cattle producer, I also have manure to deal with and I have to deal with regulations—maybe they're not quite as stringent as the hog industry, but they are certainly still stringent.

As to the makeup of an 'omnibus' bill, I can only speak to the portions of it that I know. And that's what I'm here to do.

**Mr. Gerrard:** Yes, you mentioned—as have others—that the injection of hog manure is a good practice. And yet we only have 85 per cent of the hog manure being injected into the land, it's not a required process, and one can understand that there would be a few small hog operators who would—for whom that might not be economical.

But I wonder whether there could be a larger requirement for injecting hog manure into a land.

**Mr. Jenner:** I'm not sure that 15 per cent is—has a lot of room to be able to be regulated into doing it. I can't speak to it specifically, but there are many different kinds of hog operations, and if you're not near—if your barn isn't near enough that you can run a hose to inject—because that's what they do, they run a big hose from the lagoon and pump into the injector, and they need to be within so far of the hog barn, and if not, you have to find other ways to spread and incorporate, or find other ways to get it into the soil.

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

\* (19:00)

I will now call on Dennis Hodgkinson, DGH Engineering Ltd.

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

**Mr. Dennis Hodgkinson (DGH Engineering Ltd.):** No, I do not.

**Madam Chairperson:** Please proceed with your presentation.

**Mr. Hodgkinson:** Thank you to all for the opportunity to speak to you. My name's Dennis Hodgkinson. I'm a professional engineer. I have interest in particularly the anaerobic digestion portion of your subject matter tonight.

I come to you as someone who has been actively involved in the development and promotion of anaerobic digestion technology. I've been in professional practice for about 40 years. I grew up on a ranch in the Interlake of Manitoba, I'm a graduate of the U of M and for the first 12 years of my career I worked in the technical services branch of the Department of Agriculture. At that time, I served on several national committees related to farm animal manure management and have spent a good part of my career working in this area. I—in 1989, I founded, together with my family, a small engineering company, DGH Engineering. We've continued for the last 28 years to work in Manitoba and western Canada, with a portion of our business actively involved in animal agriculture. In addition, we've had opportunity to do some international work in this area as well.

Over this time, my company, DGH Engineering, had the opportunity to become directly involved in the 'anaerobic' digestion business, as it relates to agriculture. We were one of the founding partners in a company that's in operation with most of our staff

based in Quebec, but the company's Bio-Terre Systems Incorporated, and it's been in the 'anaerobic' digestion business since 1998.

Our company, Bio-Terre, holds an inclusive licence to a commercial—to commercialize a patented technology actually developed in the '90s by Agriculture Canada and the University of Ottawa. We've collaborated in R&D activities related to anaerobic digestion development and enhancement of the technology. We've had some commercial success in the USA with this technology, most notably on some large dairy farms, four large dairy farms in the Willamette Valley in Oregon and we actually have provided digesters to two large farms in North Carolina.

Obviously, when the government of Manitoba expressed an interest in promoting anaerobic digestion in our domestic industry we were very, very interested. However, I—as is so often the case, the devil was in the details.

Anaerobic digestion is a treatment process. It's well-suited, high-strength organic waste in a digester, a special floor of micro-organisms actually take the organic matter and break it down into more simple molecules and in the process produces energy in the form of methane, which is the same as natural gas, only in different quantities. The process takes place in the absence of oxygen, and that's why it's called anaerobic.

The Bio-Terre process operated in a unique temperature regime. It's a cold temperature, a cool temperature process that gave us some particular advantages in some of the industry with regard to net energy production, and, in addition, we believe the process operating in low temperature is more robust and a bit more stable.

The process actually, as I mentioned, produces energy. In addition, it eliminates odour, produces a stable digest state, it eradicates manure pathogen and it conserves fertilizer nutrients.

Anaerobic digestion is used extensively in many parts of the world, primarily to produce green energy with manure treatment as a co-benefit. Our success with commercialization in the US in the past has been built around this opportunity to take farm manure, produce green energy, market it to utilities that had a mandate to have a proportion of their portfolio in green energy—and obviously in the current economic climate, or with the current constraints in the US right now, that's not exactly a

growing marketplace for us. Similarly, in my travels internationally, we find our digestion technology being very, very successfully implemented, but, again, being done so in jurisdictions where it's enhanced by opportunities to produce green energy, most notably Germany in particular.

Sadly, the lack of significant growth in our 'anoric' digestion industry in western Canada, especially in the swine industry, directly relates to the absence of favourable economic incentives to offset the capital cost with other forms of revenue, most notably green energy.

The implementation of 'anoric' digestion systems on all new 'swarn' farms—swine farms in Manitoba was, in our view, somewhat misguided and incomplete. Yes, 'anoric' digestion systems had the potential to reduce nutrients, but at a very significant cost without any offsetting benefits or streams of revenue.

In addition, I think it's worth knowing that the cost of entry for a digester on a small farm is, order-of-magnitude number, is a million dollars. And providing a system at a cost of \$1 million that has only the opportunity to offset nuisance doesn't really pencil out very well. I think it was a common misconception that somehow, 'anoric' digesters would materially impact the nutrients out of the equation. In fact, we see an advantage to anaerobic digestion technology in its ability to conserve all the nutrients.

With an 'anoric' digester, you wind up with more nutrients to take to the field annually. And if you're in an integrated, land-based production model like we are in Manitoba, where we grow grain, we feed livestock, we take manure back on the land to grow more grain, that nutrient conservation is a huge advantage and a real plus for the technology. But if you were looking at it as a panacea to try and help with reduction of nutrients—for example, if you saw it as something that would reduce the phosphorus load in the Lake Winnipeg basin—you would be focusing on the wrong sort of technology and looking for the wrong kind of features.

In the absence of any green energy offsets, the requirement to install an 'anoric' digestion system for new farms in Manitoba became essentially a development tax or a development surcharge. For almost all swine farms that we were exposed to in the past decade, this surcharge was not affordable.

'Anoric' digestion is a good technology, and in the right economic environment, it has a meaningful place. If the green energy from a farm digester could be sold off-farm at 18 to 20 cents a kilowatt hour, it would have real value to the business of farming. But in the absence of that, we need some other way to offset those costs. If we were to take farms and open up so that they could bring in off-farm organic waste, collect tipping fees, treat the waste and then take that product back as a field fertilizer, that would be a business model that would have some merit. However, that also comes with some liabilities.

If you have a unique farm—occasionally, I'm sure everyone's heard of some farms where this made sense. If you had a unique farm, a farm that was built beside something like an ethanol plant that had a huge need for the energy that the digester would produce, that would be great. But on an individual farm, our energy demands aren't big enough to take the energy produced by an anaerobic digester, so you have no co-benefit. You don't have no other business line to support the cost of the digester.

I am confident I can say with some conviction and some direct experience that adding an 'anoric' digestion unit to a typical single swine farm in Manitoba is not viable, except in very, very rare circumstances. The farm cannot recover sufficient added value for the energy produced to pay for the investment. In a simple fundamental ecological cycle where we grow feed, feed animals, return the byproducts to land to grow more feed, there is no value added to an anaerobic digester in that system, unless you're trying to produce green energy and have a market for the energy.

\* (19:10)

In summary, in my view, based on my experience both here and abroad, the repeal of the requirement for Manitoba swine farms to construct an anaerobic digester as part of their manure treatment is unwarranted and its repeal is long past due. Thank you.

**Madam Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mr. Friesen:** Thank you, Mr. Hodgkinson, for your presentation this evening, for your expert opinion.

You've given us a lot to think about. I want to ask you—I'm thinking about the previous



government's expert panel review of measures to protect Lake Winnipeg that they commissioned and then was reported back in 2014. Now you said to us this evening that there is no case to be made that nutrient level could be reduced.

Would the previous government have had experts present that opinion to them or is this exceptional knowledge that has since become known?

**Mr. Hodgkinson:** Yes, through the Chair.

No, I believe the fundamental principle, that anaerobic digestion technology preserves nutrients, is something that was well known. I was not privy to the discussions about the implementation of the requirement for anaerobic digestion. And, as I mentioned, I certainly welcome the interest in the technology. But if it was introduced thinking that it would reduce nutrients on farms it was misguided.

**Mr. Allum:** Mr. Hodgkinson, thank you so much for coming tonight.

I think your presentation goes to the core of—part of our critique of this bill is that obviously this is a subject that has significant breadth and complication to it, and to just treat it in isolation of all of the other provisions in this bill actually does it an injustice.

But—and so when the government decides through legislation like this, to simply remove this particular provision of the bill, it leaves open the question whether or not we couldn't be using this for—couldn't be using this particular technology for other green environmental opportunities.

Would it be better for the government to, in fact, not just, *holus bolus*, remove the provision but, in fact, invest in this kind of technologies and others like it that does produce green energy?

**Mr. Hodgkinson:** I think that really kind of was the essence of my presentation.

The requirement for swine farms to install these digesters hanging there by itself is misguided and counterproductive. If what you want was green energy then, by all means, this should be part of the tools in your toolkit. But to have that as a stand-alone requirement for swine farms with no offsetting revenue stream permitted I think is a mistake.

**Mr. Gerrard:** I just want to say thank you very much for a very clear presentation and much appreciated.

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

I will now call upon Mr. Michael Stainton, Lake Winnipeg Foundation. Mr. Stainton do you have any written materials for distribution to the committee?

**Mr. Michael Stainton (Lake Winnipeg Foundation):** I do, indeed, and I—be distributed.

**Madam Chairperson:** Please proceed with your presentation.

**Mr. Stainton:** Madam Chair, committee, thank you for the opportunity to speak to you this evening. My name is Michael Stainton, I'm the vice-president to the Lake Winnipeg Foundation. I'm speaking this evening on behalf of the executive director of the Lake Winnipeg Foundation, because she is at home with a very serious case of the flu. So, everybody get your flu shots.

I am speaking on behalf of the Lake Winnipeg Foundation, as well, so.

At the centre of Canada, Lake Winnipeg is the world's 10th largest freshwater lake, a majestic water body with a watershed that spans two countries, four provinces, four states and over 100 indigenous communities.

Lake Winnipeg supports a \$25-million fishery, a \$100-million tourism industry. Property values around the lake's south basin alone are worth 2 and a half billion dollars and collectively generate approximately \$40 million in annual tax revenues, all of which support vibrant communities and businesses on the lake's shore.

This is a lake that matters to Manitoba families. It defines our province's geography, shapes our culture, supports our biodiversity and drives our economy.

This past summer, however, was a heartbreaking one for many who visited Manitoba's great lake. The Lake Winnipeg Foundation received calls from many Manitobans who were horrified by what they saw at the lake: beaches coated with soupy green film and water that was unsafe for their kids to swim in; water that could potentially cause serious harm.

Our members shared many photos with us of this situation and asked that we, in turn, share them with provincial decision-makers, which you can see in figure 1 of the handout.

Lake Winnipeg is in trouble. Manitobans are concerned, and Manitobans expect evidence-based action from its governments.

The Lake Winnipeg Foundation acknowledges the economic importance of the hog industry to Manitoba. We recognize the value of recycling manure nutrients to support crop growth.

Lake Winnipeg Foundation also recognizes that the hog industry shouldn't be singled out. Regulations related to the spreading of manure as agricultural fertilizer should apply to all of Manitoba's livestock industry.

Effective manure management ensures that manure and nutrients stay on agricultural fields where they support crop growth. Effective manure management is critical to prevent pollution and protect Manitoba's water quality.

The Lake Winnipeg Foundation is concerned that data are lacking to determine if current manure management practices are indeed effective. Without data, industry, government, regulators, and concerned citizens cannot accurately quantify the current impact of Manitoba's hog industry and water quality nor determine how the industry may be expanded without increasing phosphorus loading to Manitoba's rivers, lakes and streams.

Despite this lack of evidence, Bill 24 proposes to repeal sections of The Environment Act that govern phosphorus-producing activities of the Manitoba hog and other livestock industries.

Regarding The Environment Act, section 40.2, Prohibition of Winter Spreading, currently, The Manitoba Environment Act prohibits the spreading of any livestock manure on agricultural fields between November 10th and April 10th. This is widely recognized and well-established best management practice supported by broad scientific consensus.

Arguably, the ban on winter spreading is the most important pollution prevention that has been put in place to protect Lake Winnipeg over the past two decades. When manure is spread on saturated, frozen or snow-covered ground, phosphorus in—contains—cannot be incorporated into the soil. On the surface of the soil, this phosphorus is not available to support plant growth and is highly susceptible to runoff during winter storms; in particular, during the spring melt.

So what Lake Winnipeg Foundation urges—that Bill 24 be amended so as to not repeal section 40.2 of the Manitoba's environment act. The ban on winter spreading of all manure should be maintained in legislation, the highest form of protection for Manitoba's water.

Regarding section 40.1, Prohibition – confined livestock areas and manure storage facilities for pigs: Section 40.1 of the Environment Act currently prohibits construction or expansion of hog barns and manure storage facilities without environmentally sound manure treatment, including or equivalent to anaerobic digestion of manure. Anaerobic digestion does not remove phosphorus from manure. Rather, it separates manure into solid and liquid components and concentrates the phosphorus in the solid fraction of the manure.

The advantage is that this helps to manage manure volumes, reducing the costs of transporting manure to spread to fields at greater distance for some of the barns.

Lake Winnipeg Foundation agrees that anaerobic digestion should not be the factor eliminating the growth of Manitoba's hog industry. However, we strongly believe that industry expansion should be limited by availability of suitable land for manure spreading at a rate equivalent to the rate of crop uptake.

The moment we start spreading more manure than crops can use, it's no longer fertilizer; it's a waste product to be disposed of and, as such, poses a risk to our water supply.

Our problem is this: We don't currently have robust and credible water quality data to identify the extent or location of suitable land for increasing manure spreading. The necessary water monitoring programs have not been developed.

Without knowing how much suitable land base exists, we don't know the extent to which Manitoba's hog industry can expand without increasing phosphorus runoff.

\* (19:20)

Currently, hog production in Manitoba is very concentrated. Manitoba Census Division No. 2, directly southeast of Winnipeg, supports 35 per cent of the province's hog operations on less than 1 per cent of its land. You can see this in figure 2 where's—has all the manure management plans for that area dotted on the map.

Because high costs prohibit the long-distance transport of manure, manure spreading from these operations is also very concentrated. High density and high concentration of manure spreading is likely to increase the risk of phosphorus runoff into provincial waterways—likely, but we just don't know.

To answer some of these concerns, science data is being collected in this region among others in the province by the Lake Winnipeg Community-Based Monitoring Network, an organization initiated by the Lake Winnipeg Foundation With data collection and analysis overseen by the Lake Winnipeg Foundation's nationally recognized Science Advisory Council and leveraging decades of analytical water chemistry expertise, we have ensured that community-based monitoring data is credible, robust and comparable to existing government data.

CBM data to date indicates that phosphorus losses from watersheds southeast of Winnipeg in Census Division 2—you can see figure 3—are concerning, as they are considerably higher than anything previously reported in the Red River basin in the State of the Lake Winnipeg Report. The data on these maps are rates at which phosphorus exported based on kilograms per hectare per year. The larger the number, the more intensive the phosphorus loss from that section of the watershed.

Community-based monitoring suggests these watersheds are phosphorus hotspots contributing disproportionately high phosphorus loading to local waterways. It is, however, important to note that correlation does not equal causation. We don't know if the high phosphorus loading in these regions is directly linked to hog operations. The density of other livestock operations—dairy and poultry—is also high in this region, as is rapid urban growth.

Nonetheless, community-based monitoring data indicates that we do need to know more before we are able to make responsible, evidence-based decisions about expanding the hog industry or expanding into the other phosphorus-producing activities in these identified phosphorus hotspots.

Lake Winnipeg Foundation advises that any proposal to expand Manitoba's hog industry must first provide robust data to answer these outstanding questions. Industry regulators and the public need data that clearly demonstrate the extent and location of suitable land for manure application in compliance with best management practices and at rates that do not exceed crop-uptake rates.

Section 41 in the schedule of the Manitoba environment act should not be amended or repealed until this data is made available.

Where do we go from here? How can we evaluate the feasibility and sustainability of the hog industry in Manitoba? Ten years ago, the Clean Environment Commission identified the need for a thorough review of hog industry regulation to evaluate the effectiveness of manure-management practices. Such a review depended, and I quote, on the availability of a wide range of water-quality data.

In 2007, the commission noted that, and again I quote, water monitoring efforts need to acquire these data should—and should commence immediately. That has not yet happened, and it has to start today. Collecting robust water-quality data that identifies the impact of Manitoba hog industry on water quality is not a hindrance or hurdle to overcome. In fact, Manitoba's provincial government has promised voters that it is committed to making decisions based on evidence, and evidence is founded in data.

Here is an important opportunity to fulfill that promise and to support shared provincial goals. Robust data will benefit industry by identifying where and how sustainable expansion is possible. Robust data will benefit citizens, increasing public trust in the safeguards in place for Manitoba's water, and robust data will eventually benefit our precious lake, enabling us to make smart decisions to improve water quality and to ensure that a day spent at the beach isn't a potential health risk for our kids and grandkids.

Thank you for your kind attention.

**Madam Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mr. Friesen:** Thank you, Mr. Stainton, and thank you for being here sharing with us on behalf of your organization.

I want to clarify one thing for you. Our government has no plans to allow for a change in terms of winter manure spreading practices. I wonder—you're aware of the fact that we have a redundancy here, a prohibition against that in the legislation and a prohibition against that in regulation. We're just looking to take away that redundancy.

Your comments?

**Mr. Stainton:** I guess I would argue that a few lines of ink are not a high overhead to maintain and not even raise these questions in the first place.

**Mr. Allum:** Thanks for coming tonight, and I think I can safely speak for all members of—around the table tonight for—congratulate you and—for the work that the Lake Winnipeg Foundation does every day to advocate for a very important body of water in our province.

I 'thernk'—think I heard you make an argument for anaerobic digesters, even if the intended purpose may not be the correct one. But this bill was sold as a red tape reduction bill. We see it as an environmental deregulation bill. How would you characterize it?

**Mr. Stainton:** As regard to anaerobic digesting, I guess the issue there is because I understand fully the economic argument against them, but the advantage is that it makes it more economical to move manure from an industrial operation that doesn't have a land base to put it on to places further afield and actually handle it as a commodity instead of a waste product.

**Mr. Gerrard:** Michael, thank you very much for presenting and thank you very much for being involved with the Lake Winnipeg Foundation and the monitoring network which has been developed because that's—it seems to me extraordinarily important in being able to understand what's happening.

Have you any data with regard to the different forms of spreading of manure, whether it's injected into the soil or whether it's spread on the surface, or any particular comments on this? *[interjection]*

**Madam Chairperson:** Mr. Stainton.

**Mr. Stainton:** We collect—sorry. We have no data in that regard. We are simply collecting aggregated data. It's for others to begin to sleuth where those sources of elevated phosphorus runoff are coming from. It's hard enough to gather credible data at a higher enough frequency in the province to—at, you know, credibly identify these hot spots. It's for others to eventually to decide what to do about those hot spots.

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

**Mr. Stainton:** Thank you.

**Madam Chairperson:** I will now call upon Vince Hiebert, Manitoba Weed Supervisors Association.

Is Mr. Vince Hiebert in the room? His name will be dropped to the bottom of the list for tonight.

We will move on to Mr. Scott Dick, Agra-Gold Consulting Ltd.

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

**Mr. Scott Dick (Agra-Gold Consulting Ltd.):** Yes, actually two documents.

**Madam Chairperson:** Please proceed with your presentation.

**Mr. Dick:** I'm going to have my business partner Cliff Loewen start out.

**Madam Chairperson:** Okay, we will seek leave from the committee.

Does the committee give leave to have—sorry, Mr.—?

**Mr. Dick:** Cliff Loewen.

**Madam Chairperson:** —Cliff Loewen present first? *[Agreed]*

Go ahead.

**Mr. Cliff Loewen (Agra-Gold Consulting Ltd.):** Good evening and thank you for the opportunity to give a short presentation from the perspective of those working in the very industry that will be impacted by these proposed regulatory changes.

We are Agra-Gold Consulting, and for over 10 years we've been offering nutrient management—manure management services to the livestock industry in Manitoba. My name is Cliff Loewen and I'm a partner in Agra-Gold. My career in manure management began in 1998-99 when I was working with Maple Leaf, and there I was given the opportunity to implement the very earliest manure management regulations for the rapidly expanding livestock industry here in the province.

Since those earliest beginnings, I did take the manure management planners course, attained my certified crop adviser's status and was involved in the creation of the manure applicators certification course. My business partner, Scott Dick, also began his career in manure management when he was hired by Maple Leaf in 2001. He has a bachelor of science degree in agriculture, his P.Ag. status with MIA, took the manure management planners course. Scott has also been a board member of the Manitoba Livestock Manure Management Initiative for over 10 years.

\* (19:30)

We're a small consulting business. We employ a few full-time and part-time staff. Among those is Scott's dad, Werner Dick [*phonetic*], who also has his bachelor of science degree in agriculture, now in his late 70s. He enjoys soil sampling and water monitoring. My son Chris, who also attained—has attained his CCA status, is a full-time technician with us. So as you can tell, we are a multi-generational business having a rich history in roots in agriculture here in Manitoba.

Agra-Gold files and prepares with Sustainable Development over 170 nutrient management plans annually. And I believe, according to the numbers, that's probably over 35 per cent of all the manure plans filed here in the province. For these plans, soil tests and details for manure application need to be submitted for every field that is to receive manure. We sample over a thousand fields every year; after manure application, confirmation of spread is also submitted to Sustainable Development. All these plans are checked by Sustainable Development staff. They have an auditing process where they randomly check a certain percentage of these manure plans and soil test fields to ensure compliance with regulation.

Agra-Gold also works with 12 to 15 commercial manure application service providers here in the province. Manure applicators have significantly improved the technology used over the last 10 to 12 years. Most of them now use GPS mapping tools coupled with flow-rate technology which enables us to create digital coverage maps of where manure has been applied. Auto-steer technology assists in much-improved and consistent coverage of manure application. Modems hooked up with these mapping systems allows us as manure planners to upload updated digital files in real time as well as ensuring mapping data is immediately stored and saved as it's being created. We can remotely connect with many of these systems and check on progress compliance and rates being applied.

Possibly the most important part of our role in manure management is working with producers to receive manure to ensure that not only is manure being applied in an environmentally sustainable way, but also ensuring that these producers are benefiting agronomically from the rich nutrient resource found in manure. We could give countless examples where grain growers and forager beef producers have and are seeing improved yield production.

Rigorous and ongoing soil sampling together with manure sampling ensures that manure application rates are correctly given for specific crop and yield targets. Working with and meeting with these producers is possibly one of the most enjoyable and fulfilling part of our work as a consulting company, and Scott will speak further to some specifics.

**Madam Chairperson:** Mr. Scott Dick, go ahead.

**Mr. Dick:** The red tape reduction bill looks to repeal 41 and 42 of The Environment Act, which allows pig manure storage to be built with an anaerobic digester, or similar environmental technology. The act doesn't define similar or better than anaerobic digestion treatment, but it is understood by industry that is referring to phosphorus management.

I've toured digesters in Saskatchewan, Quebec, Ontario and the Netherlands. The primary purpose of anaerobic digesters is to create heat and energy. In this process, carbon is digested, which reduces greenhouse gas emissions. Anaerobic digesters do work to create energy, but at a cost of two and a half to three times of what Manitoba's—Manitobans pay for electricity. There's no real incentive for Manitoba Hydro to subsidize anaerobic digesters in Manitoba since almost all of our energy in Manitoba is considered green, as it comes from hydroelectric dams. Economically speaking, without significant dollars from carbon credit programs, anaerobic digesters for swine barns will never make economic sense on the Canadian prairies.

Agra-Gold took over manure management of Cudworth Pork in Saskatchewan in 2016. The site has an anaerobic digester built on it that was built in the early 2000s. The treatment plant ran for about two years before it was mothballed, and you can see the picture in the handout that I gave you. It was a \$1.3-million investment that turned into a white elephant, as it was unable to produce the energy predicted and, therefore, was economically not viable.

As an agronomist who's spent most of their career devoted to nutrient management planning in the livestock industry, I can tell you that anaerobic digestion is a very, very poor nutrient management tool. In terms of nutrients, the net amount of nutrients going into the anaerobic digesters is pretty much the same coming out. The phosphorus and nitrogen are not removed in the process. Therefore, the same number of spread acres are required, whether you have anaerobic digesters or not.

So what are some solutions? And I'll say No. 1 with a bias. The best nutrient management strategy is to hire a nutrient management planner. There are 32 nutrient management planners registered to write plans in Manitoba. To be a planner you must either be a professional agrologist with the Manitoba Institute of Agrologists or a certified crop adviser with the prairie certified crop advisory board. Both groups have a code of ethics and an ongoing professional development requirement to remain accredited. In addition, you must have passed the Assiniboine Community College manure planners course.

Second solution, in terms of phosphorus management from hog manure, one of the best tools for environmental sustainability is to ensure that the facility has an adequate land base to rotate the manure—

**Madam Chairperson:** Mr. Dick, your time for presentation has expired. So thank you for your presentation, and do members of the committee have questions for the presenter?

**Mr. Friesen:** Mr. Dick and Mr. Loewen, it's great to have you here at committee this evening. My question can be for either of you. I wanted to thank you for your presentation.

I wanted to ask you the question—the previous speaker had made the point, and I think rightly so, that our approaches should be evidence-based. If you were in conversation with that individual or other Manitobans, what would you want to say about the evidence-based approach that you're advocating for?

**Mr. Dick:** Absolutely, evidence-based approach, I would agree, would be the best, and that's why we use things and scientific tests such as soil tests, manure tests to determine what we're going to do on the land. We go and soil test every field for our manure management plan before we apply manure on to ensure that we have the right evidence to support the rate that we apply.

**Mr. Allum:** Mr. Loewen, Mr. Dick, thank you so much for coming out tonight, and like so many others you've concentrated on one element of a bill that, in fact, represents a whole spectrum of environmental deregulation. Wouldn't it have been better simply to have a bill which addresses this issue in isolation of other parts of the bill which deal with clean drinking water, ecological reserves and a vast array of other environmental issues? Do you agree that it would have been better to separate this out and

had a complete dialogue, as opposed to having it rammed into some bill with about 15 other provisions in it?

**Mr. Dick:** You know, I'm an agronomist and my—I cast my vote, and I trust you politicians to come up with the best way of moving through these types of laws and bills.

**Mr. Allum:** I appreciate that, but if we are to be evidence-based and scientifically evidence-based in ensuring that we have clean air, clean water, sustainable land, wouldn't it have been better to treat this in isolation, rather than having it—throwing it into an omnibus bill, as a scientific, evidence-based debate?

**Mr. Loewen:** I can't speak to that question, sir. I'm sorry. I—

**Madam Chairperson:** Mr. Gerrard.

**Mr. Gerrard:** Eighty-five per cent of the hog manure is injected into land, and 15 per cent is not. And my understanding that it's injecting into the land is a better practice because it doesn't run off as much into the water. Could you comment?

**Mr. Loewen:** Mr. Gerrard, I can assure you that Scott and myself have frequent conversations with manure applicators in terms of the technology they're using. And we, as consultants, heartily encourage more vigorous incorporation, more frequent incorporation, more efficient in order to retain more of the nutrients in the soil. We are strong supporters of using injection as much as possible.

**Mr. Tom Lindsey (Flin Flon):** To follow up on my colleague's line of thought here, you would appear to be in favour of one portion of this regulation. Are you—or, this red tape reduction act. Are you in favour of the whole thing or just that one portion that you've talked about?

**Mr. Dick:** We didn't come here today to speak about all the elements of it, just one particular one. Thank you.

\* (19:40)

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

I will now call upon Mr. Dennis Crockett, private citizen. Is Mr. Dennis Crockett in the room? His name will be put to the bottom of the list.

I will now call upon Mr. David Hammond, Manitoba Association of Campgrounds and Parks.

Is Mr. David Hammond in the room? His name shall also be put to the bottom of the list.

We shall now call upon Michelle Gawronsky, MGEU, Manitoba Government and General Employees' Union.

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

**Ms. Michelle Gawronsky (Manitoba Government and General Employees' Union):** Yes, I do, Madam Chair.

**Madam Chairperson:** Please proceed with your presentation.

**Ms. Gawronsky:** Good evening, Madam Chair, honourable ministers and honourable members.

For those that don't know me, my name is Michelle Gawronsky, and I am president of the Government and General Employees' Union.

First, I would like to once again thank Mr. Shannon Martin and Ms. Peter, the co-chairs of the Red Tape Reduction Task Force, for meeting with me back in January. Definitely was appreciated. It was a very important meeting for the MGEU to share our thoughts and offer our perspective on the issue of the red tape. So thank you very, very much for that, sir.

As you all know, the MGEU represents over 40,000 Manitobans who live and work throughout this province delivering valuable public services that families rely on. While our union supports improving the delivery of public services, the government needs to exercise caution when putting protections on the chopping block. The Manitoba government's new Red Tape Reduction Task Force must ensure the health, safety and the environment of all Manitobans is not put in jeopardy while they carry out their work.

The MGEU is urging the government not to use this legislation as an opportunity to cut corners, especially when protecting the health and safety of workers on the job who deliver important public services to Manitobans when that is at stake. This has been reinforced in our written submission and participation in the current review of The Workplace Safety and Health Act regulations and the administration of that law. We push for stronger workplace health and safety legislation and administration of the law so that people—Manitobans—are protected while at work and can go home safely to their families at the end of the day.

The MGEU has been a strong supporter of safe words—safe roads and have advocated, and we will continue to advocate for enhancing safety in construction zones. These are just a few examples of the types of regulations that need to be strengthened and broadened to keep all Manitobans safe, to keep our friends and families safe.

We also have concerns around the government's specific path forward on limiting red tape. What's being proposed is a one-for-one or a two-for-one type of law. Essentially, for every rule and/or protection added, one or two would have to be deleted. This is an arbitrary rule with no clear reason for the formula. Take the introduction of automated vehicles, for example, which will likely be on the roads within the next 20 years—within our lifetime. There will need to be new regulations developed and new rules put in place. That doesn't mean that regulations for driver-controlled vehicles won't still be needed. Yes, this would mean add more regulations, because regulations will now be needed for both. Or, if an emerging issue in public health arises like food-borne illnesses like listeria or the H1N1 outbreak, that may require numerous changes in regulations. How will this impact the arbitrary guidelines put in place by this law?

We have seen the devastating impacts of these cuts can have in other jurisdictions and how weak enforcement can lead to problems. And, as a previous speaker, Mr. Williams, shared, I ask again: do you remember Walkerton? In this incident, bacterial contamination resulted in the worst public health disaster involving municipal water in the Ontario history. At least seven people died, and 2,300 became ill. Investigations into the causes of the tragedy found that improper practices, the lack of government provisions for notification of testing results and the recent privatization of municipal water testing all played key roles in this crisis.

Or the deadly train derailment in Quebec that killed 47 people and left 27 children orphaned. Regulatory changes, like the number of operators, how many brakes should be engaged, and the rail line that the train parked on, all contributed to the crash.

Regulatory failures such as these loosening protections can have serious consequences. To strengthen Manitobans' regulatory environment, we recommend that the task force align its mandate with the government's goal to be the most open and transparent government in the world by reporting

every regulation that is cut under this initiative. This will ensure that Manitobans can decide whether their interests and their safety are being served.

Further, we recommend that any savings that are found through the process of finding efficiencies should be re-invested in strengthening the existing enforcement. Manitobans should be—would be safer if workplaces were inspected more often and if highways were kept safe by inspecting vehicles more often.

Finally, one area we think processes could be streamlined is in the non-profit sector. The MGEU represents members at over 30 community-based social service agencies such as St. Amant, Macdonald Youth Services, and child welfare agencies. The previous government piloted multi-year funding projects where agencies delivering services would get stable and predictable funding grants for several consecutive years. This allowed them to make long-term plans and ensure that they wouldn't have to resubmit funding proposals and requests year after year.

We think this is a good idea, provided that the funding is adequate and that this isn't used to make cuts to these important community agencies.

As a committee, we hope that you take our concerns seriously and our recommendations under consideration. There are ways to make government run more smoother and more transparent, but this must be done with the public interest in mind at all times. We must remember, most regulations were put in place to protect Manitobans and nothing is more important than the safety of Manitoba workers and citizens.

Thank you so much for your time.

**Madam Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mr. Friesen:** Thanks, Ms. Gawronsky, and thank you for being here this evening and for advocating on behalf of MGEU. There is an awful lot in this presentation that we agree wholeheartedly with you here on—that just—that fundamental need for safety. It's why we stated in this act that we are moving to try to eliminate regulatory requirements that do not add value or do not meet strategic public policy goals, all with a mind to do so without compromising human health and safety, environmental objectives, or other essential economic and social goals.

So we completely share the lens through which you're viewing this. I want you to have that assurance that it's the lens that we will continue to view these things through.

I would want to make one clarification: The bill itself doesn't describe a landscape in which there won't be a need for regulatory approaches. We will add that regulation as society evolves, as new things come up. The test function is there to ensure that the regulatory burden doesn't become excessive for individuals, non-profits, business, and other levels of government as they interface with government.

So I appreciate this, and on the subject of Walkerton—I wasn't sure if you were aware, yes; a terrible incident that could have been avoided, wanted you to know that nothing in what we've described here goes to any kind of change that—as a matter of fact, the province of Ontario brought the same changes for efficiency that we have suggested in this bill. This would bring us in line with Ontario. I wasn't sure if you are aware of that.

**Ms. Gawronsky:** Madam Chair, am I allowed to ask questions? Thank you.

So, Minister Friesen, with that being said then, my understanding with the bill is that for every one that was to be introduced, at least one or two needed to be removed from somewhere, and I guess hearing you say that the intent is to make sure that the safety is foremost for Manitobans and for workers, that is—that's awesome. I mean, that's exactly what we're looking for.

\* (19:50)

So then I guess with the committee, then, there wouldn't be an issue with actually sharing with us the reasoning why certain bills would be removed or certain regulations would be removed or if they're going to be joined together. I've heard that this evening, as well.

So I'm assuming, then, that the committee would not have any issue with sharing with Manitobans the reasoning why certain regulations would be removed?

**Mr. Friesen:** I could answer the question, but I want to defer to other members of the committee right now who haven't had a chance to ask questions yet. Do you want to maybe go around and if there is time sufficient I could come back to an answer?

**Mr. Lindsey:** I would be more than happy to defer and let the minister answer the question.



**Mr. Friesen:** Thank you, Ms. Gawronsky, for the question.

When we did a count of the regulatory requirements to the province of Manitoba, we reported that number as being 900,000. We believe that the two-for-one ratio that we've articulated gives us plenty of room to both add requirements as they are necessary, test them as we do so, but to move down. So it's about threshold and a need to move down. But over time, you're right, we will eat up some of that room and we will return to a one-for-one regulatory requirement, and that's built into the legislation, as well.

**Mr. Lindsey:** Ms. Gawronsky, you're not opposed to reviewing regulations, correct? *[interjection]*

**Madam Chairperson:** Ms. Gawronsky.

**Ms. Gawronsky:** Absolutely not, sir. Oops, sorry. Absolutely not, we are in full support of reviewing it. We would just like it to be very open and transparent for what and where, what regulations would be removed or what would be added or what would be joined up and why they would be.

**Mr. Gerrard:** Thank you very much for coming and presenting tonight.

One of the things that I've been concerned about is the concern over monitoring the source for drinking water and changing that from five years to 10 years, and this could be potentially related to the time that you could build up a situation that could've led to something like Walkerton.

So I wonder if you'd comment on this.

**Ms. Gawronsky:** I would be happy to, and actually I have a concern with it being extended 10, definitely have a concern with it remaining at five. Should any of the regulations towards any of the hog industry or any of the ag industry, when it comes to the safety and the protection of our water, should any of those regulations be removed, I would actually like to see it then moved down to a two-year review then should we have a need for it.

I live in an area where we have an awful lot of hog barns. It's ag area totally. In full support of all of it. My children have worked in it. My husband ran an ag organization—or a farm. I understand the need for all of it, but I also understand the need for my safe drinking water, and I do have a concern if it should ever be compromised. Thank you.

**Mr. Lindsey:** Just—I'd like you to comment on something that Minister Friesen said, the review of regulations has to look at value added. Your comment on that value added as a cost value as opposed to a cost of human beings.

**Madam Chairperson:** I'm sorry, but time for questioning has expired for this presenter.

**Mr. Swan:** So could we give leave at least to let the presenter answer the question?

**Madam Chairperson:** Is there leave for the presenter to answer the question?

**Some Honourable Members:** Yes.

**Madam Chairperson:** Agreed. Go ahead, Ms. Gawronsky.

**Ms. Gawronsky:** So, if I'm understanding your question, it's the value for added on the regulations and what they're doing with it. In light of what Minister Friesen said that Manitoban's safety and health is going to be first and foremost, then—and, you know, the fact that there—it's going to be a willing to be able to share exactly what's going on and be open with us. I would not have a concern with—on the meaning of value added in light of what Minister Friesen has shared with us.

**Madam Chairperson:** Thank you very much for your presentation.

I will now call upon Mr. Kevin Rebeck, Manitoba Federation of Labour.

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

**Mr. Kevin Rebeck (Manitoba Federation of Labour):** I do.

**Madam Chairperson:** Go ahead with your presentation.

**Mr. Rebeck:** The Manitoba Federation of Labour is Manitoba's central labour body. We represent the interests of more than a 100,000 unionized workers, and we oppose this omnibus bill that will weaken water quality testing, ramp up hog barn construction, leading to further damage to Lake Winnipeg, and erase taxpayer protections related to the construction of major infrastructure projects, all under the misnomer of cutting red tape. The fact is that all this bill will do is cut protections from Manitoba's families related to health, our environment and public funds.

And with this government's ideological rule that for every new regulation, two have to be cut, it seems these cuts are just going to continue. For a government who came into power preaching more openness and transparency, this omnibus bill is anything but open and transparent. It's a Harper-government-style approach to legislation where a number of unrelated issues are lumped together in one bill, and Manitobans will be on the hook for all of the cuts to important fiscal, health and environmental protections contained in it.

The bill is an attack on regulations that protect workers, our environment and our communities. While the Manitoba Federation of Labour joins many others tonight in opposing a number of provisions of this bill, like reducing restrictions on hog-barn construction and weakening monitoring requirements for water quality, I want to focus my comments tonight specifically on the impact that this bill would have on lifting current taxpayer protections and opening the door to more privatization and costly public-private partnership construction projects that serve the interests of private corporations over everyday Manitobans.

Section 14 of the bill would repeal The Public-Private Partnerships Transparency and Accountability Act. For those unfamiliar, this act was passed in twenty–2012 to provide Manitoba's taxpayers with greater transparency around proposed public-private partnership projects, more commonly referred to as P3s. It does so by outlining rules for public sector organizations that take part in P3 agreements for major capital projects having a total projected cost of \$20 million or more.

P3s are a well-used government phrase for traditionally public assets like community infrastructure and services that are privately built, privately owned and rented by governments, often for much higher amounts over their lifetime than they would have cost to build publicly in the first place.

With P3s, governments enter into costly contracts that are essentially rental, lease or operating schemes rather than building and maintaining community infrastructure directly for the public benefit. P3s are just another form of privatization of public assets. Evidence shows that privatization increases costs and leads to lower quality and a reduction in service levels. Citizens also lose control and accountability with privatization because making a profit becomes the

sole priority of building an asset like a school or a bridge instead of serving the needs of the community.

The Public-Private Partnerships Transparency and Accountability Act outlines rules for public sector organizations that take part in P3 agreements. This act improves the transparency and accountability of the decision-making process for P3s, which is something that benefits all Manitobans.

By forcing government to demonstrate to taxpayers what a project would cost under a P3 model, the act forces government to be open and transparent when they're considering this type of model for building an expensive asset like a school. It does this by requiring a preliminary analysis be produced outlining the risks, costs and benefits of using a P3 agreement; that public consultations be held, including a public meeting and the release of a report on the public proceedings; the appointment of a fairness monitor to oversee purchasing processes and releasing a contract summary; the reporting be made to the provincial Auditor General after construction's complete and a detailed risk-for-value-for-money analysis be undertaken to determine if the P3 delivery method creates the best value; that further public consultation occur before starting the bidding process, the establishment of an independent fairness monitor to oversee the bidding process for the benefit of all bidders; and that the public entity reports on the results of the project and to make terms of the P3 arrangement public.

These are all important protections for taxpayers because P3 funding models have been found to cost far more in the long term than traditional public sector delivery models basically anywhere they've been used. This act was a first for Canada, recognizing the serious concerns over accountability that P3s represent.

Auditor generals in other provinces have raised a number of concerns about these higher long-term costs. Ontario's Auditor General found in 2014 that P3s had cost Ontario taxpayers nearly \$8 billion more on construction—on infrastructure projects over the previous nine years than if the government had just built them themselves.

A 2014 report by the Auditor General of British Columbia raised serious concerns about the high costs and high debt of 16 P3 projects examined in that province, reporting interest rates ranged considerably from 4 and a half per cent to 15 per cent more. An average interest rate of seven five–

7.5 per cent was found, meaning the debt loads of P3 projects were almost double, when they could have been—could have just been financed by the province itself.

\* (20:00)

I find it difficult to understand how this government, who claims to preach fiscal restraint and talk about value for money, would even consider projects that will cost more to taxpayers than the traditional model, let alone dream of erasing legislation that requires government to demonstrate to a taxpayer that P3s would be a good deal.

If this government's adamant about considering P3s for building large capital projects and they're so confident they would be of value to taxpayers, then they should be proud to show Manitobans what a deal they got by way of a P3 funding model. The fact is they want to eliminate reporting requirements because they know full well that P3s are a bad deal for taxpayers. They want to hide the true costs from public scrutiny. For a Premier (Mr. Pallister) who claims to be a smart shopper, repealing this act is anything but.

This government has said specifically they would like to have schools built through the P3 model. Recent evidence from our neighbours in Saskatchewan show the impact of putting private—schools in private hands can have on this ability for teachers and students to use their school by putting absurd rules in place. Staff guides at P3 schools in Saskatchewan ban teachers from opening windows for the first year after a school opens. The staff guide also outlines rules on classroom decoration, including banning mounting anything on walls or doors without written authorization from the owner of the school, including a penetration permit. I can't think of a more glaring example of unnecessary paperwork than requiring teachers to fill out a permit to hang something in their classroom.

Also, surprise—unsurprisingly, P3 schools have been found to cost more long term than traditionally publicly financed schools. New Brunswick's Auditor General found that the P3 Evergreen Park School cost \$900,000 more than if it had been built through conventional public financing. The company that built one of the first P3 schools in Calgary cut costs during construction and used substandard roofing materials, meaning within three years of the school's opening, the school board had to pay more than \$100,000 in maintenance and upgrades on the roof.

This act cuts a number of protections for Manitobans, including ones dealing with health, our environment and public funds. If this government was actually serious about standing up for Manitobans, it would withdraw this bill immediately.

**Madam Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mr. Friesen:** Thanks, Mr. Rebeck, for being here and for your presentation on behalf of your organization.

I would want to give you the comfort that our government from page 3 of your presentation wouldn't consider projects that would cost more to taxpayers in the traditional model. As a matter of fact, we take an evidence-based approach. We're only interested in providing that opportunity if it's a—if there's evidence that we can do it on time and on budget, and I would submit to you while you've cited other examples, there are many examples where P3s have provided that kind of on-time and on-budget performance.

My question for you is on the third line of your presentation. You indicate there that the bill will ramp up hog barn construction leading to further damage to Lake Winnipeg.

Having heard a number of experts come tonight and indicate that by anyone's evidence, less than 1 per cent of the lake's overall pollution can be attributed to hog manure and understanding the significant sustainable practices that are in place to make sure it's not leaching, what would you say to those proponents of the changes to this bill?

**Mr. Rebeck:** Well, two comments on that: one is on P3s, if they're such a great deal, then we shouldn't eliminate the accountability for them and they should be maintained. If anything, if you're right, which you and I obviously have a dispute on whether P3s are a good deal or not, why return to secrecy on them? That's the wrong thing to do, and this bill does that. It puts it back in a secret deal.

On the hog barns itself, this bill requires a reduction of regulations, and there are ways to build and have more hog barns in our province, but they require more regulations and standards be put in place, not less. And this bill sets us up to reduce things even further in a mathematical formula that's magically supposed to make things better. You

know, it's not a measurement of our society that if we have more regulations, that's necessarily a bad thing. Regulations are synonymous with protections, and they're there for a reason, and we should make sure that they're there in place. We should review regulations; we're not opposed to that. But it should be done in a common sense approach and it shouldn't have a requirement and a goal of elimination for the sake of elimination, which is what the intent of this bill does.

**Mr. Swan:** Yes, Mr. Rebeck, just want to pick up on the issue of P3s. Now, you're not calling for a prohibition on private-public-private partnerships; you're just calling for a continued analysis to compare apples to apples between P3s and the traditional way of construction to make sure that taxpayers are getting the best deal when it comes to contracting for a major project. I was surprised by the minister's comments just a minute ago.

Could you educate the minister a little bit on all of the various long-term costs that have to be taken into account when the government is considering entering into a P3, say, for the construction of a school or for a major piece of highway infrastructure, like a bridge or a freeway?

**Mr. Rebeck:** Yes, I stand to be convinced that P3s are a good deal. But you're right; we're not ideologically opposed to them. Where I—where—we believe that accountability is paramount for governments to make sure that they do it in an open, transparent way. When government is entrusted with public funds and they're going to use them for P3s, they should be accountable to public how those funds are used.

And that—with that—that's exactly what that act laid out: a method and a process to do so. This bill proposes taking that bill out of play—taking that law out of play and returning to a secret process that's unnecessary and anything but open and transparent. And we oppose it for that reason.

**Mr. Gerrard:** I want to come back to what you mentioned about Saskatchewan and P3 schools banning teachers from opening windows for the first year after the schools were opened. I mean—tell me, what's the reason for rules like that?

**Mr. Rebeck:** Yes, I would love to know the reason for some rules like that. But that's just it, though.

When you enter a P3 arrangement and some of them are leaseback or rent back, an infrastructure project like a school—you're subject to them being the

owners, that can lay all kinds of rules in place that you now have to follow. That you can't post things in the wall because you're going to put a pinhole in the wall. Perhaps they don't want the windows open because they're worried about them being left open and there being rain damage to their property. I'm not sure why, but they don't articulate it very well.

And now we, as the public, are subject to the landlord dictating terms on how we use our public asset, and that's just wrong.

**Mr. Shannon Martin (Morris):** Mr. Rebeck, I appreciate your presentation. You railed against the idea of, you know, the secret process and that government tendering should be open in a transparent way; I agree with you wholeheartedly.

I'm wondering if you can add comment just given the context of those comments, juxtaposed against the previous government's \$5-million untendered purchase of Tiger Dams, which the former member—I think the editorial board at Free Press referred to it as a lingering stench and, quote, that the previous administration went through no untendered process, circumnavigated Treasury Board and such. And, at the end of the day, when they released that very report, it was mostly a blacked-out document.

So how do you—is that the kind of process that the Manitoba Federation of Labour is advocating that our government take? Or what? Are you proposing something of a higher standard?

**Mr. Rebeck:** Yes, we're very clearly saying that we need to be clear and transparent in how we report things. And that's regardless of what government's in power and what they're doing.

What was put in place was a law that requires that transparency to be there. And what I see right now is this government removing a law that requires that transparency to be in place. And I will always speak up against that. That's not right. When we're using taxpayers' money, we need to be accountable, we need to be clear, and that's for governments of all stripes.

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

I will now call upon Mr. Hugh Arklie, private citizen.

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

**Mr. Hugh Arklie (Private Citizen):** Yes, I do. And my presentation is more of a show and tell, so I'd like everybody to have a copy before I start talking.

**Madam Chairperson:** You can proceed once everyone has a copy.

**Mr. Arklie:** Can everybody hear me with my back to you? When I talk, can you hear me? I don't think this is working very well, but I'll try to shout.

So I think everyone's got a copy now of three documents that I'm submitting. The first document is a newspaper advertisement that has regularly appeared in city and rural newspapers and on the Manitoba Pork Council website. You have the website copy. This is the only copy of the newspaper that I have, but it appeared many times in many locations. What you have is a facsimile of that. In it, the Manitoba Pork Council claims, in the boldest of type, that Manitoba farmers, quote, follow the strictest environmental regulations in North America.

\* (20:10)

The second document that you have is a copy of a letter which I wrote on July the 10th to the Manitoba Pork Council asking for some context to the newspaper and website advertisements. That is, if the Manitoba Pork Council lays claim to the, quote, strictest environmental regulations in North America, could they therefore tell me who has the second strictest such regulations and who has the worst? These are logical questions. Surely, the Manitoba Pork Council would have done its homework before publishing such a bold claim.

The third document delivered to me promptly on July 14th, only four days later, the Manitoba Pork Council replied in writing. In it, the Pork Council unequivocally states that it has, quote, no opinion on what are the second best or worst environmental regulations in North America. No opinion, ponder that for a moment.

Effectively, the Manitoba Pork Council made a claim in Manitoba's city and rural newspapers, as well as on its website for worldwide consumption, that at best it cannot defend and at worst as a gross violation of truth in advertising.

So go ahead, reduce red tape. Just don't reduce the truth.

**Madam Chairperson:** Thank you for your presentation.

Do the members of the committee have questions for the presenter?

**Mr. Friesen:** Thank you, Mr. Arklie, for being here this evening. You have a quarrel with the Manitoba pork association in the manner in which it's presenting its message to Manitobans. That's not a quarrel that I'm going to enter into.

I did want to ask you a question. If I'm looking at the same document that you provided to members of this committee, I see that there is—there are certain measurements and metrics that are provided there that we actually heard tonight by certain presenters talking about the sustainable practices of hog farmers in Manitoba. And I see that same evidence there, that 1 per cent is the amount of the pork industry activity that can actually be attributed to pollution to the lakes.

What would be your response to that claim from that same document? What would you say about the overall sustainable practices, as described by members of the pork community?

**Mr. Arklie:** I'm glad you brought that up. We've talked a lot tonight about evidence-based approaches, and what I've presented to you is the complete opposite of evidence. None is being provided.

And you've brought up a second example. I chose not to focus on this because we have limited time here, but if you look at that chart, it concludes sources of pollution from a number of jurisdictions, 53 per cent of which are from outside of this province. So what the Manitoba Pork Council has effectively done is deliberately skewed the stats to introduce 53 per cent from Saskatchewan, Ontario, North Dakota and so on, so that the relative percentages produced in this province are reduced by a factor of almost half. That's the mathematics of it.

**Mr. Allum:** Mr. Arklie, thank you so much for coming tonight and for your rather interesting presentation. I tend to think that it speaks volumes.

As the last speaker just said, this is an omnibus bill that, you know, risks public health, deregulates environmental standards and really supports privatization of public assets. How do you stand on this bill?

**Mr. Arklie:** Omnibus bills are undemocratic and reduce public participation, period.

**Mr. Gerrard:** Yes, thank you for coming and making the presentation.

Based on the evidence that you have seen, what proportion of the phosphorus going into Lake

Winnipeg do you believe comes from the hog industry and hog farms?

**Mr. Arklie:** Mr. Al Barron, a number of years ago made a convincing case that the percentage is well over 7 per cent. His calculations are available if you'd like to seek Mr. Barron out; he's pretty worn out, as are many people who have struggled with the hog industry for the last 20 years. That's why he's not participating.

Look him up. He'll give you the numbers. I believe his numbers—7 per cent.

Al Barron, B-a-r-r-o-n.

**Mr. Martin:** I appreciated your presentation.

You made the comment about scientifically based. I'm not sure if you're aware, but, in April 2014, the former NDP government actually commissioned a report from the University of Manitoba Expert Panel Review of Measures to Protect Lake Winnipeg. It included Dr. Flaten, Dr. Akinremi, Dr. Goldsborough and Dr. Randall, all biology of soil scientists from the University of Manitoba and other esteemed scientists. And they concluded, I'm quoting from page 15, the existing or proposed manure treatment measures on their own will have no direct impact on the health of Lake Winnipeg since they do not directly address phosphorus losses to water.

Would that meet the criteria that you reference, that scientific evaluated criteria when it was put forward by one, two—two professors of soil science, a professor of biological sciences, a former research program co-ordinator with Watershed Systems and done by the former government?

**Mr. Arklie:** I don't understand the context of your question.

**Mr. Martin:** The context of our goal is that an expert commission, panelled by the former administration, concluded that the industry and the manure treatment measures had no impact on the phosphorus in Lake Winnipeg. That was the conclusion of that report.

**Mr. Arklie:** Is that good or bad? No effect is no effect. I don't understand if that's good or bad.

**Mr. Cliff Graydon (Emerson):** I want to thank you tonight for your presentation and I appreciate your questioning where some of the information comes from. And I'd like to ask you the same question that you're asking some of the others about it. Where

does your information in your chart, here, come from? Where did you get the chart from?

**Mr. Arklie:** That's the Manitoba Pork Council.

**Mr. Graydon:** And that's exactly my point, that they have done their research; it's just that you disagree with it.

**Mr. Arklie:** No, I don't disagree with it at all. It may be completely accurate. However, they've included 53 per cent of pollutants in their chart and this body of individuals has no impact on the other 53 per cent. We can only account for what we produce here. Therefore, if we remove the 53 per cent from North Dakota and other jurisdictions, the percentages that we're responsible for, go up by a factor of 200 per cent.

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

We will now move on to Janine Gibson, The Organic Food Council of Manitoba.

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

**Ms. Janine Gibson (Organic Food Council of Manitoba):** Yes, I do. Thank you very much and thank you for the opportunity to be here this evening.

Growing concerns about environmental and public health risks challenge the legitimacy of policies and investment which support large-scale intensive livestock operations.

We, as an agricultural organization, and members of the general public are demanding as our local officials you respond to our concerns to effective regulation on the Manitoba Livestock Manure Management updates in a separate bill outside of this omnibus Bill 24 in order to support more resilient agricultural policy in Manitoba.

So I'm asking that you amend Bill 24 and remove all references to agriculture and the Manitoba Livestock Manure Management updates.

Organic hog production is a thriving \$25-million-a-year enterprise in Quebec. More of the income from organic production remains in local communities providing healthier, more desirable agricultural employment. This finding—all of my quotes I'm referencing is from the Financial competitiveness of organic agriculture on a global scale 2015 report that was a meta analysis of over 57 international agricultural economic papers.

So this is something that I'd really like to bring to your attention, that if you want to expand and support agriculture in Manitoba, it needs to be done in a more resilient manner that will have greater economic impact in Manitoba. So I urge you to take advantage of the opportunities of values-based economies as we prepare for the future of agriculture, reflecting consumers increasingly making values-based purchases.

I personally became involved with the intensive livestock operation controversy during the late 1990s when corporate livestock operations moved into the Pansy Marsh area near my farm in the municipality of Hanover.

I have worked my—operated my own business, Creative Health Consulting for over 24 years as an agricultural consultant working with over 14 international organic certification bodies as a verifications officer.

\*(20:20)

Organic manure management plans are audited yearly, while the intensive livestock operations in Manitoba are audited at a rate of less than 2 per cent per year. I see all around my farm, which is on the border between Hanover and La Broquerie, the shortcuts taken resulting from this lack of accountability and the lack of auditing of the manure management plans that have been talked about this evening.

To support more resilient agricultural alternatives, I served as the chairperson of The Organic Food Council of Manitoba, a chapter of Canadian Organic Growers. We educate producers and consumers on the benefits of organic management methods with members and donors here in Manitoba and across Canada. A large body of highly creditable—credible scientific evidence validates growing public concerns about industrial livestock production; relying on a few selective reports can be misleading when dealing when dealing with complex issues such as what is before us today and the impacts of this omnibus Bill 24 remaining unamended. Meta studies are reports on dozens of—or hundreds of studies to draw generalizable scientific conclusions. For example, an extensive two-and-a-half-year study of industrial livestock production commissioned by the highly reputable Pew Charitable Trusts relied on more than 150 studies, as well as testimony by scientists, to support this conclusion.

The current industrial farm animal production system often poses unacceptable risks to public health, the environment and the welfare of the animals themselves. The negative effects of these systems are too great and the scientific evidence is too strong to ignore. Significant changes must be implemented and must start now.

More than five decades of socio-economic research and experience provide compelling evidence. Whenever and wherever in these intensive operations have taken over a sector of animal agriculture, 90 per cent or more of the independent family livestock and poultry producers ultimately were driven out of business. The number of hog producers in Manitoba has fallen from 1,400 to 220 between 1977 and 2017. The number of hog farms in the US fell by more than 70 per cent between '92 and 2004, whereas total hog production remained the same. The ILOs weren't producing more pork; they were simply replacing family hog farms. Large corporate processes of animal products have used contractual arrangements with ILO operators to manipulate supplies and prices, to prevent independent farmers retaining access to competitive markets.

A 2006 meta study by the North Dakota Attorney General's Office on 56 peer-reviewed journal articles concluded: Based on the evidence generated by social science research, we conclude that public concern about the detrimental community impacts of industrialized farming is warranted. In brief, this conclusion rests on five decades of government and academic concern with this topic. Concern has not abated but has grown more intense in recent years as the social and environmental problems associated with large animal confinement operations have become widely recognized, and it rests on the new rounds of risks posed by industrial farming to agriculture communities, the environment and the regional development as a whole. Industrial agriculture is not rural economic development; it is rural economic degradation and destruction.

Air and water pollution are treated as environmental issues, but pollution by ILOs represents significant risks to worker and public health. Biological contaminants from ILOs include E. coli O157:H7, salmonella, listeria and campylobacter. These pollutants affect the health of workers and neighbours of these operations. All contributing sources of eutrophication of Lake Winnipeg need to be addressed, including non-land-based livestock production methods.

Data previously published by Manitoba Conservation indicate that, at a minimum, 742,000 of the 11,650,000 acres of agricultural land in Manitoba are now used for applying hog manure. Using just the mid-point of the phosphorus regulation—120 parts per million, or 516 pounds of P205 per acre—it can now be estimated that the hog industry, using only 6.3 per cent of Manitoba cropland could be responsible for 6.8 per cent of the total load on Lake Winnipeg and 36 per cent of the phosphorus load from all Manitoba agricultural sources. Even if the regulations' initial threshold of 60 parts per million is used, the industry could be responsible for 23 per cent of Manitoba's agricultural contribution.

What this means is that the Pork Council's 1 per cent claim is just not credible. It's an illusion, conjured up to convince Manitobans that the hog industry's contribution to the phosphorus loading problem is not significant enough to warrant any change in the industry's production practices or rates of expansion. Antibiotic resistant bacteria, the deadly MRSA, is the greatest immediate public health risk to—of ILOs. A 2013 US Centers for Disease Control and Prevention study concludes: Scientists have provided strong evidence that antibiotic use in food-producing animals can harm public health. Use of antibiotics in food-producing animals allows antibiotic-resistant bacteria to thrive while susceptible bacteria are suppressed or die. Resistant bacteria can be transmitted from food-producing animals to humans through the food supply. Studies have found significant percentages of livestock and poultry products in the supermarkets to be contaminated with a variety of infectious bacteria, some of which are deadly.

A large percentage of the bacteria, including MRSA, have been resistant to multiple antibiotics. A recent summit of heads of state at the United Nations General Assembly concluded: The high levels of antimicrobial resistance already seen in the world today are the result of overuse and misuse of antibiotics and other antimicrobials in humans, animals and crops, as well as the spread of residue of these medicines in soil, crops and water.

The director-general of the UN Food and Agricultural Organization stated: Agriculture must shoulder its share of responsibility, both by using antimicrobials more responsibly and by cutting down on the need to use them. Animal death losses in the absence of preventative antibiotic use would put many Manitoba ILOs out of business.

I do not consider the ILO operators are to blame for the current situation. Many have been convinced that ILOs are the future of animal agriculture. The Canadian and US governments have made it easy to borrow money to build these operations, and operators take out large loans. In-ground earthen storage units are tax-free, while the composting pads of organic operators are taxed by the square foot. Marshland preservation is not supported by sufficient tax exemptions for retaining water; marshes are drained for manure spreading. The prohibition on farrowing crates coming into effect soon means reinvestment in barns will be required. Let's take this opportunity to re-examine the production models to include land-based, more resilient management methods such as certified organic hog production and support for barn modifications to meet organic standards such as Quebec has done.

Markets for agricultural commodities reflect intentional government policies. The corporate plan was to extract the economic wealth of rural areas as efficiently and effectively as possible. The soil, air, water in living ecosystems are all economic resources to be extracted and used, and used up. As value-based consumers increasingly want climate-change issues addressed and support more resilient agriculture, we need to keep Manitoba a leader in agricultural production by embracing these trends in our policy decisions.

The new sustainable Canadian farmers know how to farm and live in harmony with their neighbours and with nature. They may be organic farmers—

**Madam Chairperson:** Ms. Gibson, your time for presentation has expired.

We will move on to questioning now.

**Mr. Friesen:** Thank you for coming this evening and making your presentation at this committee. I wanted to just refer to the second paragraph of your presentation and ask you a question. You said you see all around your farm shortcuts resulting from lack of accountability. Earlier this evening, we heard from people who are experts in the area of this who'd told us about practices like annual soil testing and management plans for all manure spreading has to be reported to the—and approved by the Department of Sustainable Development. How would you describe the training and those practices? Do you see them as being unaccountable?



**Ms. Gibson:** No, I see those as excellent practices. They just need to be audited. There's no—there—Manitoba right now is auditing less than 1 per cent of the manure management plans that are being approved.

So, yes, the science goes into them and I respect the work that my colleagues do in developing manure management plans. What I see on the ground is them not being implemented. I see the same spread acres receiving two and three times the allowable inputs. And I see no crops being produced because there is no market for bull rushes yet.

You know, so I just—I know the effort is there but it's not being audited. It's not being verified. So there are people, I'm sure there are very responsible, dedicated, organic producer—I mean, conventional producers such as George Matheson who do follow the rules, but I live on the border of Hanover and La Broquerie, and there are a lot who do not follow the rules. And, in fact, the creek that runs through our property is now called part of the Pansy Drain. I've lived there for over 40 years, and it used to be a fine, sparkling creek. It's now a green sludge duckweed mess because of the amount of runoff. And there are also studies that show that duckweed is prevalent when there's an excess of nutrient.

\* (20:30)

And so I—that's one of the reasons why my presentation also addresses the ridiculous assumption that hog production—hog manure is only contributing 1 per cent. I see the destruction. I see the lack of the fish, the eutrophication of the—of sink—you know, Joubert Creek and the streams around my area. There's not being—you need to increase the regulations, not decrease them. So that's why I ask you to remove all of the relevant regulations there, out of Bill 24, this omnibus bill.

**Mr. Swan:** Thank you very much for your presentation. And, of course, we're hearing from people with very different opinions on things.

I want to ask you a specific question. Mr. Matheson, as you heard, was the first presenter, and he told us there's about 3.2 million pigs in Manitoba at any given time. In your presentation, you say the number of hog producers in Manitoba is now at only about 220, which would mean a concentration of about 10,000 hogs per producer. The number 220 would be lower than what I've heard over the past couple of years.

Can I just ask, where did that number come from? And, if you've got a source, that'd be very, very helpful for our committee.

**Ms. Gibson:** I'm sorry, I don't have it right now. I can get it to you. It was research that I did that they are—it's now concentrated—rather than being family farmers, like my grandpa—I was raised—he had 50 sows pastured outside—that they're now concentrated. All those small family farms are gone, and they're now vertically integrated corporations.

So it's 220 corporate operations, and I will have to look for the source there.

**Mr. Allum:** Thank you, Ms. Gibson. Thank you so much for your presentation today.

Typically, before—as a government puts together a piece of legislation, they do a significant amount of pre-legislation consultation. Given the nature of your expertise, government ever come to you to ask you about this bill or including it in a red tape reduction bill?

**Ms. Gibson:** Not this one particularly. We were approached. The Organic Food Council of Manitoba works with the Manitoba Organic Alliance, and we have been approached on agricultural issues on a regular basis, and we appreciate that.

I just want to keep Manitoba—Manitobans abreast, and leaders in agriculture, because we are and I'd like to see that we continue to be. And I think we're missing the boat on this one.

**Mr. Gerrard:** You made an interesting comment about taxing, that in-ground earthen storage units are tax-free while the composting pads of organic operators are taxed by the square foot. Would you comment a little bit more on that?

**Ms. Gibson:** In previous presentations, I have asked that be addressed. I mean, one of the reasons that I see our neighbours draining their fields is because they have to pay taxes on it. They want to maximize their return on their investment. But there's public services, there's environmental services that marshlands serve us all. And so I do believe that operators of private lands should be given tax incentives to maintain marshes, not encouraged to drain them. And operators should be given supports like tax exemptions for composting, because composting does reduce the volume of manure by two thirds, so it makes it cheaper to transfer it, and you've got a more stable—the phosphorus and the nitrogen is more bound up by the micro-organisms in

the compost. So you have a much better, more stable product that's not nearly so likely to leach; whereas, this injection, even when it's injected, the percentage of nitrification is really high. And so we're contributing to greenhouse gas emissions, and we really should do an analysis of the Manitoba hog production impacts in terms of greenhouse gas emissions.

**Madam Chairperson:** The time for questioning has expired for the presenter. Thank you very much.

I will now call upon Fred Tait with Hog Watch. Mr. Fred Tait, are you in the room? His name will be moved to the bottom of the list.

Mr. Grant Rigby with—or the private citizen.  
Mr. Grant Rigby.

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

**Mr. Grant Rigby (Private Citizen):** Yes.

**Madam Chairperson:** Please proceed with your presentation.

**Mr. Rigby:** Hello.

Well, I finished flax-threshing Saturday afternoon, so I devoted most of yesterday and today to solve a problem for you and that is how to put some amendments into The Environment Act so that we'd be pleased with your proposed removal of sections 40.1 and I had also suggested that I would support removal of 40.2, but the gentleman from Lake Winnipeg suggested not and I agree with him.

So, anyway, that's my final conclusion. If you agree with the amendments, then I personally favour the removal of 40.1. So that's simple, I guess.

The one page I'm handing out here, it'll be on my website, [grantrigby.ca](http://grantrigby.ca), as well as—more importantly—quick blue links, which my son installed there to various scientific research papers on public health issues relating to the swine barn emissions, most done in North America by universities, colleges, et cetera.

So just to briefly—you have the details there of the specific little amendments I propose. But simply, under The Environment Act, there's a section which exempts agricultural operations, and I'm suggesting to that section, 30.1, we add a (c) and a (d). And that is, yes, an agricultural operation could be exempt if the release of an air pollutant from the edge of the property of the agricultural operation is not injurious to the health of the persons residing on other

properties for more than seven days per year. So that allows pesticide application, it allows dust from a windstorm, it allows spreading manure from a liquid manure lagoons.

And (d)—same thing, but as long as the release of an air pollutant is not injurious to the health of children under 18 living on the property of the agricultural operation. And the reason why that's important is I know of—is an exemption in our municipality, and I think, generally, in the province, that the owner of an operation or the manager can have—can live right next to hazardous—potentially hazardous facilities.

So there might be something about libertarianism, which would suggest that, yes, we're all free to harm ourselves as we wish, but I don't think we're free to harm our children. Indeed, I think that maybe that some of those children, if we were thinking they were, for example, from a northern situation in a lot of poverty, the government might be removing those kids, due to the exposure of hazardous substances. And so we know that's going on. I know of a few operations in our municipality.

Then, in the livestock, manure and mortalities management regulation, which is part of The Environment Act, please add the word air, a-i-r, to every phrase in there that contains the words pollute, polluting, surface water, groundwater, or soil. So it becomes polluting air—comma—surface water—comma—groundwater or soil. It should never have been excluded in the first place. Just add it.

That goes in the definitions, as well; I show where to do that and where to add it throughout the things.

That will, in fact—where I propose it be added, it does not apply to when manure is being spread, because obviously the air's going to stink bad and there's going to be pollutants all over the place, but at least everybody knows to get out of the way for seven days. And it also exempts small farms, the ones under 300 animal units, which is part of the regulations there.

I'm also suggesting, in the—that same regulation section, the siting for manure storage facilities and for the purpose of reducing risk of exposure of residents in rural areas to hydrogen sulphide, that the siting of manure storage facilities must be a minimum of arbitrarily 1,000 metres, one kilometre if it's uphill, or two kilometres if it's—if the residents from any existing permanent residence located at a

lower elevation, unless a director believes the risk of air pollution is fully contained within the manure storage facility, which is probably accomplished simply by covering the lagoon with a tarp. Maybe not. I don't know the technology to that, but certainly that would help a great deal.

\* (20:40)

What happens is at 3 in the morning, with an air inversion and calm wind, the stench in these places smell past—go six miles in our area. From over the hill, to my yard site. And I grew up with pigs. I know what pigs smell like, and this pig lagoon, it's six bloody miles away. Well, you could imagine what it's like if you are located as close as 200 metres downwind, which the regulations allow, to position an open feces-containing lagoon next to a neighbour's residence. You can do that, 200 metres away from their place, legally. Municipality cannot stop you. So the bully can put a lagoon 200 metres uphill from a residence in the Municipality of Killarney-Turtle Mountain, and the resident has—can do nothing about it, and at 3 in the morning, if anything agitated that lagoon, there's hydrogen sulfide rolling off those hills into the bedroom of that house.

And that's what we allow in Manitoba. And I think it's intolerable, unacceptable, and all you have to do is add the word air in there, and then everything—everybody falls into line. They start looking at—oh, my God, what might be in the air, the multinational corporations that are financed by Japan will have to pay a little more money to local farmers so he can actually do what he really wants to do all along, he just can't afford to right now.

So our game really—here really is—my game really is to try to end the destruction of rural air quality by using your legislative capacity to force the bullies outside of the rooms, the ones that own this industry from Japan and eastern Canada, to finance our farmers to do what they really want to do. They're not getting paid enough to do it. So it takes your strength to force them to pay a little more to do what everybody should have been doing in the first place. You don't have to give in to them. They'll—they're here, anyway. All they have to do is increase the retail price in Japan probably about 1 per cent or so and that'll finance covering every lagoon in Manitoba. And Japan consumers will buy it because they know that we're responsible here.

So that's that page. Next page is—well, I do have a little bit of testimony of my own on health. My

father started what is probably the first liquid manure hog barn operation—in our area, anyway—in 1966, when I was 10 years old. And we were all very proud of it, of course. Made good money and we were well ahead of everybody else, the first ones doing all the fancy stuff like liquid manure and cement floors and galvanized steel pens and antibiotics in the feed and all that sort of stuff. And as I recall, those were the years where most nights I would wake up in bed—we had a house in the same yard. I'd wake up and I'd be coughing. Just continuously. And so, Mom would get a Megazone or something to quiet me down. And after about half an hour, I'd fall asleep.

In school during those years, I was the only kid that had to have Kleenexes in my pocket every day, because I was the kid that had to blow his nose every day. And I was also the kid that'd have to leave the class and go out in the hallway and cough, cough, cough, cough. And we had no idea what it was, and I was not ill with anything. I was not a sickly kid or anything. Of course, in 1972, when I was 16, I had to plant the crop because Dad ended up in Winnipeg here in the hospital. He'd been injured on another farm and—but he had a E. coli infection. That's all we knew. Now we know that there's such a thing as called antibiotic-resistant E. coli. So it seems rather likely this guy who was rugged and strong and never got sick with anything in his life probably had an antibiotic-resistant E. coli infection from the early days of antibiotic use in barns. And so we have testimony from my family that maybe these things aren't safe. You know, just by chance.

So my point No. 7 is Manitoba Health apparently, twice, has told Manitoba Agriculture that there are no issues with emissions—air emissions from hog barns and lagoons. No health issues. I know that because about 12 years ago, at a hearing in Killarney for a new hog barn being put up by HyLife, I—after it was approved, of course, despite—I had—I did a secret ballot vote from the community of Ninga and 19 out of 22 residents there said, no, they don't want it. But the municipality approved it anyway. So afterwards I asked a guy by the name of Mr. English, who was in Manitoba Agriculture, doesn't anybody review emissions from barns? And he said, no, Manitoba Health has said there's no emissions to be concerned about at all.

Then, last year, I brought the issue to our municipality—oh, township bylaw, the one that allows barns to be established closer to individual residences than to a group of residents in the residential community. So you can put one real close

to—if there's only one old, retiring farmer there. You can do that. But, if there's a designated community, you have to be two miles away—but you can put it 200 metres from a farmer because it's just near the village and it's just a farmer; it doesn't matter.

So, anyway, I arose this issue and it—so we had a municipal board came out and we had hearing in Killarney, and all my friends that own hog barns were there, and so on. Anyway, it may be resolved eventually; they're working on a new—changing the bylaws there.

So, at that hearing, I asked the Manitoba Agriculture, Mr. Eichler's employee, I guess, doesn't Manitoba Health know anything about this, and she said, well, it's two or three years ago. And she double-checked, yes, we consulted with them and they came back and said, no, there's no issues with emissions from hog barns.

**Madam Chairperson:** Mr. Rigby, your time for presentation has expired. We're going to move on to questions at this point. Thank you for your presentation.

Do the members of the committee have questions for the presenter?

**Mr. Friesen:** Thank you, Mr. Rigby, for your presentation this evening. You came a long ways today to make a presentation.

**Floor Comment:** My wife works at the university so—

**Mr. Friesen:** Very good, so you had other business here, but thank you for presenting, thank you for the information you provided. I was trying in your presentation to understand when an odour issue becomes a safety issue.

I wonder if you could just tell us: In how many other jurisdictions, either US or Canadian, would they have the kind of regulatory provisions in place that you are describing, whether those are buffers or setbacks or those kinds of provisions?

**Mr. Rigby:** I think Minnesota does, which is in the attachment there, and that they require hydrogen-sulfide-gas monitoring by large hog operations and must not exceed the regulations for any other industry in the state, at the edge of the farm property. Small operations are exempt; a 1,000-hog animals and over have to comply. So that's the rule right there, after some thought on the issue, I guess.

So I think that's the simple example that we could go with, and I would find that to be very

reassuring, that my friends and myself with fruit farms, we don't establish a farm that's threatened by somebody putting one of these things right beside it. We don't know if it's hazardous to be downwind from that. It's certainly bad for business, the stench, but is it also unsafe? We don't know.

**Mr. Allum:** Thank you, Mr. Rigby, for coming tonight. It's a very educational presentation and greatly appreciated.

You suggested that if the government adopted the amendments you had in mind, things would be okay. Our experience is that they rarely, if ever, adopt any amendments to any bill.

In the event that they don't adopt your amendments, what do you think should happen to this bill?

**Mr. Rigby:** The part they're proposing to do, I don't—in this little area I don't see as being disastrous either way, except for the prohibition on winter spreading that I'm told it's covered elsewhere anyway, but I don't know that for sure. I didn't see it, but it's probably elsewhere. So it's an opportunity to do some good.

**Mr. Gerrard:** Thank you. I enjoyed some of your fine wine and— but the question that I had, hydrogen sulfide from the hog barns, that's the same chemical composition of the sour gas that comes from oil wells and has been somewhat to a problem. Is that right?

**Mr. Rigby:** Yes, it is. So I mentioned to my brother-in-law who works in that industry in Alberta, and he said that's ridiculous that it's not monitored here. In Alberta they'd be all over them if it was a petroleum facility that you have to monitor the—it's stirred up apparently. Every day the barn flushes out to lagoon, just the way they're constructed, bubbles there, of course, and hydrogen sulfide comes off. I don't know if it's better to do that every day and get a little bit exposure to the neighborhood or do it once a year when you clean it out, or maybe find some way that you don't create it in the first place.

**Mr. Eichler:** Thank you for your presentation and very informative at that. But I do want to clarify for you that winter spreading is still banned. It's just taken it from the current act and move it into regulation, same as all the other sectors.

\* (20:50)

**Madam Chairperson:** And that concludes the time for questions. Thank you very much for the presentation.

We will now move on to Jennifer Demare, private citizen.

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

**Ms. Jennifer Demare (Private Citizen):** I do not.

**Madam Chairperson:** Okay. Please proceed with your presentation.

**Ms. Demare:** Thank you.

Hello and good evening, everybody.

First of all, I'm thankful today for the opportunity to speak here in front of the committee members as a resident of Manitoba.

My name is Jennifer Demare, and I'm a practising private veterinarian that specializes in swine production medicine. So I've also been involved in the agriculture industry for most of my life, and today I do stand here in support of the government—in supporting the government of Manitoba's Bill 24, The Red Tape Reduction and Government Efficiency Act.

So I do, like all of you here today, appreciate the importance of evidence-based medicine, but I've also appreciated in life—the art of life as well as science. So maybe I'll give a different perspective and vision from a bird's-eye scope.

According to the 2016 Economic Review supplied by the government of Manitoba, primary agriculture represents about 3 per cent of our province's GDP. This is accounting for approximately \$2 billion from just primary agricultural—from family farms and corporations. This is including both crop and livestock production.

So, in saying this, agriculture including livestock are an important contributor to the Manitoba economy. Of that \$2 billion, half of that amount was related to have been from the Manitoba hog industry, and the province has plenty of agricultural land for expansion of pig production sites with environmentally sound practices for manure disposition.

With the co-operation of hog industry and government together, there already exists guidelines, regulations, and environmentally sound practices to allow for the expansion and long-term sustainability.

I just wanted to point out that I know that this is not necessarily the Bill 24 specifically talking about the financial component, but if we choke out economies that are contributing lots of growth to

Manitoba, what will we lead to the future? Choking out other industries?

So that's the philosophy part of this discussion today—is just going on if we support our current industries, we can help them grow, and we can put those revenues that will be gained to the province back into other industries to just grow and just level up the province together.

Thank you.

**Madam Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mr. Friesen:** Thank you, Ms. Demare, for being here today, and making your presentation. I appreciate what you shared, even going to primary agriculture in terms of its importance to the Manitoba economy and the Manitoba GDP.

You made a statement today that others who spoke before you would have agreed with, some others may have taken exception to. You issue—you raised the issue of capacity, and the capacity that you say is in place in Manitoba. I believe a previous presenter indicated that currently we might have manure applied on 10 per cent of agricultural land. I might be a little bit off on that number.

Speak just a little bit further about that. What makes you believe that there is additional capacity, as some others had suggested, for this application in Manitoba?

**Ms. Demare:** So previously we've also heard that there's a lot of land that has phosphorus sufficiency, and also as previously stated, we don't have the data to know exactly where we're standing completely. And it would be great—and we just—I guess a question I have for you is if we choke off an industry, where are we then choking off resources to grow, or further educate, and put money into research and development?

So I don't have your answer completely, but maybe it's something we can work together to find out on.

**Mr. Allum:** Demare. Did I say that properly? Demare. Okay. Thank you so much for coming tonight, it's really good to hear from young people like yourself, they come out and be able to provide us with some insight into the world of which you come from.

You're urging us—I—to support this bill, but as I put to other presenters tonight, if it was just treating one piece in isolation of another we might be able to have a conversation. But when you have an act that eliminates or reduces standards for drinking water, that promotes private partnership—private-public partnerships that give public assets away to the private enterprise, that takes away ecological reserves, planning, and analysis, you're asking us to bite into one part and just ignore the rest of it.

If I'm doing my job properly, I shouldn't do—work that way.

Don't you think that the government should withdraw Bill 24 given that it contains so many provisions and come back to us on a provision that supports the isolated measure that you're talking about?

**Ms. Demare:** Sorry, I'm just a little nervous.

So I agree and disagree. I agree that you guys are providing regulation that's supporting many other contributing factors. I disagree where—in the fact that if we don't have the resources or who's going to be the—if we're counting on the government to have the resources that we divert what we can grow from one economy and put it to another resources like keeping our Lake Winnipeg safe and finding solutions that we—they go hand in hand.

**Mr. Gerrard:** You know, I take your point that we got a lot of capacity, right? Which is a good thing, but it seems to me that if we're going to expand, then we want to make sure that we're looking after the environmental issues because if we expand, they can only get worse. And we heard, for example, about issue with hydrogen sulphide. Now I don't know how serious it is, but it's certainly been raised.

Do you think that we should be looking—making sure that we're not having a problem with environmental issues if we're going to expand?

**Ms. Demare:** I do believe that we should be hazard measuring and getting data. But I also wonder if—how we're going to do that if we're losing potential for the province. And who would be responsible long term?

Can I—am I allowed to ask a question?

**Madam Chairperson:** Yes, go ahead, Ms. Demare.

**Ms. Demare:** So what would it mean if we didn't make sustainable practices for the hog industry and we put in this amendment to that—to the bill? Like, if

it didn't go through, are you worried about what would happen to the agriculture economy and—in terms of the economy of Manitoba?

**Mr. Gerrard:** I think it—the concern is this is an industry which has produced a lot of jobs and good things for many in rural Manitoba, but at the same time we want to make sure that we're addressing the environmental issues, because it was the failure to address the environmental issues initially which led to moratoriums and the concern about what was happening with Lake Winnipeg, and now we're hearing some additional things.

I wonder, for example, if this problem of hydrogen sulphide can be solved by putting covering over lagoons or something like that. I mean there may be solutions to some of these issues that we could explore and use that could be economical. But I think it's really imperative that we, you know, we don't know build the industry at the cost to Lake Winnipeg or we don't build the industry at the cost of people's lives.

**Madam Chairperson:** Thank you. And the time for questioning has expired.

Thank you for your presentation.

We will now call on Mr. Edward Stahl Jr., private citizen. Mr. Edward Stahl Jr. are you in the room?

Mr. Stahl do you have any written materials for distribution to the committee.

**Mr. Edward Stahl Jr. (Private Citizen):** No, I do not.

**Madam Chairperson:** Go ahead with your presentation.

**Mr. Stahl:** Thank you so much. Good evening gentlemen, it's great to be here.

Just before I start presenting, I just want to say that I'm here presenting based on my experience growing up on a farm where I still am today and still implement a lot of the practices that you've talked about tonight.

So my name is Edward Stahl Jr., and I'm very proud to speak on behalf of our great industry here today. I've been involved in the hog industry for many years. As a matter of fact, I started when I was just 13 years old. The first thing my dad taught me was to walk the barns first thing in the morning to make sure that all animals are watered, fed and

content. And I still do this every day and enjoy it as much today as I did almost 30 years ago.

\* (21:00)

One thing that greatly troubles me is the accusations by the minority that oppose Bill 24 of how hog barns pollute freshwater lakes and rivers and make false accusations that we, as farmers and producers, do not care about the environment and our animals.

Let me state some practical facts about my farm where I grew up and I still live today. I grew up swimming in a river that is downstream from many hog farms that have been there before I was even born. I started swimming in that river when I was just six years old. A few hundred feet away there are fields that we have used to apply natural fertilizer from our hog barn since the early '70s. So it's almost 50 years.

I cannot remember one time where I could smell any kind of manure from runoff while swimming in that river or ever remembering having seen algae growth that was abnormal. And my children enjoy swimming in that river to this day in fresh clean water.

We also have a well that we call our river well. It's been there since the early '80s and it's still used as everyday water supply for the farm to this date with no bad bacteria of any kind as it is tested annually. You might also be interested to know that this well is dug on the very banks of the same river that is downstream from many farms and many acres that have seen pig manure applied to them for many, many years, and there's never ever been an issue with bad water from that well.

There's only one reason why this river is still a great place to swim for my kids today, and why we got a well on the banks of a river that's been there for almost 40 years and is still used today.

I feel I am a good steward of the land and the water, as are my fellow producers that are here today. In this day and age, we even take greater measures and follow even stricter guidelines to spread manure than ever before with state-of-the-art technology and GPS guidance that allows us to apply precise gallons per acre based on extensive soil testing ensuring there's even less damage to the environment than ever before.

One great example, as we've heard a few times tonight that most hog farms now use—would—farms

use now is the application of manure four to six inches below the surface of the ground, which we implement where there's virtually no runoff and will take an excessive amount of water to wash those nutrients into ditches and streams.

I would like to ask this question here today. If we sold every pig in this province and there were no more pigs and there was not a single drop of manure to inject, would there be any less land fertilized? Would there be any less algae in Lake Winnipeg? Would my river well at home that it's been there for almost 40 years be any safer to use water from?

I personally don't think so. But I can guarantee you this that there would be millions more acres fertilized with inorganic, manufactured, mined synthetic fertilizers that are far less environmentally friendly to this planet than natural organic hog manure, inorganic fertilizers that would be even more damaging to our rivers and lakes.

On one hand we have people that are against Bill 24 blaming hog farms and the spread of natural organic fertilizers for the pollution in our rivers and lakes. But yet, on the other hand, we know full well that this manure would be replaced by harsher and more polluting fertilizers, applied by the millions per pound per year posing even greater damages to our freshwater lakes.

The issue in Lake Winnipeg today is not about the pig industry; it can't be. When we look at scientific facts we are less than 2 per cent or even less than 1 per cent of that problem, and every percentage chart that I have ever looked at 1 per cent or even 2 per cent is quite insignificant. But yet we—I feel we tirelessly aim to incorporate the best technology to try and improve even the small percentage that we are responsible for.

I feel—I wonder how anyone in good conscience can blame these problems just on the pig industry. No, this industry isn't perfect and yes, there have been mistakes made. But I feel we always strive to improve and become even better at what we do.

I believe this province is capable of producing far more world-class pork products that are sought after around the world, and I strongly believe and have faith in this industry that we can do this in a responsible way, both environmentally and humanely.

I ask this committee to please not make a decision based on unfactual evidence and on the research theories, but rather make a decision based

on scientific-proven research and facts that are based on the truth of the matter.

Thank you very much.

**Madam Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mr. Eichler:** Thank you for your presentation. That was very informative.

There's been talk about GPS and monitoring of fertilizer being put on to the soil. Could you explain to the committee some of the consequences if you apply more manure than actually is allowed to go into the soil and what impact that will have on the soil conditions? *[interjection]*

**Madam Chairperson:** Mr. Stahl.

**Mr. Stahl:** Sorry. That's a really, really, really good question. Thank you very much.

First of all, when you do manure application on your land, it is a vital and a very organic, digestible fertilizer, and you do not over apply manure for the simple reason that you want to cover as many acres as you possibly can because it is such a valued asset on the farm. And, secondly, when you do over apply, it creates a lot of lodging into grains. What I mean by lodging is there's an excess of fertilizer and it just topples over, and it's really, really hard if anyone has ever tried combining something like that. You do not want to have lodge in your crop, and that's one of the many reasons why we do not over apply and use very precise GPS guidance injections to make sure we don't do that.

**Mr. Friesen:** Thank you, Mr. Stahl, for being here this evening and to—and for providing first-hand evidence. You're front line when it comes to this industry, and that anecdotal evidence is very difficult to dismiss out of hand.

You reminded us the importance of organic versus inorganic methods, right, in talking about this as a natural—something natural that we can reuse.

I just have one question for you. Do you have—knowing that you've already said you're committed to these sustainable practices and constantly trying to improve, do you have any concerns about our government's maintaining the prohibition on winter application of hog manure?

**Mr. Stahl:** I do not. I think it's a—personally, I think it's—like, hog spreading in the wintertime, I think, is

not supposed to happen, quite frankly. I think we got enough time frame to inject manure in the spring and the fall. I do not think it needs to be done in the wintertime, no.

**Mr. Allum:** Mr. Stahl, thank you for coming tonight. It's very educational. You work the land; I have no doubt whatsoever that you're an incredible steward of the land. I thank you for your contribution and to our community and to our province. I want to say the same thing to you that I said to many others. You've come here and you've talked about an isolated part of this bill, which, I think, is a matter of some debate, and I appreciate your insights that you shared with us. If it were only about that, we might be having a different conversation tonight, but we're not. The government has thrown literally a dozen or more acts here that are going to be amended relating to drinking water standing through—leading to ownership of public assets, relating to ecological reserves and a variety of other areas. And what you're asking when you ask us to support this bill, you're asking us to put public health and public assets at risk.

Wouldn't it be better, in your opinion, if the government, instead of muddying the waters here, withdrew this bill, started over, dealt with the issue that you've addressed us with tonight and left these other issues alone for now for further investigation and discussion?

**Mr. Stahl:** I think what I came here today for is to talk about my personal experience, and the experience that I've had. I do not see any problems with this bill at all, so with my personal experience at home, so.

\* (21:10)

**Mr. Gerrard:** Thank you for coming here and talking about it, and, you know, I think our concern as legislators is to make sure that people are looking after the land well. I'm—so we've heard from others that there have been creeks where there are a lot of problems with algae and duckweed, and we need to distinguish, I think, between, you know, where there's good stewardship and where there isn't, and make sure that the areas where there are—is not such good stewardships, that we improve.

Maybe you could tell us a little bit about the river. Which river is it that you've—

**Madam Chairperson:** Mr. Stahl.

**Mr. Stahl:** Yes, it's called the Grass River, and it—I forgot to mention this earlier—when the 'misepelts'



were—still split into different—like, they're all combined into—it actually collects water from five different municipalities. And having said that, my river is cleaner than any—some of the rivers that they've talked about here today.

I don't think I do anything in—specifically different than other producers are. I think we all got the same understanding that we have priority, and we have—we need to implicate specific procedures to ensure that we do our part to make sure that every waterway keeps clean.

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

I will now call upon Jeroen Van Boekel, private citizen. And Mr. Boekel, do you have any written materials for distribution to the committee?

**Mr. Jeroen Van Boekel (Private Citizen):** No, I don't.

**Madam Chairperson:** Please proceed with your presentation.

**Mr. Van Boekel:** Hello, my name is Jeroen Van Boekel, and I'm a Manitoba pork producer. And just like many other farmers, I'm willing to invest sustainable solutions for pork production in the province of Manitoba. To develop these sustainable production models, we—you know, we have to include welfare, spatial allocation for the pigs, grouped housing, environmentally sound protection—production methods, just to name a few. And, you know, we need to keep investing into our operations and we need, you know, to make sure that we, you know, that we stay competitive in a North American industry.

And, when we talk about these environmental sound protection methods, you know—like, I'm all for it, that we will invest into that. But the proposal of an anaerobic digester has nothing to do with the phosphorus in Lake Winnipeg in my eyes. You know, the water is extremely important to run a hog operation and also for my family, you know, who needs to drink that water. So we need to make sure that water stays clean and, you know, these digesters, in my eyes, they only have acted as a deterrent for further development of livestock—of the livestock farming sector.

You know, we need to look at some real solutions here. If the—we'll do our share. And as an entrepreneur, I will look for opportunities to grow

my business in a sustainable manner, and I will put money into it.

We have an eye to the future, that this—the future of my farm, and my family, our environment, and the wellbeing of my animals, I find very important, and I really would like to see that my next generation can take it over, this farm, and then—and that we can keep investing into the Manitoba economy.

**Madam Chairperson:** Thank you for your presentation.

Do members the members of the committee have questions for the presenter?

**Mr. Lindsey:** Thank you for your presentation here.

And just to pick up the theme of my colleague, you've talked about one aspect of Bill 24, the hog farm stuff. What are your thoughts on the remainder of the bill?

**Mr. Van Boekel:** Like, I'm here to look at my angle of the hog industry as a farmer, how it—you know, how it affects me. And I believe that, you know, that Bill 24 is a good thing for my farm, and you know—like, that's all what I want to say about that.

**Mr. Friesen:** Thanks, Mr. Van Boekel, for being here this evening and taking the time to come to committee.

You referenced section 40.1, our government's plan to remove the requirement for anaerobic digester technology. I haven't heard any member of this committee try to defend that practice this evening. I think the science was quite clear that it didn't seem to work, that it added exorbitant cost.

You also said that anaerobic digesters seemed to have nothing to do with Lake Winnipeg, but they act simply as a deterrent to development.

Do you know anyone who used an anaerobic digester? Are you aware of other practices from other places where it's been tried? Was it successful there?

**Mr. Van Boekel:** Yes, I grew up in Europe myself and a lot of my friends over there have anaerobic digesters and, you know, with the hydro costs going up, maybe in Manitoba it might be a good solution, but right now I don't think it's—you know, we have—we only use a very little bit of land here in Manitoba to put manure on. I have more neighbours knocking on my door who want to buy organic fertilizer than I can supply. I have to pick who I want to please. It's not a problem in my area, and maybe there's certain

areas in the province where we should not expand, but I really want the Province actually to take an active role on this whole thing to actually not leave all these decisions in councils' hands—in local councils' hands but actually create areas where we can, you know, expand our hog operation in an environmental sound way and actually please these people who need phosphorus, who are buying commercial fertilizers, who are—don't have the quality that I can produce for them.

**Mr. Lindsey:** Just—I guess we struggle—many of the presenters here tonight talked specifically about the hog barn issue and hog manure issue. I just wonder, would you think it would make more sense from a regulatory standpoint to separate some of these things out into separate regulations so that we could have a fulsome discussion about hog manure environment impact as opposed to things such as the transportation of dangerous goods, which are also included in this regulation?

**Mr. Van Boekel:** I know the part what affects me in Bill 24. I'm all in favour of that, to, you know, to pass this bill, because I really think we need the change in our industry.

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

I will now call upon Arian DeBekker, the Independent Hog Farmers Co-op.

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

**Mr. Arian DeBekker (Independent Hog Farmers Co-op):** No.

**Madam Chairperson:** Please proceed with your presentation.

**Mr. DeBekker:** Well, good evening, and thank you very much for the opportunity to speak to you.

As said, my name is Arian DeBekker and I'm speaking to you in favour of Bill 24 and on behalf of the Independent Hog Farmers Co-op.

The Independent Hog Farmers Co-op is a collection of 44 independent producers who co-operatively purchase farm insurance and supplies. Too often, we hear about corporate farms and large groups of farms, but there still are independent producers, so please keep that in mind.

The Red Tape Reduction and Government Efficiency Act is, in my opinion, doing exactly what its title says and that is to get rid of excessive,

non-contributing regulations. If you know—and obviously tonight there have been, through other presenters, a lot of information that's come to you, a little bit about anaerobic digesters, and it's clear that this overly expensive equipment does not reduce phosphate levels, and the only reason, in my mind, it had been described in The Environment Act was to act as a crippling and out-of-reach expense for hog farmers with intent to restrict any expansion or even to modernize pig barns.

\* (21:20)

I am glad we've come to our senses and that it is considered to decide that we omit this unnecessary stipulation so that the focus can be on going forward to correct sustainable growth in the pork production sector.

Winter spreading is another point that's been raised, and really, you know, that has been regulated properly already with manure only allowed to be spread during warmer weather before frost hits the ground. By the way, the manure will be incorporated immediately as been said before, and therefore greatly reducing odour and runoff.

As said, our group represents 44 producers, independent producers, and having contacted them by email and seeing the responses, I know that we've consensus on what I've just said.

Thank you very much.

**Madam Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mr. Friesen:** Thank you, Mr. DeBekker, for being here this evening at committee and sharing with us.

You also referenced the issue of best practices and a continued commitment to best practice to improve over time. And you raised the issue of odour mitigation. We had a speaker earlier than you talk about this as a significant issue. Anybody who's lived in a rural area, this issue arises. What's being done and what can be done to mitigate odour issues for neighbours?

**Mr. DeBekker:** By the way, our members have their operations in areas where they're allowed to operate. And the allowance to operate is regulated through regulations that are in place and is bound to scientific facts that have given—have been given considerations.

In order for permissions to be granted for an operation, farmers will have to be taking care of that, and that has been done. I know that some of our members are in a desire to expand right now, and they will be looking at that very carefully and within the realms and the window that will be given to them to do so.

**Mr. Lindsey:** Thank you for your presentation. Certainly, tonight, we've heard a lot of people speak about their desire to pass Bill 24, particularly in relation to hog manure and hog barns. And I'll ask you the same type of question, then. If you're in favour of passing this bill, what are your thoughts on all the other aspects of this bill that you haven't talked about, things like The Residential Tenancies Act, the transportation of dangerous goods act and all those things that are also included in this act?

**Mr. DeBekker:** My focus has been on the areas that touch the pork production in the province here, and I can only speak in representation of the members of our co-op who are all pork producers here in Manitoba.

**Mr. Eichler:** Thank you for your presentation. Representing 44 individual producers is pretty significant. Has there been any concerns about filing the manure-management plan by any of your producers?

**Mr. DeBekker:** There has not been any concerns about filing manure-management plans. The manure-management plans have been followed properly, and as I said before, if farmers want to expand, they will be looking at the window within which that is possible.

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

We will now move to presenters who are in town, and we will start with Mr. Andrew Dickson, private citizen.

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

**Mr. Andrew Dickson (Private Citizen):** Yes, I do, and I've given them to the clerks.

**Madam Chairperson:** Excellent. Please proceed with your presentation.

**Mr. Dickson:** My name is Andrew Dickson. I'm speaking as a citizen. I've been employed as general manager of Manitoba Pork Council for the past 12 years, and for 30 years prior to that, was with

Manitoba Agriculture. I was directly involved in setting up the current framework of legislation and regulation governing the development of the livestock industry when I was with the Province.

I want to state clearly that the proposed amendment to The Environment Act in Bill 24, removing the need for anaerobic digesters, is long overdue. The digester technology is totally inappropriate for the hog industry in Manitoba and should never have been embodied as a requirement in provincial legislation.

The motivation of the Doer government originally was purely political grandstanding to appease a vocal minority while threatening the livelihood of tens of thousands of Manitobans. The government claims of protecting the environment in Lake Winnipeg were cynical fabrications of utter nonsense.

The Selinger government recognized they had been left a rotting corpse and devised a convoluted way around the legislation.

The Pallister government has addressed the matter appropriately by removing the requirement from legislation. The real protection of the environment is embodied in the regulations, which have been modernized and strengthened. The anaerobic digester issue was a really bad idea that prevented the pork industry from building new facilities which are better for the animals and the people who work in the barns and which allow for new technologies to reduce their environmental output.

I'm often asked by ordinary citizens to explain anaerobic digesters. The technology was developed in countries where the livestock population and the amount of manure produced vastly exceed the nutrient requirements of the land available for new crops.

Those engineers devised a series of tanks, pumps and pipes to store and treat manure collected from their barns. By heating the manure in big tanks, they were able to get bacteria to break down manure, which is undigested animal feed, water and urine, into gasses which can be burned or released, a liquid broth of mostly water and usually a sludge of minerals such as phosphate. The concentrated sludge would then be trucked to some other area for use as a fertilizer.

These systems are expensive and have to be subsidized by government. Often the digesters would

not have enough organic matter to work properly, and operators would have to truck in other materials such as household and restaurant waste to add into the tanks.

In Manitoba, a couple of farms built and tried to operate anaerobic digesters. They cost between 1.2 and 2 million dollars to build and operate, and operating expenses often exceeded \$100,000.

The value of the nutrients left after processing were less than the conventional system of storing manure and applying it directly to land by injection. Worse, the cost to produce the phosphate and the mineral sludge greatly exceeded the cost of simply buying inorganic rock phosphate. The economics of the technology simply do not support the adoption of these contraptions. For example, a 2,000-place hog barn producing about 6,000 pigs annually would cost about \$1 million to build. The requirements for an anaerobic digester would add 1.2 to 2 million dollars to the total cost. The additional cost makes absolutely no sense. The farm would be bankrupt within a year.

There are about 1,200 barns on 600 sites in Manitoba. Over 90 per cent of the barns are now almost 20 years old and are approaching end of life within the next 10 years. By not being able to build new facilities, the industry now faces the challenge of having to catch up with higher construction costs and lower asset values to borrow against. To maintain the stock of buildings, the industry needs to build 20 to 30 barns per year. The ban, in quotes, on hog barns resulted in only four or five barns being built over a five-year period, and these were on old permits and not required to have anaerobic digesters.

Over the next 10 years the sector will need to invest almost \$2 billion in new facilities to replace existing stock and about \$400 million in new finisher barns to ensure there are enough market pigs to run our processing plants at an efficiency rate comparable to similar sized plants in the United States.

It will take time to create enthusiasm to invest in the industry. Investment in a hog barn is a long-term proposition. Farmers need to be confident they can get their money back within 20 to 25 years. Having a government which deliberately singled out an industry for political purposes creates distrust and kills any interest in investments.

Bill 24 and the removal of anaerobic digesters is a huge step forward in rebuilding business confidence.

Thank you for listening to my remarks.

**Madam Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mr. Eichler:** Thank you for your presentation, Andrew.

Is there a size of operation where an anaerobic digester would ever be feasible, and if so, what size would that operation have to be?

\* (21:30)

**Mr. Dickson:** I know of no size, I've no—done no economics on what size that would be, but we're talking hundreds of thousands of animals at least. As mentioned earlier in a previous presentation, the one benefit might be to generate electricity, but no one is going to build it at rates where you have to charge like 24 cents a kilowatt when you can buy power in this province for 6 cents. It'd be cheaper for you to buy the power and sell it back to Manitoba Hydro—from Hydro. It makes no sense. It's illogical.

**Mr. Swan:** Yes, Mr. Dickson, just trying to—and I'm trying to listen carefully to what people on all sides of the issue are telling us tonight. We heard from Mr. Matheson that there's 3.2 million pigs in Manitoba at any given time. We had one presenter say that there's only 220 producers in Manitoba. Your presentation says there's 1,200 barns on 600 sites in Manitoba.

Is it the case that there's 220 individual producers who then have those 1,200 barns on 600 sites, or do you disagree with that number that was given by another presenter?

**Mr. Dickson:** The difficulty we have in explaining is that people associate the way we describe farm operations with the way we describe, like, cropland farmers.

Of those 200 producers, one of them is HyLife. They have 60, 70 barns. They employ hundreds of people. We have operations that are the size of our chairs, and he produces 500 to 1,000 pigs a year. So they vary in size considerably. The thing is the industry's changed in terms of who owns the barns with the same way there's only, what, four or five car companies in Canada. We don't have thousands of car companies any more.

The challenge we have is how to describe that to the general public. We actually employ more people

today in the hog industry because the numbers really haven't changed. You still need one person for about 300 sows. You need about one staff a year to manage about 2,000 finisher places in a barn. So when you do the math on the thing, like, it hasn't changed a whole pile over the years.

The other thing was mentioned earlier is that land-based systems—all our hog barns are land based. We put the manure on land. The fact we don't own the land is—doesn't matter. Half the farms in Manitoba—agriculture croplands don't own their land either. They own half their land on average. So what we're trying to describe is a business that's very different from what it was 30, 40 years ago.

And I'm sorry I'm giving a long answer, but that's the challenge we've got.

**Mr. Gerrard:** Thank you for your discussion. I think it's pretty clear from your remarks, and many others, that the concept of using anaerobic digesters was a silly one. And that one of the other points that you're making, I think, is that you need to be able to rebuild barns so that they can be more modern in terms of how they handle animals, more modern in terms of how they address the environment and so on.

Now, one of the things that I'm interested in is to make sure that we address the environment adequately. And I've been talking about injecting the hog—the manure into the land instead of, in some instances, spreading it on.

What's the objection to having all manure injected into the land? Couldn't we mandate that, if not for every barn right now, at least for all new barns?

**Mr. Dickson:** In certain areas of the province, manure is applied to forages. The—it's impossible to inject. You don't—you'd destroy the alfalfa crop underneath if you tried injecting. So—but it's in restricted areas. So you put it in areas where there's very few people around, and the aim is to have the forage absorb the nutrient and then export a crop out.

In fact, I can think of an operation where they actually—the large finisher operation, they apply the manure at their alfalfa fields and they sell hay—they export hay out to the dairy market in Wisconsin. Which, when you think about it, they're taking the phosphorus from a crop that's grown in Manitoba through the alfalfa, which absorbs—you know, roots go six feet and so on, absorb the phosphorus, and we

ship it out to Wisconsin. So it's a closed loop kind of thing.

We—some areas, we know we've run into a problem in terms of buildup of phosphorus on pastures, so the rates are reduced accordingly. So we—to avoid any buildup of phosphorus in the pasture, the—any new developments are going to happen are going to happen in western Manitoba, mostly, in order to take advantage of the huge cropland that's available that is phosphorus deficient.

And I can show you map after map done by soil scientists that show most of the agricultural land in rural Manitoba is phosphorus deficient. And the reason being is, when you apply phosphorus it gets burned up very quickly in the soil so that only 1 per cent of it is available the following year, in terms of it being available in the soil water for the plant roots to absorb.

So the other thing in Manitoba is different from every other jurisdiction like the Netherlands, like Quebec and so on, we export crops out, we export 10 million tons of stuff out of the province. In doing that, you're exporting nutrients out of the system. Places like Quebec don't do that; they import grains in, they're bringing nutrients in and building up a problem in their soils. And they spend a lot of money trying to address the issue with anaerobic digesters. They have something like 20 of them, they're all turned off now because they can't make them work economically. They work in Holland, they work in Taiwan, I get that; we don't argue with that, but this is Manitoba. We don't need to do that here.

Our existing technologies of moving from the barn to manure-storage structures, applying it to the soil to grow crops on an annual basis is the appropriate technology for our conditions. And we're very good at doing that. People come to Manitoba to see how it's done. We should be proud of this. Is there issues with odour? Yes. We have addressed that through the farm practices act, we have a board that's set up to deal with nuisance odours, people—

**Madam Chairperson:** Mr. Dickson, we actually have gone over our time for question. But thank you very much for your presentation.

I will now call upon Mr. Jonathan Alward, Canadian Federation of Independent Business.

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

**Mr. Jonathan Alward (Canadian Federation of Independent Business):** Yes, I do.

**Madam Chairperson:** Please proceed with your presentation.

**Mr. Alward:** Just one moment, please.

**Madam Chairperson:** Sure, when you're ready.

**Mr. Alward:** Thank you and good evening, everyone. On behalf of the Canadian Federation of Independent Business, thank you for the opportunity to present the small-business perspective on Bill 24, The Red Tape Reduction and Government Efficiency Act.

My name is Jonathan Alward as some of you likely already know, and I'm the Manitoba director of provincial affairs at CFIB, and at CFIB we are passionate about small business. Because of their massive contributions to our economy, employment and our communities, we believe that small businesses deserve a strong voice in the government decisions and we provide that reasonable, credible and effective way for small businesses to participate in the political process like others here today, and certainly like big businesses and unions do.

We represent 109,000 independently owned and operated businesses across the country, including 4,800 right here in Manitoba, and we're strictly non-partisan, not-for-profit organization, and our members are closely located in every—our members, excuse me, are located in every region of the province in sectors that closely mirror our provincial economy.

Every CFIB position is set through direct feedback from our members through accurate, regular surveys which operate under a one member, one vote system. And our views are strictly based on the results of these surveys. It is with great confidence then that I can present here on behalf of our 4,800 Manitoba members to express the priority that small-business owners place on reducing red tape as this legislation proposes to do.

As many here know, CFIB has been a leading voice for regulatory accountability for years. It's no surprise that we've commended the provincial government on their efforts to measure, track, report and reduce red tape. These efforts included joining the Deputy Premier on January the 23rd of this year for the government's announcement that Manitoba would become the first province to accept CFIB's one-for-one regulatory challenge. And importantly,

CFIB also wants to be a part of solutions to reduce red tape facing entrepreneurs, and we're pleased to be part of the red tape reduction task force—task force, excuse me—and submit dozens of red tape headaches to the government to help identify areas of unnecessary regulatory burden.

And that phrase is really paramount: unnecessary regulatory burden. And I must emphasize that small-business owners have no issues complying with common sense rules and policies that protect consumer safety, the environment and their employees. But as you know, red tape is something else, it's inconsistent information, confusing forms, bad customer service, or getting the runaround. Business owners lose hours on the phone with government agencies. They do—they have to comply with confusing and often arbitrary rules, and they deal—often deal with unhelpful and even aggressive customer service agents. And this problem is a significant one.

\* (21:40)

CFIB members in Manitoba have cited that government regulation and paper burden is one of the most concerning issues to their business, and I was pleased to reiterate this concern to members of both government and opposition over the past winter. Government regulation and paper burden has been a significant concern to entrepreneurs because of the direct and indirect costs it places on their businesses.

CFIB—excuse me—estimates that the annual cost of all regulations on Canadian businesses is pegged at roughly \$37 billion annually, with one third of that, about \$11 billion, considered to be unnecessary red tape, and in Manitoba all federal, provincial and municipal regulations cost businesses an estimated \$1.2 billion each year, of which \$360 million is considered red tape. Furthermore, it's important to note that this hidden tax affects small businesses much more so than larger firms. Indeed, Manitoba small-business owners deal with a significant amount of red tape. They are tied up in everything from assessments, employment standards, PST and GST regulations, income tax filings, municipal bylaws, privacy rules, payroll taxes, WCB paperwork and the list goes on and on and on.

In Manitoba, CFIB members cite the PST, WCB, workplace health and safety, and employment standards is the most burdensome regulations in terms of how much time it actually takes to comply for their staff and themselves on compliance. Consequentially, when surveyed, 68 per cent of

Manitoba owners agreed that provincial red tape limits their ability to create jobs.

And I was actually asked about this survey data earlier this year regarding red tape within WCB, for example. So I just want to stress again that small-business owners have no issue complying with common sense rules and policies that protect consumer safety, protect the safety of their staff and the environment. But, given our findings, it's clear that the government must make tangible progress to reduce the red tape headaches weighing down small businesses and that are slowing economic growth in our province, and we believe that Bill 24 is a step towards delivering these tangible results.

I've spoken of farmers and campground owners who have raised concerns with some of the red tape headaches that Bill 24 seeks to alleviate. I've heard from municipal leaders from across the province, whose—have—excuse me—expressed concerns with red tape and additional costs stemming from The Noxious Weeds Act, for example.

CFIB's vice-president for prairie and agri-business, Marilyn Braun-Pollon, who participated on the Red Tape Reduction Task Force, also heard some of the concerns targeted in this legislation, and these concerns are real. They are valid and they are costly concerns, and these red tape headaches cost our small-business owners thousands and thousands of dollars and hours that could be better invested in creating jobs and growing our economy.

CFIB encourages all elected officials and public servants to work together to ensure the successful implementation and delivery of Bill 24 so that we can reduce red tape burdens facing Manitoban entrepreneurs while maintaining the necessary rules to protect consumer safety, the environment and employees. The successful implementation and delivery of Bill 24 will undoubtedly help many Manitoba entrepreneurs focus more of their time, energy and money on growing their business and in turn growing the provincial economy.

And lastly, once successful, we encourage the government and all stakeholders to continue pursuing similar legislation annually to help reduce red tape, bound by legislation, as effectively and efficiently as possible.

As a big voice for small business in Manitoba, CFIB will continue to be a strong advocate for reducing the unnecessary regulatory burden facing entrepreneurs in the province and we look forward

to seeing Bill 24 successfully accomplish its goals of reducing several of the unnecessary regulatory burdens impeding the province's small-business owners.

Thank you.

**Madam Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mr. Friesen:** Thank you, Mr. Alward, for being here this evening and for making this presentation on the behalf of your organization.

Some of your presentation delved more fully into Bill 22, a separate piece of legislation, but, yes, on the same topic, think of that as the apparatus, the method by which this government will concern itself with the growth of regulatory burden in Manitoba, as you've describe it, to non-profits, individuals, other levels of government and business, like the business owners that you represent. But you also made direct reference to provisions of this bill.

I noticed in your presentation you actually referenced specifically The Noxious Weeds Act. No one's referenced that piece of legislation—or, that particular amendment today. That describes one such approach, like you said, looking for the regulatory burden to see which adds value and which doesn't.

I mean, in this particular instance, there's a requirement on the books from 50 years ago that requires the Minister of Agriculture personally sign off on weed spray applications at a municipal level, and I don't want to impugn the minister's ability to do that work, but I would suggest probably he has other things to do. And I would also suggest that probably those front-line weed sprayers have the knowledge and the expertise to be able to make those decisions without the minister's guiding hand. So thank you for mentioning that instance in particular.

Anything else you'd like to add to your presentation?

**Mr. Alward:** Well, just to reiterate the presentation, you know, we've heard from stakeholders, both from our membership and external stakeholders, including municipal leaders from Winnipeg, Brandon, the Association of Manitoba Municipalities, and they've reiterated how significant these concerns are. There have been significant spinoff, financial consequences, in particular of The Noxious Weeds Act as just one example, and it's important to understand

that there are serious consequences to red tape. And we do believe that red tape can be reduced in a way that it's not reducing protection for environment or consumers or staff and businesses as well at the same time.

**Mr. Allum:** Well, thank you, Mr. Alward. Good to see you again tonight. I know that if there's a red tape bill on the government's agenda, you're going to show up, and we appreciate that—in fact, your contribution to these debates, because you do make a contribution.

But are you telling the committee tonight that you surveyed your members and they agreed that drinking water standards in this province should be compromised? Is that what you're telling us?

**Mr. Alward:** Thank you for the question, and thank you for continuing to listen to me so attentively over the last year.

You know, we have not surveyed our members on every section of Bill 24. I think everyone here understands that. We have listened to our members to find out their red tape headaches that they see as barriers to growth in their businesses, that they see as significant costs, and we're pleased that the government has listened to those and is addressing some of those in this piece of legislation.

And, again, to reiterate, when we talk about red tape, don't confuse it with necessary regulations and protections. In a lot of cases, and I think as this bill points out, there is a duplication, there's a redundancy or there's a streamlining of how we can still maintain that same level of protection while reducing the level of compliance necessary.

**Mr. Martin:** I appreciate your presentation, having had your position some years ago, and it's always nostalgic seeing the data presented, and there's commonality in the sense that the data and the concern among Manitoba's SMEs really haven't changed when it comes to red tape. I remember taking that same data to the NDP ministers of industries, and their eyes would glaze over. And, of course they would, you know, they would make these comments about red tape needed to be addressed and that, but they never took action. So I'm very pleased that our government is finally taking that action.

So I just want, on behalf of our government, to thank you for the role of SMEs do. Please extend my best wishes to Ms. Braun-Pollon for her efforts in the

agribusiness and the food processing side of the equation.

**Mr. Alward:** Thank you, Mr. Martin, and certainly we've appreciated the opportunity to be involved and try and provide part of that solution.

In defence of the opposition, I've met with some members at the table previously during our 'prebuzet' presentation, and we iterated that there are no less than three ways that the opposition can be a very important part, and part of that is making sure that we're not removing necessary regulations. And although we might find some 'difagreements' in where those exist, it's certainly a very important part of that process.

But, again, we do really appreciate the government's ear and willingness to listen to small-business owners and try and find productive solutions that also respect the need to have important regulations remaining.

**Mr. Gerrard:** Thank you for coming and presenting. You know, as a Liberal Party, we've been supporter of reducing red tape, but we're very, very concerned about reducing environmental regulation on the back of covering up the reductions in environmental stringency of standards, using the reduction of red tape as a cover to do that, so that's why we're looking at these very, very carefully and with a lot of concern. Thank you.

**Madam Chairperson:** Mr. Alward, and we have about 15 seconds left.

\* (21:50)

**Mr. Alward:** I'd—you know, I'll defer to the expertise of a lot of those presenting here. As someone mentioned, I'm an agronomist. I'm a lobbyist myself. But I want to see the government address the concerns really raised by small-business owners here, and we believe that this bill does help accomplish a lot of that. So thank you.

**Madam Chairperson:** Thank you very much for your presentation.

I will now call on Eric Reder, Wilderness Committee. Mr. Eric Reder?

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

**Mr. Eric Reder (Wilderness Committee):** No, I don't have anything to give you right now, but I would be happy to provide a copy of my report, email it out or printed copy.



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

**Mr. Reder:** I'd like to thank first the signatories of Treaty 1 for the opportunity to speak here tonight and we recognize that we are on Treaty 1 territory and in the homeland of the Metis nation.

I'm the wilderness and water campaigner for the Wilderness Committee. The Wilderness Committee has been Canada's people-powered ecological watch dog for over 35 years. We've been looking after wild spaces, wild species and supporting healthy communities. There are 50,000 people across the country that contribute to us every single year so that we can stand up and press for a healthier future and we've been working on the ground here in the province for 17 years.

Right now, I want to speak about The Environment Act changes in Bill 24.

In 2009, the Wilderness Committee publicly raised the fact that The Environment Act was broken when Tolko was allowed a logging licence to build a logging road in a park, against the advice of the government's own experts that was presented in The Environment Act process, the government's experts from the Department of Conservation.

Similarly, in 2011 the Wilderness Committee warned that the peat mine licences were being issued on the shores of Lake Winnipeg and those are being issued again, against the government 'exerts' advice from the Department of Conservation, and we reminded people that The Environment Act was, in fact, broken.

On June 12th, 2012, the Wilderness Committee published a news release that called out the Manitoba government for allowing a trap line in Hollow Water First Nation territory to be clear cut for a mine tailings pond without consent and without an Environment Act licence. The government at the time said they were allowed to issue the permits to raze this land before an Environment Act application was finished. The Environment Act was clearly broken in this case. I believe the news story was produced 1,400 times across North America and caused the government to finally move for a revision of The Environment Act.

So, in 2014, the Manitoba government released a consultation document on Environment Act changes. Following this, and after many interviews with businesses, citizens and non-government agencies,

the much respected Manitoba Law Reform Commission released a 144-page report on The Environment Act reform. Businesses and environmentalists were consulted and were clamoring for this reform.

So how is it, then, and I address this to the government representatives on this committee, that instead of Environment Act reform, which makes things smoother in Manitoba, something suggested after years of consultation with the business community, non-government organizations, that we instead get a summary repeal of a section of The Environment Act that wasn't even considered in the lengthy Environment Act reform that was proposed by businesses? It seems that the interests of a few hundred industrial ag corporations are being upheld instead of the desires of the majority of Manitobans to see our great lake protected. But perhaps you have another answer to that question that doesn't sound so damning as this answer. The stated reason and the name of this act is government efficiency, but that stated reason for The Environment Act change in Bill 24 doesn't stand up to scrutiny.

Let's talk about environmental law for a second. Environmental laws have been put in this place—put in place in this country and around the world because of past problems. Rivers on fire in the US led to restrictions on industrial chemical releases. Chemicals killing off wildlife led to a ban on DDT. The heavy metal contamination and acid rock drainage from hard rock mining led to the federal metal mines and effluent regulations and vaguely safer mining.

Yet, despite an increase in environment law since, let's say, The Environment Act was brought in in 1988 in Manitoba, we know that species are disappearing, the number of animals all across our lands and waters is decreasing, and devastating consequences are expected. Water quality itself is decreasing across Manitoba, and yet, ecology, nature and wilderness and the interconnected web of life is what sustains us. It gives us life. Therefore, what is required right now is an increase in the protection and the restrictions on disturbance of nature, ecosystems and water. That's what's required right now. So we cannot reduce our environmental protections. We cannot deregulate our environmental laws.

The previous federal government tried to reduce environmental protections in 2012, and those lost protections are now being brought back in and

stronger by the government that subsequently got voted in to run this country.

So, from the environmental laws and why they were always brought in because of crisis, let's move on to industrial pig farming.

Here's a quote from a recent scientific paper. You've heard lots of them tonight: Decades of intensive agricultural production with excessive application of phosphorous fertilizer have resulted in the accumulation of phosphorus in soils, threatening water bodies in most industrialized countries with eutrophication.

Industrial pig farming is—that's the end of the quote—industrial pig farming is a known contributor to phosphorus in our waterways. Phosphorus in our waterways is having a disruptive and damaging effect on our water and on Lake Winnipeg. Study after study says the same thing.

In Manitoba we know this all too well. You've heard the studies tonight. So let's talk about what we should be doing.

The Clean Environment Commission reviewed industrial hog operations and issued a report in 2007. Now the Clean Environment Commission is the strongest ecological reserve that we have, the body that looks after the lands and waters in this province. So it was after the CEC report and subsequent research that sections 40.1 and 40.2 were added to The Environment Act. Our environmental laws were put in place because of crises in the past.

So, members of the government, why are we removing protections recommended by the most august environmental voice that we have? Why are you acting against the CEC?

The current process of spreading manure for hog barns is not a process of fertilizing land for crop production. Rather, it is a process of distributing a waste product from the hog barns. In jurisdictions around the world, this isn't allowed, but this in Manitoba is a bastardization of the basic concept of farming and growing. It's industrial pollution in a thin disguise.

Previous presenters talked a little bit about anaerobic digesters. The reason why previous presenters didn't like anaerobic digesters was because of the costs associated with them. They didn't feel that they were going to reduce phosphorus enough. They will make the phosphorus into a drier and more easily transported product, but one of the

things that anaerobic digesters does is that it's going to reduce the gas emissions which make their way into the atmosphere.

So, in essence, anaerobic digesters, apart from the things that people are saying about their detractors, this is a way to act on climate change and the problems that we're seeing, so it shouldn't be summarily dismissed as a thing that isn't of any use.

As more and more of the data we are collecting is packaged and released over the next few months, the public and the government will have to acknowledge what they already know: that industrial pig farming is damaging to our waterways and we do have a problem.

Going forward: Now that the government has thrown the light on the water abuses of industrial hog production and just as more and more Manitobans are demanding real action on preserving our great lake, we will be pushing forward with on-the-ground auditing of the problems with concentrated livestock operations in Manitoba.

I'd like to give you a couple concepts that I think that as elected officials you should be using as you do your job on protecting Manitoba and Manitobans.

The Lake Ontario Waterkeeper has been using this slogan. It's really simple: Swim Drink Fish. Every single water body we have we should be able to swim in it; we should be able to drink from it; and we should be able to fish in it, and if we can't do that, then we've lost control of the thing, one of our natural resources. We have allowed that to disappear, and I'm young enough to know that there was a whole lot more water bodies that I would drink out of and that I would fish out of and that I would swim out of when I was growing up.

Every waterway should be protected to the point that it is healthy, and that's something that you, as legislators, need to look at, and when we're talking about changes to The Environment Act that are in Bill 24, if the numbers given by the Pork Council, 2 per cent of the phosphorus in Manitoba, even if that number is accurate, that's a number that is affecting Lake Winnipeg and it's a number that you have the power to change.

We can change the way that that phosphorus is making it into the lake from our hog barns, and that's what we should be doing rather than looking at expanding.

\* (22:00)

My friend, he's an elder. He gave me a story today. He told me about when he was 13 years old on the shores of Lake Winnipeg and his elder warned him of the problems that were coming for Lake Winnipeg and that they wouldn't be able to drink the water. And, of course, this is 50 years ago, and he said, no, that's not possible with a lake this size. And here we are.

So I think it's really important that the stories from the First Nations communities around the lake warning of the current problems be looked at, and I can't speak for the First Nations communities themselves, but I think that they're going to be disproportionately affected by the changes in Bill 24 that—for the—with the disregard for water that we're seeing from this.

It is my belief that the impacts of The Environment Act changes require the consent of First Nations communities living on Lake Winnipeg, as called for in the United Nations 'declaration'—declaration of the rights of indigenous people, and I would ask the people of this committee, has that been considered by the government?

To the members of the government—

**Madam Chairperson:** Mr. Reder, your time has expired for your presentation. We are going to move on to questions now.

Do the members of the committee have questions for the presenter?

**Mr. Friesen:** Thank you, Mr. Reder, for being here and for your presentation on behalf of the Wilderness Committee.

We've been in this committee for over four hours and you are the very first presenter to actually defend the use of anaerobic digesters. So that's something. So I'm going to ask you a question about that. This is section 40.1, as you rightly referenced in the bill. I noted that an NDP commission study on—by University of Manitoba Expert Panel Review of Measures to Protect Lake Winnipeg found that anaerobic digesters did nothing to reduce phosphorus flows into Lake Winnipeg, and according to the experts, those digesters were ineffective because of Manitoba's harsh climate. I wonder, in light of that evidence by experts, are you still saying there's a merit in there that somehow every presenter this evening has failed to identify?

**Mr. Reder:** I guess you weren't listening when I explained to you what the process that an anaerobic—

**An Honourable Member:** I was listening.

**Mr. Reder:** Right. So then what I said that anaerobic digesters, in a proper management stream, reduce greenhouse gases and that as elected officials in Manitoba, it's your job to deal with climate change, and that's what I had said. So the other points that you'd brought up weren't any part of my presentation.

**Mr. Gerrard:** Yes, we heard from Michael Stainton earlier on that the Clean Environment Commission report identified the need for water-monitoring efforts to acquire the data that was going to be adequate, to monitor what was happening in our waterways and as was pointed out at the time that that data was never adequately acquired. Would you tell us a little bit about your thoughts on this?

**Mr. Reder:** Yes, I was at the—I was helping the Lake Winnipeg Foundation, doing community-based monitoring this summer. I was taking people out on the land and discussing agricultural processes, and we did some of the sampling. The mapping, which very clearly shows there's a section of Manitoba that we haven't been doing enough water quality examining in—there's some specific peak times every time that we have spring runoff, which is one of the reasons why we shouldn't be looking at winter spreading of manure and thinking about the fall spreading of manure and the ecological processes which are occurring to turn that into good fertilizer and fix that in the soil. As soon as we get a spring runoff, the data that we see already shows that we're getting excess phosphorus, but we only have this data and these testing stations in a certain area and there's a very distinct ring where it's missing, one of those areas being the Manning Canal. And so we have some data and investigative research from the Manning Canal that'll be coming out in the next short while. I wish I had a video screen that I could show you guys all this, but it's not here for the committee.

But that's really—as soon as that data is out there and people will look at it and the numbers that were put forward by the Pork Council—if it's 2 per cent or so—we're going to find that those aren't accurate, and what we should be doing is waiting before we look at expansion of all this. We should get a handle on the thing that's happening on the ground and what it—how it's affecting the lake and move forward from there.

**Mr. Allum:** Thank you, Eric, for coming out tonight and for, as always, a very compelling and challenging presentation.

We've tried to argue that this piece of legislation that's before us tonight is a misdirection in a way. It's under the guise of red tape, but it really is about environmental deregulation. It's about compromising public health standards. It's about privatizing public assets.

But, if I heard you correctly, it seemed to me you were suggesting that we would have a much more productive conversation tonight if we'd actually been discussing a revisiting of The Environment Act. Would that be a better way of approaching these kinds of issues instead of in this particular case that we're doing it tonight?

**Mr. Reder:** Absolutely. The Environment Act is in need of reform. There's all sorts of things like a paper copy of the—an ad for an environment act licence that needs to be put into the newspaper—in the local newspaper. And there's simply not enough people buying newspapers.

There's all sorts of things that need to be changed in that—the role of the technical adviser committee, which isn't written into The Environment Act. Another thing, of course, is that these industrial farm operations, they are releasing industrial pollutants. And so those should be controlled. They should be something that The Environment Act looks at, because The Environment Act can't have exemptions. We can't—oh, that sector's going to be okay because farming. It all has an effect, and we have to look at it all. There's no one who gets a pass on this.

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

**Floor Comment:** So—I would like—is it possible that I have another 10 minutes to speak to The Ecological Reserves Act? I mean—

**Madam Chairperson:** I'm sorry, sir. That would have to be a request made before the committee.

Is the committee—is it the will of the committee to listen for 10 more minutes for another presentation from Mr. Reder?

**Some Honourable Members:** Yes.

**An Honourable Member:** No.

**Madam Chairperson:** I hear a no.

Sorry. Thank you for your presentation.

Okay, we will now move to Mr. William Gould. Oh, my apologies. I'm sorry, sir. Sorry. Mr. Glen Koroluk.

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

**Mr. Glen Koroluk (Private Citizen):** Not tonight.

**Madam Chairperson:** Please proceed with your presentation.

**Mr. Koroluk:** Good evening. I'm here as a private citizen, but I'm also a board member of the Free Range Worker Co-operative. Usually, when I work on this hog issue, which I have in the last 15, 20 years, I ask two very simple questions to people, and I'll ask this committee those two questions.

The first one is: Would you, or would you like your children or grandchildren, to work on any of the lines in the kill plants in the two slaughterhouses in Manitoba? That's the first question I ask.

The second question I would ask, and I always do, and I'll ask this committee: Would you buy a rural property across the road of an industrial hog operation?

Simple questions. I ask these questions all the time, and the resounding response I get to these two questions that everyone I ask is: no. For both of them. And that's not unsurprising.

So this gives me and others a good indicator as to how sustainable this industry is in this province, in this country and in this continent.

Now, on the first question, with the data that we do now have, we know that the meat-packing sector still has one of the highest injury rates among all manufacturing industries in the country. Numerous academic studies over the years have found that workers continue to face the same hazardous working conditions that include tasks associated with 'muscoskeletal' disorders, exposure to chemicals and pathogens and traumatic injuries from machines and tools.

Given that no one in Canada wants to work in these dangerous and undesirable jobs, it is no surprise that the industry is now lobbying the federal government to increase the number of participants in the temporary migrant worker program. And I've got a brief extract from a thesis that was done a couple years ago from a sociologist at the University of Manitoba, a doctor, as part of the work that she was

working on. And she studied workers working in the two plants—the two kill plants here in the province.

And here's a quote from some of her conclusions: temporary migrants experience the segmented labour market in ways citizens never will since they are denied the freedom to change employers, are recruited and hired to work specifically in lower skill jobs and could be deported if their performance is unsatisfactory. Despite significant injuries, chronic pain and dissatisfaction with their work, temporary migrants remain compliant and silent as to be seen as good and productive workers worthy of permanent residency.

\* (22:10)

Now, the second question I asked—would you live across the road from an industrial hog operation? Well, there are countless studies—studies of studies—we've heard of metastudies that all indicate that the industrial model of animal agriculture impacts public health, the environment and the welfare of animals.

From a local human health perspective, the industrial model emits the greenhouse gases methane and nitrous oxide, as well as other gases such as ammonia, volatile organic compounds, VOCs and toxic hydrogen sulphide. The excess fertilization of crops with liquid manure results in groundwater contamination from nitrates and surface water contamination from nitrogen and phosphorus. Other contaminants we've heard tonight include, you know, the bacterial—your E. coli, Salmonella, Listeria, and then there's the overuse and misuse of antibiotics, creating antibiotic-resistant bacteria.

From a regional perspective, the industrialization of the world's agriculture and food system imperils the ecosystem integrity of the natural world as well as endangering our human health. The dead zone in the Gulf of Mexico is a prime example as a result of the draining of the US farm belt via the Mississippi River.

Lake Erie is another example, rehabilitated in the '70s and '80s; now, it's experiencing harmful algae blooms and occurrences of hypoxia, that's low oxygen conditions, and that's a result of the excessive nutrient runoff from industrialized agriculture through the application of animal manure and chemical fertilizers to crops. For Lake Erie, the dominant—the agricultural dominant Maumee River watershed is the largest source of phosphorus.

The Baltic Sea is another global hotspot with toxic algae blooms as a result of the pig belt in

northern Europe. And if you know your European geography, you'd know those countries; some of them have been mentioned tonight.

The Food and Agriculture Organization of the United Nations, in their recent report, the future of food and agriculture, state major transformations in agricultural systems, rural economies and natural resource management will be needed if we are to realize the full potential of food and agriculture to ensure a secure and healthy future for all people in the entire planet.

Their report sheds some light on the nature of the challenges that agriculture and food systems are facing now and throughout the 21st century. It provides some insights as to what is at stake and what needs to be done. The trends and challenges analyzed were cause for both hope and concern. The FAO says much progress has been made in reducing hunger and poverty and improving food security and nutrition. Gains and productivity and technological advances have contributed to more efficient resource use and improved food safety, but major concerns persist.

Some 800 million people still suffer from hunger, and more than 2 billion from micronutrient deficiencies or forms with overnourishment. In addition, global food security could be in jeopardy due to mounting pressures on natural resources and to climate change, both of which threaten the sustainability of food systems at large. Planetary boundaries may well be surpassed if current trends continue.

So the FAO concludes that what emerges is that the business-as-usual model is no longer an option. Bill 24, I call that the business-as-usual model. Unfortunately, Bill 24 is business as usual, it is in step—a fact—a step backwards. When combined in tandem with the proposed changes to the livestock, manure and mortalities management regulation to increase hog production and slaughter, is a form of environmental deregulation—we've heard that all night—that places economic gains as the primary goal.

As an alternative to the modern industrial agricultural model, ecologically based farming practices and food systems offer a much better return for any public investment. Instead of relying on input-driven monoculture production through the use of chemical pesticides and fertilizers, further driven by the use of genetically engineered crops, agro-ecology relies on the use of ecological processes to

support production. Organic production systems can reduce greenhouse gas emissions. The benefits of moving organic-to organic and holistic production systems and reintegrating livestock and perennial forages into crop production systems are immense.

These small scale, mixed and diversified at the farm level production systems improve the fertility of the soil and can thus sequester more carbon dioxide, at the same time preserving and improving genetic biodiversity. These systems use less non-renewable resources and no synthetic chemicals, which in turn will improve water and air quality. An additional strength of these systems is their high level of diversity, which significantly enhances farm resilience, making them more adaptive to climate change.

So, if agro-ecology isn't the path that this government wants to take, then at least it should invest in technologies and regulatory instruments that other nations are investing in in order to reduce greenhouse gas emissions, protect community health and prevent surface water and ground water contamination.

European nations, we've heard tonight, have embraced the concept of the circular economy when dealing with the extraction of natural resources. By keeping materials in play, they prevent them from becoming pollutants and minimize the environmental damage they inflict. Germany, a world leader in biogas technology, now has over 10,000 anaerobic digesters generating over 4,000 megawatts of energy. Initially, there was tremendous investments in the large-scale digesters that utilize food crops. They figured out that wasn't a good idea and now they're focusing on supporting smaller-scale projects at the industrial farm scale with the use of manure and other waste products.

The Netherlands and Denmark, both part of the European pig belt, currently have 200 and 150 digesters in use in their respective countries. In total, close to 20,000 digesters are operating today in Europe. The anaerobic digester reduces greenhouse gas emissions and converts the waste materials to mostly methane that can be used to heat buildings or generate electricity. The remaining dried solids becomes an economically transportable source of phosphorus.

Given that the globe has a finite supply of rock phosphate and only five countries hold 99 per cent of that known supply, a circular economy would

capture the valuable resources that the status quo model currently flushes into our waterways—

**Madam Chairperson:** Mr. Koroluk, your time for presentation has expired.

**Floor Comment:** I do have a half-page conclusion.

**Madam Chairperson:** Is it the will of the committee to have Mr. Koroluk finish his presentation and cut into the question period? *[Agreed]*

Continue, Mr. Koroluk.

**Mr. Koroluk:** Thank you.

So, in concluding, I want to talk about global responsibility and I've got an excerpt from Manitoba's principles of sustainable development. Some of you probably remember the Filmon government and they produced all these principles and stuff. So this one I'll pick. Everyone picks their favourite.

Manitobans should think globally when acting locally, recognizing that there is economic, ecological and social interdependence among provinces and nations and working co-operatively within Canada and internationally to integrate economic, environmental, human health and social factors in decision making while developing comprehensive and equitable solutions to problems.

So global responsibility would mean that Manitoba has to sign on to the climate accord in Canada to meet our international obligations under the Paris Agreement of a 30 per cent reduction of greenhouse gasses by 2030, and what that means is Manitoba has to reduce greenhouse gas emissions, not increase them, as what will happen with hog industry expansion. We also need to reduce the amount of pollutants and in particular nutrients entering into our aquatic ecosystems.

For the Red River basin, where two thirds of Lake Winnipeg's phosphorus loadings originate from, global responsibility would mean that both Canada and the United States have to reduce nutrients within the Red River basin, not increase them, as what will happen with hog industry expansion. An agreement was brokered by the International Joint Commission for Lake Erie, whereby both countries are obliged to reduce phosphorus loadings entering Lake Erie by 40 per cent.

If agro-ecology isn't the path which this government and our federal government wish to

choose, then industrial agriculture will need to be socially responsible. Socially responsible activities are those in which the individuals profiting from the activity pay all the costs the activity generates and shift none of those costs to others who will not profit from the activity. So socially responsible farming would be farming where all the costs of the farm—the air and water pollution costs, et cetera—are contained within the farm's boundaries and not shifted off the farm.

Thank you.

\* (22:20)

**Madam Chairperson:** Thank you for your presentation.

Do the members of the committee have questions for the presenter?

**Mr. Allum:** Glen, thanks for coming tonight. For as long as I've lived in Manitoba, you've been an activist and advocate on these very issues, and I would also say that you not only talk the talk, you walk the walk, and I greatly appreciate and admire that.

It's no small irony to me that we're talking about these issues tonight at the very week that the government's supposed to drop its long-awaited climate change plan. How does that—what signal is the government sending to you as a resident of Manitoba when we're discussing the issues in an omnibus bill like this?

**Mr. Koroluk:** Well, I mean, to touch base on responsibility, I mean, government has the responsibility to commit to these agreements and do what needs to be done, whether it be, you know, regulatory, et cetera. Right now, what I've seen over the years is that industrial agriculture is exempt from a lot of things, yet they are industrial operations. I mean, you know, we monitor hydrogen sulfite coming out of the fans of barns. That's no secret. It's more than odour; it's a toxic gas. The US government is waiting to see if they're going to regulate emissions from ILOs through the Clean Air Act.

So responsibility means not only the government, but it also means industrial agriculture has to be responsible. We can't exempt the industry from carbon taxes. We can't exempt the barns from being regulated under the Manitoba environment act, so the list goes on and on.

**Mr. Friesen:** Thank you, Mr. Koroluk, for being here and making this presentation at committee on behalf of your worker co-operative.

Some of the comments you made crept beyond the scope of this bill, and that's okay. What I wanted to do is reference what the member for Fort Garry-Riverview (Mr. Allum) referenced, and that was our government's green plan which will be unveiled to Manitobans shortly. And I just wanted to encourage you to make use of the comment period for citizens that will be accommodated. Hope you'll make—review the documents and give us your opinion on the green plan that we'll bring.

**Mr. Koroluk:** Yes, I will make comments. And I just want to point out that I've been out of this business for a few years, and I'm just coming back in the last half year because of the lifting of the moratorium, and I'm starting to read and catch up, et cetera. And I'm—I would really encourage the current government to consult in a fashion that's meaningful. You know, surveys aren't really the best way of doing things. Having in-face meetings, having your people in government, the bureaucrats, going out and setting up meetings and taking comments—the meaningful participation and interaction is really important.

**Madam Chairperson:** Thank you. The time for questioning actually has expired, so we are going to move on to our next presenter. Thank you very much.

I will now call on William Gould, private citizen.

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

**Mr. William Gould (Private Citizen):** I do not.

**Madam Chairperson:** Please proceed with your presentation.

**Mr. Gould:** So my name's William Gould, and before presenting my substantive points, I'm going to provide a bit of background, who I am, because that helps outline, in the background, where those points are coming from.

So, growing up, I worked in hog barns as a teenager during the summer vacations, and that's something I'm really proud of. After high school, I went to university, went to U of W, downtown Winnipeg, got a law degree at U of M, practised for a number of years in a downtown Winnipeg firm, so I'm Manitoba-born and bred.

And recently, I left the practice of law—I actually found it pretty unfulfilling—to join my family raising pigs and working in rural Manitoba, and I love it. And today, I'm working with pigs in a manner that's environmentally sustainable and contributes to the Manitoba economy. And it's really a family affair. My wife is involved in it as well, so that has kind of an interesting dynamic. And her sister's involved with it as well. So it's integral to who we are as a family and my identity as a person.

So I'm here to speak in favour of the proposed amendments to Bill 24 and that—those specifically dealing with anaerobic digesters.

I want to be clear that environmental protections is of the utmost concern. It's in the best interests of agriculture to steward our resources. I want to be in a position where my boys—I've got a two-and-a-half-year old and a nine-month old—can choose to raise pigs and the land is in as good or is better positioned than it's in today.

When I consider things, I have like a 50-year horizon that I look at, and I think that's a little bit like my great-great grandfather, whose name is Frederick [*phonetic*]-and my son is named Frederick [*phonetic*]-who came to Canada from Wales to set up here and farm rather than working in a coal mine. To me, stewardship is about leaving something better than you found it.

Sometimes, reality and facts and science gets in the way of ideology. And what I've noticed today is that a significant portion of the opposition isn't really dealing with the narrow issue in Bill 24. It's about underlying opposition to other practices or situations that are not before the committee. And at the end of the day, in order to have environmental protections that are effective and have legitimacy, they must be science based.

It's my view that the requirement for anaerobic digesters takes away from the overall environmental regime. So why is such a statement warranted? It's far more damaging to the environment to have arbitrary legislation that is not based in science or the reality of manure management. If a government accepts that environmental legislation is a means to achieve a political lens rather than a warranted approach to conserve the environment, it compromises the public faith in such provisions.

With the previous government, it was clear to me that the implementation of anaerobic digesters was done for political reasons. When

governments of any stripe, whether Liberal, whether Progressive Conservative or New Democratic, impose restrictions that do cause real-world pain on an arbitrary criteria, subsequent environmental legislation, even if it's warranted, loses credibility. It compromises the entire environmental system.

When manure is managed properly, it is critical to a sustainable organic agriculture system. It is not a waste product. It is a resource. One might call it Manitoba potash or Manitoba oil. We have to shift our thinking from manure as a risk to an opportunity. Farms are still going to require spread acres; there are still going to be setbacks; there are still going to be siting requirements. If those aren't present, there's going to be no expansion.

Manitoba as a province is deficient in phosphorus. Manure is an organic means to resolve this deficiency. Manure can be managed and ought to be managed in such a way as to virtually eliminate runoff. It could be argued that a greater risk to our waterways is proper management of urban manure waste, which in some cases is being released directly into rivers and streams.

To be clear again, it does not alter siting or other obligations to farm manure management plants. All it does is remove a treatment for manure, which is unnecessary, is expensive and it's not even environmentally justified. And so I would say that it's not unfair to conclude that these provisions have put a chill on farmers looking to innovate, to adopt best practices. For example, it may create a situation where farmers cannot expand slightly to make transition to group housing for sows.

Again, let me be clear; this legislation does not in any way deal with animal welfare or the standards in existence. But if it's passed, it's very reasonable to conclude it's going to help spur the transition to group sow housing, which some of the opponents to the legislation have long advocated for. Again, sometimes reality doesn't always coincide with ideology.

For many years, farmers in Manitoba have been asked to make this transition to group sow housing and I'm really excited to do that. But the reality is these arbitrary requirements, which increase costs, dampen a farmer's willingness to undertake significant changes. It is difficult to accept new risks and challenges when the weight of arbitrary and unreasonable legislation hovers over one's head like a sword of Damocles.



\* (22:30)

At the end of the day, if we're looking for an environmental regime which holds legitimacy and conserves the environment, if we're looking for further opportunities for those living in rural communities, for the fisc to be in a healthier position and for Manitoba to be a world leader in innovation, especially in agricultural sector, steps like Bill 24 will go a long way to achieving that end.

**Madam Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mr. Friesen:** Thank you, Mr. Gould, for being here this evening. I listened intently to your presentation.

It's interesting. You transcend the boundaries of urban and rural. You're a young person at this committee. You're talking about a 50-year lens through which you view your obligations to your farm and to your practice and to those who come after you. And I don't take that lightly when I hear you say that.

I just wanted to ask you one question, and that was: there was a previous presenter who said that hog manure is not even fertilizer, it's industrial waste looking for a home. How would you, as a producer–hog producer–answer that charge?

**Mr. Gould:** I would answer it by putting out the point that, in many cases, we have farmers and people around us wanting more manure. They don't view it that way. It's not used that way. It's used to grow crops in our province. And the alternate is a synthetic, inorganic material.

We talk about recycling as being the keystone of environmental protection. And I think that speaks to it.

**Mr. Allum:** Mr. Gould, thank you for coming tonight. I agree with the minister, you've lived a very interesting life and much to contribute to our province. So I thank you for coming tonight.

And I think you're probably a very good trial lawyer as well, if you didn't get a chance to do that, simply because you suggest that many of the dissenters and other opponents of the bill are talking about things that aren't in the bill. But I know you've read it, and so I know that you'll know that this bill amends The Consumer Protection Act, The Dangerous Goods Handling and Transportation Act,

The Drinking Water Safety Act, The Ecological Reserves Act, The Environment Act, The Fisheries Act, The Forest Health Protection Act, the groundwater and well water act, The Labour Relations Act, The Noxious Weeds Act, The Residential Tenancies Act, The Veterinary Services Act.

Acts repealed under this act include–The Health Services Act, The Manitoba Natural Resources Development Act, and The Public-Private Partnerships Transparency and Accountability Act, are repealed.

If we were only talking about anaerobic digesters tonight, we'd be having a much different conversation. We might have dissent or pros and cons on either side, but you can appreciate where we stand as legislators. We're asked to deal with an omnibus bill that throws everything into the mix, and you're here to talk to us on one thing.

Don't you think it's the responsible thing to do for the government to withdraw this bill and pass a bill that deals with your issue and your issue alone?

**Mr. Gould:** I don't, and I'll speak to the reasoning for that. And I think that speaks more to legislative process, so that's more my former hat than my current hat. So I can only speak to the merits on policy based on what I've spoken about today.

But I think, in a representative democracy, when we elect representatives to consider that, I trust that they're competent to consider multiple tasks at once. I know, for example, in 2007 with Bill 37, it had similar omnibus legislation that was brought in dealing with numerous bills affecting the electoral process that had a common theme through it as well.

I think when we have a regulatory regime that touches many aspects of life, given the legislative schedule that's put before the House, I think it's inevitable that 'ominus' bills are going to come up. Whether it's federal or whether it's provincial, I think that's the reality of the current legislative regime. I think if we had more sitting days–and there are tools, also, to the opposition through amendments to raise debate on specific bills that they could raise and have individual votes on to strike down parts of the legislation as well.

**Mr. Gerrard:** Thank you for coming and presenting.

I think what you're fundamentally talking about in this is the removal of the moratorium on hog barns so that people can renew the infrastructure,

can provide for hog barns which are more animal friendly and, in some instances, hog barns which use better and improved environmental practices.

I just want to give you an opportunity to kind of expand on that a little bit.

**Mr. Gould:** I think that's right. In terms of environment, in terms of animal welfare, and I think there's a whole host of other areas where we can start applying innovation in the industry. And by always being handcuffed to the previous rules and never allowed innovation, I think there's actually going to be opportunities too, in spinoff industries related to technology. I think that's going to be a huge growth industry. But you have to have the base primary industry in order to spur those subsequent spinoffs. So it's beyond just raising hogs.

**Madam Chairperson:** Thank you very much for your presentation. The time for questions has expired, and we will move on to our next presenter.

I will now call on Mr. David Nickarz, and I apologize, your name was ahead of the previous presenter, and I thank you for your patience.

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

**Mr. David Nickarz (Private Citizen):** No, I don't. I just wrote them as I came in earlier in the hallway, so you probably wouldn't want to read my chicken scratch.

I'm going to start a timer here, I just want to make sure I'm—so I'm against Bill 24. I think it's pretty obvious that it's going in the wrong direction in many ways. And—oh, sorry, I forgot to do the niceties.

Hello, and thank you all for letting me speak today. And you know what, sitting here for so long, I can't—you know, sitting's the new smoking, isn't it. It's really bad for you. So if, you know, the next time I run for office and I get in, perhaps I'll be doing more of this, and I do not look forward to it. So I thank each and every one of you for taking the time, and your helpers as well.

I want to talk about the broad strokes of the legislation. Everybody's been going into the details, talking about digesters, talking about chemicals. I want to go into the broader philosophical implications of this bill. In general, I think it goes in the wrong direction in every single instance. I think the biggest thing we have to realize is we have climate change to deal with. And I think everybody

understands that this is a crisis, it's getting worse, and the debate about the digesters, for example, those—there shouldn't be any debate at all. We need to rein in climate-changing gases. Forty per cent of our climate-changing gases come from our vehicles. The vehicle fleet needs to be changed over to electric. That's including farm equipment. It's coming. But it could have been encouraged by perhaps the previous government which had a rebate on electric vehicles and then got rid of it, for whatever reason. So there's an opportunity there.

The one-to-one or two-for-one regulatory philosophy on this whole thing that really doesn't sit well with me. Regulations and laws, as far as I know, come up because we need them. Maybe I'm brand-new to this, but we need to deal with things as they come up. Eric's—from the Wilderness Committee mentioned that before. There's environmental crises that we develop these laws for and regulations. I'm sorry, that's not a great way to operate, in my humble opinion.

I have a lot of experience as an environmental campaigner and an environmental activist. It's been about 26 years for me. The last time I spoke to a committee was in 1991 for the parks act. And the parks act was amended to allow logging in provincial parks. And we opposed it. I got up here and spoke and spoke over my 10 minutes as a sort of act of civil disobedience. I won't be doing that—oh, my timer went out. I'll stop when it's 10 minutes, that's no problem. *[interjection]* Yes, you've got a timer as well.

It took almost 20 years to get logging out of parks, thanks to the efforts of people like Eric Reder and other campaigners. I stuck with environmental campaigning. In fact, I've spent 19 years with the Sea Shepherd Conservation Society, and part of what we do is we help to enforce international conservation law in international waters. We also work with governments—Costa Rica, Namibia, Ecuador, Australia—to help enforce even national laws in their own countries and in their own territories. And part of our work was to go to the Antarctic whale sanctuary and stop the illegal whaling that was going on there. I went on four of those campaigns. I think there was about 12 in total. And yes, we help to enforce those laws because there's a vacuum.

\* (22:40)

Here in Manitoba, you know, this is in our own backyard. We need to really regulate and have real enforcement and real laws.

When I worked on an-forestry campaigns in the 1990s, we found out quickly that there was a lack of funding for conservation officers. Their job was to go out to the-well, the joke back then was they barely got out of their trucks because they didn't really have the time and resources to do it. Now the joke is they don't have the truck.

Same thing happens with the fisheries on Lake Winnipeg. I was part of a fisheries forum during the election. Dr. Gerrard was there as well, and we spoke about the fisheries. The fishermen there told us in so many words-the commercial fisherman who was representing the commercial fishermen, basically said all these fish are ours and they were vehemently opposed to any changes to the quotas because the quota had three fish-I think it's still the same thing. There's three species in one quota, so if you can't sell one of the species or two of the species it gets dumped in the bush, so that was something that needed to change if the lake was going to be eco-certified. They wanted to go to this eco-certification scheme. Were you at that as well?

**An Honourable Member:** Yes.

**Mr. Nickarz:** And why wouldn't they have that attitude? There was no fisheries officers around. Nobody ever saw them. I spoke to Dan Soprovich, who's been working on this issue for quite a long time and he said that the fisheries officers are similarly underfunded. They have larger and larger areas to take care of with fewer and fewer resources.

So I would perhaps try to appeal to the Conservative side of the table here and the concept of taking responsibility for your actions. If I go through a red light in my car I'm going to get charged, of course, if I get caught. You know, there's laws. There's laws in place. If people are going through red lights a lot in an intersection you set up a, you know, photo radar, so you want people to take responsibility for their actions.

This is the similar thing in this bill. I wish Eric would have 23 separate presentations to give, because 23 separate bills are affected by this Omnibus legislation-Mr. Allum, you don't have to ask me; I think this is a bad piece of legislation. I think we need to address each one of these in its own right-saved you some time there.

It's too much; it's antidemocratic. I think Elizabeth May, one of my heroes, has said that omnibus bills are antidemocratic, and this is an example of it. Gosh, where did I want to talk about?

Regulation and Enforcement: You know what? I've been an activist for so long I'm going to ask for a lot more than anything I'm going to get.

First of all, intensive livestock operations need to be phased out completely. Janine Gibson talked about raising organic-organically raised hogs. There's-you know what? It's not just a dream. It's not just a crazy, hippy, environmentalist wearing a suit, and I happen to have short hair this time. There's a market for this stuff, and the market, you know, if we want to look at what the market does, it actually does force a change. It was almost 10 years ago, Mr. Koroluk had put on a forum at the University of Manitoba with a hog farmer from the Netherlands. They have much different regulations. The hogs are allowed to leave and go outside when they need to. There's fewer per acre, which is a real key there. There's ways to do this and it's already being done, and it seems like-I hate to say it-we're probably going to be the last ones to do it; we're probably going to be forced kicking and screaming into this-into this, you know, more sustainable way.

Lake Winnipeg-oh gosh, like, it's already been said. Lake Winnipeg's in trouble and the thing about the 1 per cent-let's just take the 1 per cent at face value. I don't believe it; I think it's more than that, but let's just say 1 per cent of the phosphorus into Lake Winnipeg comes from the hog industry. Well, if you had a tub that was filling with water and it was near the top and it was only draining so much and it was filling up at 1 per cent more, eventually you're going to have a real problem.

Same thing happens with carbon in our atmosphere. We're getting just a small percentage more every year, but it's building up, so 1 per cent chemically can make quite a difference, and likely it's more than 1 per cent if we look at the real numbers.

And, again, it's about, in my humble opinion, it's about taking leadership. We need to take responsibility for our actions. Even if it's 1 per cent, we should reduce that 1 per cent and do better for the lake, for our drinking water, and for the animals involved.

Sitting here listening to this presentation, 10 years ago listening to the presentation at the University of Manitoba from the hog farmer from the Netherlands, I became vegan in 1992 largely because of the way we treat our animals. Yes, I know, I'm not-you know, there's not-we're not taking over just yet. There's not going to be a vegan revolution.

I understand that, but that's what changed me from—we treat our animals so horribly in this intensive livestock operations and we're expanding it. You know, we barely held the line with the previous government at no more expansion, and now you want to expand it. We're—it's leading to a lot more suffering, a lot more pollution.

We need stronger regulations. We need to eliminate carbon from our economy all together. Now, we talk about individual farmers being affected and their livelihood, and they will be affected. Every single one of us is going to be affected by what we have to do to stop climate change, because the economy is probably going to be desperately scrubbing carbon from the ocean and the atmosphere. So, if we want our kids—I don't have any kids, partly for the reasons I'm talking about now. If we want our kids to have a healthy future and not to have the dystopic future—oh, there I am. It's been 10 minutes, but thank you again for hearing me speak.

**Madam Chairperson:** Thank you for your presentation.

Do members of the committee have questions?

**Mr. Martin:** It's not so much a question, David, but more a comment. We had an opportunity in the election to engage in a couple of environmental debates. You always approached it 'articuly' and with true passion and I have no doubt and I wish you all the best in your future electoral career and look forward to you sitting around this table with us maybe come next election. So best of luck and I do appreciate your coming tonight.

**Mr. Nickarz:** I appreciate that and we could use a little more—another colour around the table.

**Mr. Allum:** Dave, thanks for coming in tonight and it was really quite a courageous presentation and maybe it's the hard truth that all of us need to hear and I greatly appreciate that.

We've suggested and put a resolution before the House that every last cent of the carbon tax should go into the very kind of transitions that you're talking about. Would you support that particular idea that we've put forward or would you see some other additional uses for the carbon—for a carbon tax that's likely going to come down sometime this week or next?

**Mr. Nickarz:** I hate to say I'm not familiar with your carbon tax plan. Yes, we need to put money into

transitioning from fossil fuels. Electrify the buses, build the infrastructure for electric vehicles. Again, that's 40 per cent of our emissions is vehicles. Farm equipment needs to be electrified. I know it seems like a bit of a dream far off but we've had a car on the road for 20 years that's a hybrid electric car. The Toyota Prius has been on the road for 20 years in Manitoba weather, so it's coming and it's going to change absolutely everything.

Here's a boring thing we need to do. It's actually part of my job, I do renovation work, I have a small business doing home renovations, is to energy retrofit our buildings. There's just money lying on the table there. You get between 2 and 4 dollars back for every dollar you spend on energy retrofitting in terms of energy savings and that will go a long way. We should be using hydroelectric to heat our houses. I do. I have a hydroelectric boiler, hydroelectric water heater and that's a great way to sell more hydro locally.

Yes, we need to invest in those transitions because they're going to be—the more time we take—and I hate to point out that the previous government took all the time in the world and left the government with a higher carbon emission than it started with—the more radical actions we're going to have to take. And I hope it's not scrubbing—desperately scrubbing carbon from the atmosphere. That's—I know that's a bit of a strong statement, but we just don't know, do we? We don't know if that's going to be what we're doing.

**Mr. Gerrard:** Now, you're talking about cutting down emissions from agriculture, you're talking about putting a tax on methane and nitrous oxide production.

**Floor Comment:** Am I personally?

**Mr. Gerrard:** Yes.

**Madam Chairperson:** Mr. Nickarz.

**Mr. Nickarz:** I probably didn't mention this, I'm not here as a Green Party representative, I'm here as a private citizen, although I'm very heavily involved with the Green Party.

\* (22:50)

I would like to see the government use its power of taxation to reduce greenhouse gases absolutely any way it can, and, if that means taxing livestock in general or taxing those kind of emissions, then yes, I do believe that.

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

We will now move on to Mike Teillet, private citizen.

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

**Mr. Mike Teillet (Private Citizen):** I do.

**Madam Chairperson:** Please proceed with your presentation.

**Mr. Teillet:** Thank you very much. I—my name is Mike Teillet. I'm—there's been mention of—a couple of people have quoted reports from the United Nations FAO. I should mention that I'm actually—I've been one of the authors and actually a commenter on a number of the papers out of the FAO. I sit on a major group called the Global Agenda for Sustainable Livestock, which is a part of the FAO and of the United Nations.

So I would suggest that some of the quotes were taken out of context. The FAO is not opposed to industrialized—and I put that in quotes—livestock.

So let me start off by saying that what I've put in front of you, you won't be able to follow because, first of all, the stuff that's greyed out, I wasn't going to read, but now I'm not even going to read half of it, even the other stuff, because so much of this stuff has already been said, so I'm going to really skip through it quickly. And then at the end, I would like to address some of the things that have been raised here tonight, so I'd like to address them directly. So I will go through this very quickly.

We—first of all, I should say I'm in full support of the proposed amendment to The Environment Act contained in Bill 24. And despite what some say, this is a very minor change and will not lead in any way to a harming of the environment. Even the previous government recognized the problems with anaerobic digesters and had already allowed hog farmers, through an agreement reached in April of 2015, to start building hog barns again without anaerobic digesters. So the removal of this anaerobic digester requirement will change little, if anything. It was essentially already an unused clause and had nothing to do with protecting the environment in the first place.

You know, a number of people have referred to hog manure as industrial waste and a number of other kind of derogatory terms. Farmers, though, refer to hog manure as liquid gold. In some places,

manure rights are so important that they're passed down in wills. In Iowa and Minnesota, we've talked to many farmers, hog farmers in Iowa and Minnesota. This is the heart of pig country in North America.

Pig manure is often considered more valuable than the pigs themselves. They actually make more money off the manure than they do off the pigs. This is not a waste product. It's valuable, renewable, locally sourced, organic fertilizer for crops. It breaks down very quickly in the environment. This is something that hasn't been mentioned very often tonight—breaks down very quickly.

Somebody mentioned to me they were—we were talking about trucking manure out of a certain area, and they said, well, what would happen if one of those trucks spilled over in the ditch? And I said, you'd get very green grass in the ditch. This isn't nuclear waste that we're talking about here. It's an organic product. And especially when you compare it to synthetic chemical or oil products or mined products, which is synthetic fertilizer.

Manure also builds soil, and this is another thing that I think doesn't get mentioned very often. In fact, in southeastern Manitoba, where we have areas where there's already—it's well known that there's—we've probably reached a limit as the amount of livestock that you can have in a couple municipalities there. Even there, with the manure that has been applied over the years, we actually can grow crops in those parts of some of those municipalities that you could never grow crops before because the manure has built up the soil in those areas because it's really good for the soil.

In Manitoba, hog manure is normally stored in large, earthen manure-storage structures, very similar construction to municipal sewage lagoons. However, unlike municipal sewage lagoons, which are regularly and routinely drained into nearby ditches—I'm going to say that again, regularly and routinely drained into nearby ditches, creeks and rivers—by law manure storages are never emptied this way. Manure is only used as a crop fertilizer, so it is only applied to farmland at a calculated rate intended to match crop take-up of phosphorus and nitrogen over a certain period of time, within a strict set of rules and laws.

So manure is not just randomly or haphazardly dumped or sprayed onto the ground. It is purposely placed in the soil in a controlled, scientifically calculated manner. That is, manure for the most part

in Manitoba, this has been said over and over again so I'm not going to belabour the point, most manure in Manitoba is injected into the soil or incorporated in the soil, about five, six inches into the soil, so it cannot run off. You know, until a couple of decades ago, most farmers just spread their manure on the surface of the soil, but that's just not the case anymore.

So, on average, manure is applied at a rate that is equivalent to about 8,300 gallons per acre. Put another way, this is the equivalent of about one-third of an inch of rain falling on a typical field. This is a very thin layer. So if you got a third of an inch of rain on a field and walked out there a few hours later, you probably wouldn't even know it had rained. Most of the water would have sunk in or evaporated. This is the rate at which we apply manure, and again the difference between the way we apply manure and rainfall is that rainfall falls on the surface, we put it under the surface. It cannot run off. It does not run off.

So injection or immediate incorporation has several advantages. It reduces odour because the manure is minimally exposed to the air. It reduces greenhouse gases.

Now, greenhouse gases have been mentioned several times already. Pigs are a very minor contributor to the greenhouse gases in the first place; mostly, it's ruminants that, where from a livestock perspective, where greenhouse gases come from pigs are a minor contributor. But manure when it is injected through drag holes—hose technology, it reduces greenhouse gases. It's better for crops because it gets the manure down to the root zone. It lessens the loss of nutrients because of minimal handling and exposure to the air, and again I want to emphasize it almost entirely eliminates runoff.

So are there too many pigs? Is there too much manure? People talk about pig numbers and then somehow jump to the conclusion that there are too many pigs or that we already have enough pigs and more would be too many. But what does this actually mean?

And I would point, if anybody's following along, and I know it's almost impossible, but if you are, on page 8 you'll see a table which shows pig densities for areas around the world. And this shows you where Manitoba places, compared to places that actually do have too many pigs. So you've got places like Quebec, Japan, South Korea, North Carolina, the Netherlands, Belgium, Taiwan. The red bars, if the

red bar is bigger than the green bar, they got too many pigs. We don't have that. We've got lots of room for pigs here. And so we do not have too many pigs.

So the key principle in determining whether a jurisdiction has too many pigs is if there is more pig manure generated than there is farmland to apply it at an environmentally sound and reasonable agronomic rate then you have too many pigs. That is not the case in Manitoba. We have tons of room.

Now there are a couple places where we, as I mentioned before, where there is an agronomic overload to some extent. That's two municipalities out of whatever, however many municipalities there are in Manitoba. I don't know what it is—80, 90 municipalities in Manitoba? *[interjection]* A hundred? Okay. So we've two out of a hundred have probably too much livestock, and it's not just pigs. They got a lot of dairy, they got a lot of chickens, they got a lot of turkeys, they got a lot of cattle. So those two municipalities, yes. We're not looking at expanding in those two municipalities; we're looking expanding in other areas.

\* (23:00)

And—and this is a critical point—we'll never get to those situations again, because the current rules would not allow that to ever happen again. So, yes, we have a bit of an overload in those two municipalities, but that will never happen again because of the current rules that are in place.

And I would just point out to page 10 there's a map that shows the phosphorus. This had been mentioned several times already, but the map on page 10 shows that. You can see it. Virtually, the entire province is phosphorus deficient. There is not enough phosphorus in almost the entire province. So there is not an excess of phosphorus in the province.

So I'm just going to jump to my conclusion here.

**Madam Chairperson:** You have 30 seconds left.

**Mr. Teillet:** Do I? Okay. So it will be a quick conclusion.

So significant ecological advances have been made in pig production over the years. It's now estimated that for every kilogram of pork produced, about 40 per cent less water, 33 per cent less feed, as much as 59 per cent less land and 35 per cent less greenhouse gasses are emitted than 50 years ago. So the environmental footprint of pigs has been reduced considerably over the years.

The total reduction of all natural resources used by pigs is estimated to be down by about 50 per cent per kilogram of pork produced in the last 50 years, and pig production continues to improve all the time. We are getting better and better and better at this.

So, with that, I would urge the government to pass this bill, and I'm ready to take any questions.

**Madam Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mr. Friesen:** Thank you, Mr. Teillet, for being here this evening. A very thoughtful and methodical and science-based presentation. And you even gave us graphs.

I'd never seen the chart previously that breaks down municipalities by phosphorus plus or minus. I think it really shows, like you said, the isolation of a concern expressed by some, but the vast majority of the municipalities in this province that actually have a phosphorus-negative status right now.

I just wanted to also thank you for taking the time to clarify for those who chose to suggest otherwise that—you say in your presentation the ban on winter spreading is a regular regulation, having the ban restated in the environmental act was not necessary; removing it changes nothing in law. Winter spreading will still be banned, and that is exactly our position. Thank you for restating that.

Just wanted you to—you know, I don't really have a question because you were so thorough in your presentation. Many thanks for being here this evening, but I'll allow you a chance to comment back.

**Mr. Teillet:** If I could just address the winter spreading ban part.

You know, The Environment Act—if you look at The Environment Act—and most acts—they're pretty general in nature. Acts, you know, usually are written in a fairly general way. There's something—I don't know, what is it?—25 regulations under the environment—that's where the detail is. That's where you put things like winter spreading bans and those sorts of things. The detail goes in the regulations.

I mean, you people know this. I'm not—I don't—you know, but I'm removing it from—it should never have been in The Environment Act. It sticks out like

a sore thumb. It doesn't—it should never have been in The Environment Act in the first place.

**Mr. Allum:** Mike, thanks for coming tonight. Thank you for staying so late and then to provide us with a very comprehensive presentation as well. It—honestly, it's greatly appreciated, and I think you've added a significant amount to what we've been hearing tonight.

But you've heard me say before, you're asking us tonight to pass a bill that's not just about the issue that you presented on. I find that to be irresponsible of us as legislators to just pick out one piece and say, oh, I like that piece, so the best of it must be good. In fact, there are very, very significant implications in this bill in addition to the one that you've talked about tonight.

Don't you think, as legislators, we have an obligation to ask the government to withdraw this bill, put this item in a separate bill, have it to be debated and have all these other items also put into separate bills where they could be debated? Mr. Reder had 24 potential presentations for us tonight. I suspect you might have as well.

Wouldn't that be the responsible thing to do instead of jamming it all into one bill?

**Mr. Teillet:** Thank you for the question. And, if I were smart like most of the other people that have presented tonight, I would dance around that kind of political question. Unfortunately, I'm not that smart.

So I would just point to you, The Save Lake Winnipeg Act, which was also an omnibus bill and which got us into this mess in the first place—it also amended, I believe, five or six acts.

**Mr. Eichler:** Thank you, Mike, for your presentation. And we know it is getting late and we certainly appreciate your comments.

I would be remiss if we didn't go back to one of your comments you didn't touch on, and that's the impact on groundwater. Would you care to elaborate on that just a bit?

**Mr. Teillet:** Yes, so the impact on groundwater is negligible. I'll just give you an example. There are—I believe there are 50 community boil-water orders in Manitoba right now, standing boil-water orders in about 50 community wells in Manitoba. Not one of them was caused by livestock manure. Forty-nine of the 50 were caused by human sewage, people fouling their own nest. So that's really sort of the problem we should be looking at. And when somebody

comments about, you know, lake—constantly talking about Lake Winnipeg and a hog barn that might be 300 kilometres away, I would suggest that the 10,000 cottages around Lake Winnipeg should look inward from time to time.

The—you know, we have—we had a campaign out, and people have seen it before. We say we're part of the solution. And where that came from was that we recognized that we're part of the problem. We are part of the problem. But so is everybody who flushes a toilet in the million-square kilometre watershed of Lake Winnipeg. Yes, we're part of the problem, and we are doing our darndest to fix it, to get better and better, and we are all the time.

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

**Mr. Teillet:** Thank you.

**Madam Chairperson:** Before I move on to the next presenter, I have been advised that Cory Rybuck with Manitoba Egg Farmers, No. 25 on the presenters' list for Bill 24, is unable to make the presentation at this meeting but would like to have the 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]*

I will now call upon Derek Brewin, private citizen.

Mr. Brewin, do you have written materials to distribute to the committee?

**Mr. Derek Brewin (Private Citizen):** Yes, I do.

**Madam Chairperson:** Please proceed with your presentation.

**Mr. Brewin:** Okay, thank you very much.

I am presenting as a private citizen, but I am a professor of agribusiness and economics at the University of Manitoba. I was on the committee you referred to a couple of times, on the Clean Environment Commission. So—and the fact sheet that's getting passed around is based on some work that I did with Petra Loro, Mehdi Arzandeh, Wole Akinremi, Collin Gyles, Dupe Ige, and Don Flaten. And Don Flaten's going to present tomorrow, so if you have difficult soil science questions, then please pass—go for him instead of me.

So the—what the fact sheet talks about is an estimate of the contributions and the removal of phosphorus by agriculture. We focused mostly on phosphorus in this study because the phosphorus was feeding algae blooms, and we believed that there was material damage to cottage users and tourism and fisheries in the lake because of the algae bloom. And so our focus always was on phosphorus. The other concern about phosphorus is that it is a diminishing resource worldwide, so for us to manage it poorly is a huge mistake in terms of the economic use of our fertilizers.

\* (23:10)

So, if you go through the fact sheet there, we looked at the contributions of the industry in terms of synthetic fertilizer that was added, the animal manure, and when you add seed there's actually phosphorus in seed and that's part of the soil that's there, and then the removal of phosphorus and I've—it's already—the map itself is already part of previous presentations. But there was a very important point made earlier that we actually export a lot of grains and we are exporting phosphorus in those grains. We're net short of phosphorus; that's the main story of the map.

So there's two maps here though. The one says phosphorus budget estimates by a rural municipality, excluding synthetic fertilizer.

So that shows that there are two RMs, La Broquerie and Hanover that have more animals. They're producing more fertilizer—sorry—phosphorus than they need in terms of what they're exporting now. That's two RMs of the entire province that were in a surplus. And with the legislation regarding application of manure up to the needs for crop in terms of phosphorus needs, that's no longer a—those people are starting to feel material constraints to the amount of manure that they can add, even in those RMs. So as time moves on, those—that shouldn't be a concern.

Another thing that happened when we put in, you know, frankly uneconomic rules regarding the expansion of hog barns, if we could've moved some of those hogs that were kind of heading south so there was an economic reason to have them in the southern part of the province, those RMs around there which actually need our—in need of phosphorus couldn't expand with modern barns because of the legislation that was in place. So that's what I'd kind of wanted to talk about. Those are the main points.



The actual estimate was based on a 2011 census, so there has been changes in the number of animals. There's been changes in the yields of the crops, so we might be exporting even more, and I think that's true. We've been seeing an increase in yields. The prices have changed. We can change the economic incentive to use different fertilizers. But I think it's still fairly—fair to say that we could put way more animals into this province and have economic use of that phosphorus-based manure.

**Madam Chairperson:** Thank you for your presentation.

Do the members of the committee have questions for the presenter?

**Mr. Eichler:** Thank you for your presentation.

In regards to the conversation about manure in the number of years that's gone by, and we haven't really wanted to talk about manure. Any suggestions on how we might be able to bring that conversation around so we can understand the benefits of applying manure, rather than a synthetic fertilizer?

**Mr. Brewin:** I think that the current legislation on applying fertilizer—sorry—applying manure up to the regulated needs, that's a piece of legislation that sort of pushed farmers that weren't kind of focusing on it—on the economic benefits of fertilizer. I think in the west part of the province this was never a concern. They were short of phosphorus, that's in the places where people are begging for the fertilizer. I think the only part where this concern was made when we had too many animals. There are—I think that legislation regarding applications up to the use of the crops, that was a good piece of legislation, to sort of start the conversation.

**Mr. Allum:** I also just wanted to thank you for coming in tonight and for staying so late and then giving such an erudite explanation for us, as well. It's greatly appreciated, even at this hour.

I think you've heard me say what I would normally say so I'm going to spare you of that. For now—[interjection] But I have to say that as a fellow academic I think our obligation here is to look at the holistic picture and not to narrow into on certain specifics, and we would've appreciated your analysis of other aspects of this bill.

But again thank you so much for coming in tonight.

**Madam Chairperson:** Did you want to comment, Mr. Brewin, on that?

**Mr. Brewin:** No.

**Madam Chairperson:** Okay, we'll continue.

**Mr. Gerrard:** Thank you for providing these maps, and—I mean it's interesting when you include or exclude synthetic fertilizer, and if—just help me understand the one where you're including synthetic fertilizer, because it's showing that there's quite a bit of the land where their deficit would probably be getting deeper because there the budget would suggest a loss of phosphorus. That's the light green areas, and there are areas where the phosphorus is plus five to 25 with the orange, and those are areas which I presume—what is the sort of approach in terms of managing these considerable-sized areas of Manitoba where there's—phosphorus budget is not matching what's really needed?

**Mr. Brewin:** Yes, I'll talk to that—to some—these are farmers making economic decisions, right, so that they're applying fertilizer up to the needs of their crops but I would agree that those light green areas were essentially mining the phosphorus out of that soil. We're slowly depleting it and years from now, when it gets so low that they can't get a crop, they will have to have some source of phosphorus there. And we only have so much phosphorus in the world; if we're not managing manure properly, we're going to use that up much faster.

The ones where there's a surplus there tended to be potato-based crops and I think you can talk to Don tomorrow about why potatoes might need more phosphorus than other crops and if we didn't capture the removal correctly there.

**Mr. Graydon:** Thank you very much for your presentation tonight, it—and when we do look at these maps, there's such a demand, or need, as you say, in other areas for the phosphate. But I'm wondering if there is an opportunity to develop a business to capture the phosphate in the two municipalities that now seem to have—and they do have an issue—and export that, whether that's in pellets as a biofuel or some other way to capture that phosphate and make use of it somewhere else.

**Mr. Brewin:** I can't—so Collin Gyles, that was the grad student that worked on this, did look at moving the manure as it's currently being stored. And it was not economic to move it very far. So, you know, I think it's better to build the barns in areas where the need is there. But, yes, I think there might be some cases where that would be the case.

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

I will now call upon for a second time Mr. Vince Hiebert. Is Mr. Vince Hiebert in the room?

Mr. Hiebert will be removed from the list.

Mr. Dennis Crockett? Is Mr. Dennis Crockett in the room?

Mr. Crockett will be removed from the list.

Mr. David Hammond? Is Mr. David Hammond in the room?

Mr. Hammond will be removed from the list.

Mr. Fred Tait? Is Mr. Fred Tait in the room?

Mr. Tait will be removed from the list.

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 for this evening.

Before we rise, it would be appreciated if members would leave behind the copies of the bill so they may be collected and reused at tomorrow night's meeting.

The hour being 11:19 p.m., committee rise.

**COMMITTEE ROSE AT: 11:19 p.m.**

### WRITTEN SUBMISSIONS

Re: Bill 24

My name is Carla Antonation, I am co-owner of Trilogy Tree Services Ltd. which is a private company providing services to residential and commercial property owners. Our company was established in 2004 and I have been a practicing arborist for 16 years.

I am pleased with the amendment for Section 27 and feel that some more changes are required to update the Act to today's standards. My recommendations pertain to tree removals and professional development that is essential to stay safe in this industry.

The statistics that show increasing numbers of fatalities<sup>1</sup> and injury to tree workers<sup>2</sup> identifies the need for more expertise and training. Therefore, I strongly support the amendment to section 27(1):

27.1(1) Except when permitted by regulation, a person must not act as an arborist unless he or she

holds a valid and subsisting certification from a prescribed organization or body.

The International Society of Arboriculture (ISA) is a certification body that sets the standards for the industry. It requires that people train under another arborist to gain experience, have a significant amount of technical knowledge and continually update their skills through courses, workshops and conferences.

Including ourselves there are 6 people on staff, four are certified, one is in training to become certified and 1 is a general laborer. Obtaining this certification for our employees has been a benefit to our company because it has increased employee morale, our profit margin, and most importantly our safe work practices.

I strongly disagree with the proposed exception of 27.1(2):

27.1(2) Subsection (1) does not apply if the only services a person provides is the cutting down and removal of an entire tree.

This exception permits uneducated and untrained people to perform the most dangerous aspect of arboriculture. It provides a disservice to Manitoba tree workers by putting them at risk, and it provides a disservice to the public who trusts these workers.

This exception provides an unfair business advantage for those who operate under the premise of removal company. They do not invest the time or money into certification, training and insurance, resulting in lower overhead costs. They are able to undercut prices, and bring down the market value of tree care.

My recommendation is as follows:

27.1(2) All tree care workers offering tree removal services for compensation must hold a valid and subsisting certification from a prescribed organization or body.

Transitional

27.1(3) A person may act as an arborist without holding a certification required under subsection (1) if

(a) he or she held an arborist licence under the former Act immediately before the coming into force of this section; or

(b) he or she successfully completed the Manitoba Arborist Training and Licensing Course conducted by the University of Manitoba School of Agriculture before July 1, 2019.

I disagree with this transitional section and recommend that the legislation require all tree workers to hold a valid and subsisting certification (as per subsection (1) above), allowing for a 3 year phase-in period for tree workers to acquire the appropriate certification.

The current Manitoba Arborist License requires applicants to complete the Manitoba Arborist Training course. After this course, licence holders are not required to obtain further skills or continuing education for the duration of one's career. My recommendation is that the certification from a prescribed organization or body also includes mandatory professional development through continuing education opportunities. I strongly feel that this should be stated in the regulations associated with Clause 33(m).

Arboriculture is an industry based on the science of trees. Research is ongoing and new findings on tree biology, insect pests, treatments and assessing risk are discovered every year. It is paramount that arborists stay current and continuously improve their skills to work safe and make it home at the end of the day.

In summary, I support the amendments of section 27.(1) of the Forest Health Protection Act. I recommend further changes because of the significant safety risk imposed on the tree workers and the public that hires them. I do not support 27.1(2) because I do not think tree removal work should be exempt. I do not support 27.1(3), the grandfathering of current licence holders. I believe that all arborists should be required to obtain the certification and be required to remain current and tailor their skills as the industry continues to evolve.

Cited Sources:

1. Arboriculture Canada. Fatality Statistics summarized in course workbooks.
2. Tree Care Industry Association. 2017. Accident Briefs. TCI Magazine, (10) 2017: pages 64-66.

Thank you for your time.

Sincerely,

Carla Antonation  
ISA Certified Arborist  
Qualified Risk Assessor  
Trilogy Tree Services Ltd.

Re: Bill 24

Arboriculture Canada Training & Education Ltd. is Canada's largest arboriculture training provider offering superior tree industry related training and education to private individuals and municipal groups.

Jesse Antonation an instructor for Arboriculture Canada has reviewed the proposed changes to section 27 of the Forest Health Protection Act regarding the licencing of arborists, and submits the following information and recommendations for consideration, in regard to the proposed amendments of the following subsections:

27.1(1) Arborist certification requirement. Except when permitted by regulation, a person must not act as an arborist unless he or she holds a valid and subsisting certification from a prescribed organization or body.

Arboriculture Canada supports this amendment. Certification bodies such as the International Society of Arboriculture (ISA) set a standard for technical knowledge, safety procedures, and expertise for tree care workers<sup>1</sup>, which is inherently a dangerous profession. Certification through ISA also promotes professional development through their continuing education program, which requires tree care workers to upgrade their skills and knowledge through courses, workshops, and conferences, and the public can rely on consistent standards of knowledge, safety, and ethics throughout the tree care industry<sup>1</sup>. There are several options for attaining credentialing through professional development that include industry association certifications, and through the documentation of training from recognized and approved industry training vendors.

27.1(2) Exception. Subsection (1) does not apply if the only services a person provides is the cutting down and removal of an entire tree.

Arboriculture Canada strongly rejects this exception as it puts tree care workers and the general public at significant risk.

Tree care work is dangerous; The average fatality rate in urban forestry is 1 person killed for every 2.45 working days<sup>3</sup>; victims of these fatal accidents include tree care workers as well as members of the public<sup>4</sup>

Struck-by's (when an moving object makes contact with an arborist, such as a falling tree or limb) are the number one reason for injuries and fatalities in

arboriculture and most occur during rigging and removal operations.

19 of the 28 courses Arboriculture Canada offers (Appendix 1) are courses to fill the need and demand to educate arborists how to safely perform removal operations.

It is unreasonable that the most dangerous and technical aspect of tree work (tree removals) will be exempt of any certifications and subsequently training .

Advanced training in tree cutting, climbing, chainsaw/chipper operation, risk assessment and the strict adherence to safety procedures is essential to minimize the risks of injury or death to those working around trees and to bystanders.

Having to continually educate themselves to keep their certification will make available the opportunity to get the training

To add to an already dangerous profession there is an increased risk associated with removing trees killed by emerald ash borer (EAB)<sup>5</sup> a insect problem that is nearing Manitoba's border. Preliminary research and information obtained from arborists working in EAB affected areas has shown that ash trees infested with EAB have lower moisture content than non- infested trees, and are prone to cracking in unpredictable ways<sup>5</sup>. The structural integrity of these trees is compromised, making these trees unsafe to climb or cut without extreme precaution and advanced training. Emerald ash borer is expected to have a devastating impact on ash trees throughout Manitoba, especially those ash trees planted in urban centres. Ash representing approximately 33% of Winnipeg's urban forest<sup>6</sup>, which means that thousands of ash trees in Winnipeg will require fast, safe removal by trained arborists to avoid damage to property or injury/fatalities to tree workers and the public.

If uncertified tree workers can perform removals without training associated with some form of credential (such as the ISA certification), it would be predictable that injury and fatality statistics would increase for Manitoba arborists.

Recommendation: All tree service workers offering tree removal services for compensation must hold a valid and subsisting certification from a recognized industry association such as the I.S.A. Certification.

27.1 (3) Transitional. A person may act as an arborist without holding a certification required under subsection (1) if

(a) he or she hold an arborist licence under the former act immediately before the coming into force of this section; or

(b) he or she successfully completed the Manitoba Arborist Training and Licensing Course conducted by the University of Manitoba School of Agriculture before July 1, 2019.

Arboriculture Canada rejects this amendment as the current Manitoba Arborist License and Manitoba Arborist Training and Licensing Course offer a one-time exam to students, no ongoing educational support, no professional development opportunities for the duration of their career.

#### Recommendation:

We recommend that the legislation require all tree care/service workers to hold a valid and subsisting certification (as per reasons stated above) that also includes mandatory professional development through continuing education opportunities. This will allow arborists to show documented quality training from recognized organizations in the skill areas that align with the work they are performing. A 3 year phase in period may be granted to previous certification holders, to acquire appropriate certification.

#### Summary

The province on Manitoba has an opportunity to develop legislation that will protect the safety of the public as well as Manitoba tree care workers. If a legislation can be put in place that will encourage Manitoba Arborists to stay current with equipment and techniques and continually educate themselves, a standard will be created that will increase safety within the industry.

#### Cited Sources

1. International Society of Arboriculture. 2017. Benefits of obtaining an ISA certification credential. <http://www.isa-arbor.com/certification/benefits/index.aspx>. Accessed October 14, 2017.
2. Bureau of Labor Statistics, U.S. Department of Labor. 2013. Press release: National census of fatal occupational injuries in 2012 (Preliminary results). [https://www.bls.gov/news.release/archives/cfoi\\_08222013.pdf](https://www.bls.gov/news.release/archives/cfoi_08222013.pdf). Accessed October 14, 2017.
3. Arboriculture Canada. Fatality Statistics summarized in course workbooks.


4. Tree Care Industry Association. 2017. Accident Briefs. TCI Magazine, (10) 2017: pages 64-66.


5. Persad, Anand B., et al. 2013. Effects of emerald ash borer infestation on the structure and material properties of ash trees. *Arboriculture and Urban Forestry* 39(1):11-16.


6. City of Winnipeg. 2017. Tree inventory (Open data catalogue). <https://data.winnipeg.ca/Parks/Tree-Inventory/hfwk-jp4h/data>. Accessed October 14, 2017.


Appendix 1


Arboriculture Canada course list


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
**Aerial Lift Emergency Evacuation & Extrication**  
If one of your co-workers or yourself has a debilitating accident while using an aerial lift, do you know how to perform a rescue? This course is designed to educate Aerial Lift operators in the mo...
- 


**Aerial Lift Operations & Fall Protection**  
Safe operations of hydraulic lift systems will be explained and evaluated. Positioning of aerial lift in relation to on-site hazards such as electrical power lines will also be practiced and discuss...
- 


**Arborist Technical Rigging**  
Are you an experienced arborist who is familiar with basic rigging techniques and ready to learn more advanced rigging techniques? Would you like to learn how to assess, set-up, and remove large tr...
- 


**Chainsaw Safety & Cutting Techniques**  
Is basic chainsaw use a regular part of your work? Do you and your staff have the required documentation showing chainsaw training? Chainsaws are one of the most useful as well as dangerous ...
- 

**Chainsaw Train the Trainer**  
This Train the Trainer program targets people who want to be trainers in the safe use of chainsaws. This 5 day program is an intense period of training that focuses on leadership and training techniq...
- 


**Chipper Safety & Operations**  
This one day training and qualification course is designed to train workers to understand how to safely operate a brush chipper and the very important role they play in overall job site safety and acc...
- 


**Crane Assisted Technical Rigging**  
Do you use cranes to remove trees? Would you like to learn more about removing trees using cranes? This "specialty" designed course is to educate participants in the issues and the significance ...
- 


**Electrical Awareness**  
Due to the potential of electrical contact with overhead and underground power lines and equipment resulting in serious injury and fatalities, arborists in the urban environment need to be well inform...
- 

**Emergency Readiness and High Angle Rescue**  
Have you ever wondered which of your crew members could help get a climber down from up in the tree if something were to happen? How long would it take to get help to a climber in need? Emerge...
- 

**Fall Protection Systems**  
Do you work at heights or aloft from an aerial lift platform, scaffold, or bucket truck? Do you understand the importance of sizing, selection, inspecting and record keeping as they pertain to fall...
- 

**Falling Large Diameter Trees & Backleaners**  
This one day course has been designed for anyone who has previously taken the one day Chainsaw Safety & Cutting Techniques program with Arboriculture Canada. We have had many alumni of the one day C...
- 

**Fire-Fighter Rotary and Chain Saw Safety, Cutting, & Ergonomics**  
This course is designed to educate and train firefighters in modern cutting techniques. The benefits of systematic planning, skillfully working the plan and integrated risk assessment will also be dis...
- 

**Golf Course - Chainsaw Safety & Cutting Techniques**  
Is basic chainsaw use a regular part of your work? Do you and your staff have the required documentation showing chainsaw training? Chainsaw safety, basic maintenance, practical cutting, buck...
- 

**Ground Operations & Aerial Support**  
Do you understand the value of a good person on the ground? How much time can it take to get someone to understand the equipment, knots and techniques to attach a foot to a rope, sling a tree prop...

5

6

- 

**Hazard and Danger Tree Cutting and Falling**  
Does your job require you to cut or remove trees that have uprooted or are leaning on buildings, power lines or other trees? Do you work with chainsaws during or after natural disasters and sever...
- 

**High Angle Tree Removal**  
Have you ever decided not to fell a tree because the tree is too tall and/or in a spot too restrictive for felling? Would you like to be able to piece apart a tree in sections small enough to be...
- 

**Ladder Safety & Work Positioning**  
The ladder safety and work positioning module is designed to inform participants of the risks involved in ladder usage while providing worker safety and training in ladder setup, classifications and r...
- 

**Production Tree Removal & Rigging**  
Is tree removal a significant part of your tree companies business? Would you like to improve your safety and efficiency removing trees and ensure you and your crews have safety training pertaining...
- 

**Spar Pole Rigging**  
Have you ever had to use a rope to help lower down and "catch" wood? Have you experienced near misses, high risks, or property damage when dropping, or "catching" large sections of trees? In S...
- 

**Splicing Basics**  
Would you like to splice your own rope? Have you ever wished you were able to splice your own rope tools for rigging? Then Splicing Basics is for you, it will not only teach you how to splice y...
- 

**Stationary Rope Technique (SRT)**  
This two day course provides participants with training in the use of specialized equipment and techniques used to employ SRT (Stationary Rope Technique) to access and get work positioning in trees ...
- 

**Structural Tree Support Systems**  
Have you cabled or braced a tree? Have you heard about rope style non-invasive support systems? In Structural Tree Support Systems, you will learn about traditional and modern equipment and te...
- 

**Technical Tree Falling & Cutting**  
Whether you are a beginner or an experienced tree faller this course offers something for every level of chainsaw operator. Have you been using a saw for a long time and are interested in an ex...
- 

**Technical Tree Falling & Hazard & Danger Tree Cutting**  
This specialized course combines our two popular courses together into a 3 day program. (Technical Tree Falling & Cutting and Hazard & Danger Tree Cutting). Participants will learn about the newest...
- 

**The Big Wood Workshop**  
Arboriculture Canada Training & Education (ACTE) - Dwayne Neustaeter, accompanied by special guest, Dan Kraus (ITCC Champion and inventory of the 'alder') as well as other professional instructors an...
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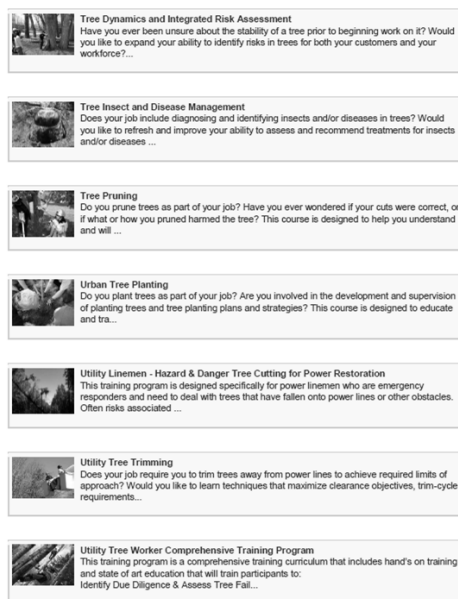
**Tree Appraisal Qualification**  
Do you calculate and assign monetary value to trees? Do you struggle with determining fair and reasonable values to very large old and mature trees? Would you like to have a course and credentials...
- 

**Tree Biology and Care**  
Trees are living organisms that interact with their environment and survive by forming relationships. A "systems approach" to tree care discovers ways to help trees thrive in urban and developed envir...
- 

**Tree Climbing, Fall Protection, Work Positioning**  
Are you new to tree climbing? Are you an experienced climber curious about new gear and techniques? If you are a climbing arborist currently and would like to upgrade or refresh yourself, or if ...

7

8



Jesse Antonation  
Instructor  
Arboriculture Canada Training & Education Ltd.

Re: Bill 24

Trees Winnipeg (Coalition to Save the Elms) is a charitable organization which has been a partner in forest protection, Dutch elm disease management, invasive species monitoring, and public education in urban forestry for 25 years. Members of our organization represent various stakeholders connected to the urban forest industry including the general public. Trees Winnipeg has reviewed the proposed changes to section 27 of the Forest Health Protection Act regarding the licencing of arborists, and submits the following information and recommendations for consideration, in regard to the proposed amendments of the following subsections:

27.1(1) Arborist certification requirement. Except when permitted by regulation, a person must not act as an arborist unless he or she holds a valid and subsisting certification from a prescribed organization or body.

Trees Winnipeg strongly supports this amendment. Certification bodies such as the International Society of Arboriculture (ISA) set a standard for technical knowledge, safety procedures, and expertise for tree

care workers<sup>1</sup>, which is inherently a dangerous profession. Certification through ISA also promotes professional development through their continuing education program, which requires tree care workers to upgrade their skills and knowledge through courses, workshops, and conferences, and the public can rely on consistent standards of knowledge, safety, and ethics throughout the tree care industry<sup>1</sup>.

27.1(2) Exception. Subsection (1) does not apply if the only services a person provides is the cutting down and removal of an entire tree.

Trees Winnipeg strongly rejects this exception as it puts tree care workers and the general public at significant risk. Tree care work is inherently dangerous; tree removals in particular are potentially dangerous situations as this work is done at significant heights, and in urban settings, this work is often performed over buildings, residential homes, traffic, pedestrians, and in close proximity to power lines. Forestry work in general is rated as the most dangerous profession in North America due to the risks posed by falling trees and cutting equipment<sup>2</sup>. The average fatality rate in urban forestry is 1 person killed for every 2.45 working days<sup>3</sup>; victims of these fatal accidents include tree care workers as well as members of the public<sup>4</sup>. The Tree Care Industry Association (TCIA) provides monthly "Accident Briefs" in their TCI Magazine which illustrates the types of accidents and injuries associated with tree care work (Appendix 1) and how advanced training in tree cutting, climbing, chainsaw/chipper operation, risk assessment and the strict adherence to safety procedures is essential to minimize the risks of injury or death to those working around trees and to bystanders.

Furthermore, there is an increased risk associated with removing trees killed by emerald ash borer (EAB)<sup>5</sup>. Preliminary research has shown that ash trees infested with EAB have lower moisture content than non-infested trees, and are therefore prone to cracking in unpredictable ways<sup>5</sup>. The structural integrity of these trees is compromised, making these trees unsafe to climb or cut without extreme precaution and advanced training. Emerald ash borer is expected to have a devastating impact on ash trees throughout Manitoba, especially those ash trees planted in urban centres. For example, ash represents approximately 33% of Winnipeg's urban forest<sup>6</sup>, which means that thousands of ash trees in Winnipeg will require fast, safe removal by qualified arborists

to avoid damage to property or injury to the general public.

Recommendation: All tree care workers offering tree removal services for compensation must hold a valid and subsisting certification from a prescribed organization or body.

27.1 (3) Transitional. A person may act as an arborist without holding a certification required under subsection (1) if

(a) he or she hold an arborist licence under the former act immediately before the coming into force of this section; or

(b) he or she successfully completed the Manitoba Arborist Training and Licensing Course conducted by the University of Manitoba School of Agriculture before July 1, 2019.

The current Manitoba Arborist License and Manitoba Arborist Training and Licensing Course offer a one-time exam to students, after which there is no ongoing educational support or professional development opportunities for the duration of their career. Given the ever-evolving nature of the arboriculture industry and urban forestry practices, this amendment fails to support a standard of professionalism and technical knowledge that puts the public at risk.

Our understanding of tree biology, urban forest ecology, forest pests, treatments, safety techniques, and improvements in tree care equipment has evolved significantly over time. For example, new information on a range of urban forest issues becomes available every year, including information on invasive pests such as emerald ash borer, the chemical products available to treat/prevent it, and more importantly, the dangers associated with removing infested trees. Without a current understanding of these issues, tree care workers cannot offer the best possible advice to their clients, creating inconsistency and undermining the credibility of the tree care industry.

Recommendation: Trees Winnipeg rejects this amendment and recommends that the legislation require all tree care workers to hold a valid and subsisting certification (as per subsection (1) above), that also includes mandatory professional development through continuing education

opportunities, allowing for a 3 year phase-in period for tree care workers to acquire the appropriate certification.

#### Summary

While Trees Winnipeg supports the amendment of subsection 27.1 requiring tree workers to hold certification from a recognized organization (i.e. the International Society of Arboriculture), our organization has significant concerns regarding the other proposed amendments to the Forest Health Protection Act. Some of these proposed amendments will result in inconsistent standards of safety and technical knowledge, and will put tree care workers and the general public at significant risk. In amending the current Act, the Province of Manitoba has the opportunity to develop legislation that will protect the safety of the general public as well as Manitoba tree care workers. We recommend that all tree care workers offering tree care and tree removal services for compensation hold valid certification which includes continuing education as a requirement for maintaining that certification. This will better protect the public and will improve consistency and safety standards within the tree care industry.

#### Cited Sources

1. International Society of Arboriculture. 2017. Benefits of obtaining an ISA certification credential. <http://www.isa-arbor.com/certification/benefits/index.aspx>. Accessed October 14, 2017.
2. Bureau of Labor Statistics, U.S. Department of Labor. 2013. Press release: National census of fatal occupational injuries in 2012 (Preliminary results). [https://www.bls.gov/news.release/archives/cfoi\\_08222013.pdf](https://www.bls.gov/news.release/archives/cfoi_08222013.pdf). Accessed October 14, 2017.
3. Neustaeter, D. 2017. Training Handbook: Chainsaw Safety & Cutting Techniques. Arboriculture Canada Training & Education Ltd, pages 10-11.
4. Tree Care Industry Association. 2017. Accident Briefs. TCI Magazine, (10) 2017: pages 64-66.
5. Persad, Anand B., et al. 2013. Effects of emerald ash borer infestation on the structure and material properties of ash trees. *Arboriculture and Urban Forestry* 39(1):11-16.

6. City of Winnipeg. 2017. Tree inventory (Open data catalogue). <https://data.winnipeg.ca/Parks/Tree-Inventory/hfwk-jp4h/data>. Accessed October 14, 2017.

Kerienne La France  
Executive Director

Gerry Engel  
President

Trees Winnipeg (Coalition to Save the Elms)

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Re: Bill 24

I write to you as the President of Parkland Tree Care Ltd . We are a Winnipeg based tree care company. We primarily offer tree pruning and removal services. I am also an International Society of Arboriculture Certified Arborist (ISA) and have been since the mid 1990's. I have reviewed the proposed changes to section 27 of the Forest Health Protection Act regarding the licencing of arborists, and I submit the following comments and recommendations for your consideration in regard to the proposed amendments of the following subsections:

#### Arborist certification requirement

27.1(1) Except when permitted by regulation, a person must not act as an arborist unless he or she holds a valid and subsisting certification from a prescribed organization or body.

I support the proposed regulatory changes to the Arborist licensing system. I believe ISA sets a high standard for tree care in knowledge and safety. I am hopeful the changes will result in improvements in the practice of Arboriculture within the province of Manitoba. If the ISA certified arborist certification is accepted all ISA Certified Arborists who hold this certificate will be required to obtain 30 hours of arboriculture applicable education every 3 years in order to renew their qualification. This I hope with encourage continued learning and improvement in arboriculture practices.

27.1(2) Subsection (1) does not apply if the only services a person provides is the cutting down and removal of an entire tree.

I strongly suggest the committee include tree removal under the regulation. Tree removal work is one of the most dangerous professions in North American. Risk of injury or death is higher than any

other profession including: Police, Fire, Paramedic, Military. This puts the worker, bystanders, vehicle traffic, buildings and infrastructure at risk when tree removals are performed by untrained individuals. At the present time anybody can remove any size of tree without having any basic knowledge.

I believe in this safety aware society this can not be allowed to continue.

As well, with the coming Emerald Ash Borer infestation on our door step all the infested trees will need to be removed quickly. Trees infested with this insect are known to be highly hazardous due to the characteristic rapid drying of the ash wood. EAB infested trees fail in unpredictable ways and will require an astute trained arborist to determine the risks of removal.

Recommendation: All individuals or companies offering tree removal services for compensation must have one individual holding a valid certification from a prescribed organization or body on every work site.

27.1(3) A person may act as an arborist without holding a certification required under subsection (1) if

(a) he or she held an arborist licence under the former Act immediately before the coming into force of this section; or

(b) he or she successfully completed the Manitoba Arborist Training and Licensing Course conducted by the University of Manitoba School of Agriculture before July 1, 2019.

Currently anyone holding a Manitoba Arborist Licence has no requirement for continuing education in the field of Arboriculture or Urban Forestry. This profession is always changing and without a current understanding of these issues, tree care workers cannot offer the best possible advice to their clients, creating inconsistency and undermining the credibility of the tree care industry. Worker safety is also compromised without on going training and education.

I recommend that the legislation requiring tree care workers to hold an Arborist Licence specifies that they hold a valid and subsisting certification (as per subsection (1) above), that also includes mandatory professional development through continuing education opportunities, allowing for a 5 year phase-in period for tree care workers to acquire the appropriate certification.



In Summary I supports the changes in the amendment of subsection 27.1 requiring tree workers to hold certification from a recognized organization (i.e. the International Society of Arboriculture) but I strongly recommend further changes to the act which would include tree removal and a limit to grandfathering of existing licenses.

Sincerely,

Carl Epp  
ISA Certified Arborist  
Parkland Tree Care Ltd.

Re: Bill 24

Dear Mr. Brian Pallister and Co.

I am writing to oppose Bill 24. There is never an acceptable reason for cruelty. We humans can do better. Hogs are feeling, thinking beings, adversely affected by inhumane living conditions, poor quality food and stress.

I fail to understand the necessity for treating them and other livestock as inanimate objects devoid of any feelings.

There is no mystery to the fact that adding more of these deplorable types of barns and forcing hogs to endure them is all in the name of Greed. How many hogs have died in Barn fires in the past year? Too many and mostly due to the fact that the barns have limited means of any hope of escape or rescue.

This is not farming, this is not about “feeding people” (the quality of this meat due to the stress and poor diet, as well as chemical additives of the hogs is the lowest quality of meat).

This is not farming this is torture, and should never be acceptable.

Is this the legacy you want to leave your children and grandchildren? Poisoned lakes, due to extremely high levels of manure run off, dead fish, cruelty to animals, all shameful and certainly in the province or anywhere in the world should ever be a point of pride.

I love this province, but this makes me saddened and ashamed of our political leaders. You can do better, use your brains, your hearts and stop only thinking of money.

Have you ever actually opened your eyes to see how cruel the living conditions are for the Pigs, have you

ever stopped to think about why you and others think it is okay to force these animals to barely exist in order to put more money in the pockets of the already wealthy. I don't know how anyone with an ounce of compassion could sleep at night knowing that animals are being mistreated and tortured.

How can you eat the meat of these animals knowing the injustice and insanity that is prevailing?

I implore you to have some compassion, some common sense and integrity and to consider the great loss if this Bill is approved.

Isn't it time to reclaim compassion, kindness, humanity and goodness instead of worshipping money.

If you don't act now there may come a time when no amount of money can undo, heal the damage that you are creating.

You can stop this insanity by voting against Bill 24.

Thank you for your consideration.

Moe Feakes

Re: Bill 24

Proposed Legislative Changes to Environment Act and Livestock Manure and Mortalities Management Regulation

Intro

Thank you for the opportunity to present our thoughts on the proposed changes to the Act and the Regulation.

My family and I have been egg farmers at Oak Bluff for many years. Care for our hens has always been a high priority for our farm. We are strong supporters of on farm food safety, animal care, and environmental programs provided by Manitoba Egg Farmers. We are active participants in the egg industry and I am currently chair of Manitoba Egg Farmers.

The manure that our hens produce is a valuable source of nutrients for the crops grown on our farm. As a part of being good environmental stewards, we soil test our fields on an annual basis. This plus manure analysis allows us to apply manure according to the needs of the crop. Manure is applied directly to the soil according to provincial regulations in order to enhance crop production and encourage environmental sustainability.

Our comments have to do with the proposed amendments to the Livestock Manure and Mortalities Management Regulation.

#### LMMMR Amendments

Regulations are living documents that evolve through successive updates, are expanded as needed, and serve multiple purposes over time.

A living document relies on rules which allow and encourage the document's continual growth and evolution. Open collaboration on these amendments to the LMMMR will lead to an updated framework that at its core will protect the soil, air, and water that all Manitobans value.

In a general sense, we are supportive of this regulatory review and enhancement process. Of particular interest to us as farmers are the following:

Increase Manure Facility Storage Capacity – increasing to 750 days from current 500 days would enhance flexibility and improve protection, particularly in the face of unpredictable weather events throughout the year.

Construction Season – allow frozen soil to be the limiting criterion. There is no need to change the cut-off date or date extension process for manure spreading. The extension process based on weather and soil conditions at the time are working and are reasonable (last fall it was extended 2 or 3 times).

Annual Livestock Water Analysis – Our national animal care program does test water annually; keeping ground water monitoring wells is prudent.

Delegation of Field Decision Making – deferring to trained and designated environment officers to approve in-field decisions (instead of having to go to the Director) would be more timely. We would like this delegation process to consider inclusion of changes in permits as well.

#### Closing

In closing, as farmers we appreciate any effort to create environmentally sound, transparent, clear, practical, and outcome-based policies and procedures. We are supportive of this effort to update the Environment Act, the Livestock Manure and Mortalities Management Regulation, and their associated Policies and Procedures.

Thank you again for the opportunity to present our thoughts on the proposed changes to the Act and the Regulation.

Respectfully submitted;

Harold Froese

Re: Bill 24

I am in opposition to Bill 24 because

1) Bill 24 is contrary to the guidelines of the Paris Climate Change Talks. It is putting financial concerns before environmental concerns,

2) Bill 24 will create more factory farms which means the need to fill more undesirable jobs in slaughterhouses. The emotional and physical toll of working in slaughterhouses and on factory farms is appalling. How much better would the lives of workers be if they were producing living plants, grains and legumes instead of killing animals?

3) Bill 24 will result in increasing the numbers of animal suffering. Larger farms translate to more accidents and more animals fully conscious when killed.

4) Bill 24 it is contrary to the guidelines of the final draft of the new Canada Food Guide which promotes Canadians eat mostly plant based foods. In turn, eating plant based will save billions in Health Care costs. We should be transitioning to plant based farming; not building more hog barns. Canadians have clearly demonstrated that they are eating less pork than ever before and yet our government is promoting pork and trying to get people to eat more pork. Why is The Department of Agriculture intent on increasing pork production when Health Canada is trying to get people to eat less meat instead of more? Currently, two thirds of Canadians are overweight and one third are obese.

5) Bill 24 will create a huge negative impact on Lake Winnipeg and our lake is already compromised. We have to work on cleaning it up, not making it worse.

In 2016, the Federal and Manitoba Government granted \$500,000 to Maple Leaf's Bacon Production Expansion in Winnipeg. Federal Minister of Agriculture MacAulay said that a global demand for protein is growing and it's his government's goal was to make sure Canada is a big part of meeting that demand by increasing pork production (July 18th, 2016 edition of The Winnipeg Metro). Firstly, there is not a health concern with Canadians getting enough protein and secondly, he was inferring that bacon is part of a healthy diet. Locally, Provincial Agriculture Minister Ralph Eichler was quoted (July 18th, 2016 edition of The Winnipeg Metro) saying that he's happy to see one of his "favourite products" (bacon) made more widely available. With that type of campaign, it was no surprise this bill with the intent to build more hog barns would be next. I for

one are not comfortable with the slogan the government has been promoting: “Winnipeg is the Bacon Capital of Canada”. It is time to spend some money transitioning farmers to plant based agriculture. We should be more interested in long term health and environmental effects that short term dollars gained by promoting an industry that is destroying the planet.

Lynn Murphy

Re: Bill 24

MEF Comments to The Red Tape Reduction And Government Efficiency Act, 2017

Thank you for the opportunity to present Manitoba Egg Farmers’ thoughts on the proposed changes to the Act and the Regulation.

MEF promotes healthy living, animal care, food safety, community involvement and environmental sustainability through our policies and actions. MEF strives to enable our 170 egg and pullet farmers to practice the highest standards of animal care, food safety and environmental sustainability through training and support.

MEF applauds the ongoing efforts to streamline Acts and Regulations that reflect past experiences, current knowledge, and future goals. One of the successes so far that our farmers appreciate is the recognition by the Office of the Fire Commissioner that some aspects of commercial building codes are not appropriate to agricultural buildings. No longer are family poultry operations incurring additional costs for measures that do not make sense in a layer or pullet barn.

In a general sense, MEF is supportive of this regulatory review and enhancement process. MEF’s comments have to do with the proposed amendments to the Livestock Manure and Mortalities Management Regulation. Of particular interest to our farmers are the following:

Increase Manure Facility Storage Capacity - increasing to 750 days from current 500 days would enhance flexibility and improve protection, particularly in the face of unpredictable weather events throughout the year.

Construction Season - allow frozen soil to be the limiting criterion. There is no need to change the cut-off date or date extension process for manure spreading. The extension process based on weather

and soil conditions at the time are working and are reasonable (last fall it was extended 2 or 3 times).

Annual Livestock Water Analysis - Our national animal care program does test water annually; keeping ground water monitoring wells is prudent.

Delegation of Field Decision Making - deferring to trained and designated environment officers to approve in-field decisions (instead of having to go to the Director) would be more timely. We would like this delegation process to consider inclusion of changes in permits too.

In closing, MEF’s farmers appreciate any effort to create environmentally sound, transparent, clear, practical, and outcome-based policies and procedures. We are supportive of this effort to update the Act, the Regulation, and their associated Policies and Procedures.

Cory Rybuck  
General Manager  
Manitoba Egg Farmers

Re: Bill 24

Through research, technology, and education, the International Society of Arboriculture promotes the professional practice of arboriculture and fosters a greater worldwide awareness of the benefits of trees.

The International Society of Arboriculture (ISA) has served the tree care industry for 90 years as a scientific and educational organization.

The Isa Prairie Chapter represents over 350 members, and 637 ISA Certified Arborists® in Manitoba, Saskatchewan and Alberta.

To earn an ISA Certified Arborist® credential, you must be trained and knowledgeable in all aspects of arboriculture. ISA Certified Arborists® have met all requirements to be eligible for the exam, which includes three or more years of full-time, eligible, practical work experience in arboriculture and/or a degree in the field of arboriculture, horticulture, landscape architecture, or forestry from a regionally accredited educational institute. This certification covers many topics giving the candidates flexibility in the arboricultural profession. A code of ethics for ISA Certified Arborists® strengthens the credibility and reliability of the work force. This certification is accredited by the American National Standards Institute, meeting and exceeding ISO 17024. Certification through ISA also promotes professional

development through their continuing education program, which requires tree care workers to upgrade their skills and knowledge through courses, workshops, and conferences, and the public can rely on consistent standards of knowledge, safety, and ethics throughout the tree care industry

As part of the proposed changes to the Forest Protection Act it is being recommended that the ISA

Certified Arborist® credential be used as a requirement for practicing arboriculture in Manitoba. If this is the case, ISA has serious concerns regarding these changes.

It should be noted that no prior consultation was done with the primary stakeholders in the tree care industry, or the public prior to these changes being proposed in the bill. In previous versions of The Forest Health Protection Act it was stated that consultation with an advisory board of industry stakeholders was necessary to provide recommendations and advice on any changes to the Minister. The ISA Prairie Chapter strongly supports the proposed amendment repealing Section 27 that will remove the licencing requirement and reduce red tape and improve government efficiency

The ISA Prairie Chapter has reviewed the proposed changes to section 27 of The Forest Health Protection Act: Arborist regulation as part of Bill 24 The Red Tape reduction act. and submits the following information and recommendations for consideration, regarding the proposed amendments of the following subsections:

27.1(1) Arborist certification requirement. Except when permitted by regulation, a person must not act as an arborist unless he or she holds a valid and subsisting certification from a prescribed organization or body.

There must be clarification on what certification body is being referred to. The ISA Prairie Chapter strongly supports this amendment as the ISA Arborist certification. With over 25,000 Certified Arborists worldwide. ISA certification is the standard for qualifying Arborists in the Urban Forestry trade.

The ISA arborist certification program has successfully improved the profession by setting minimum standards of achievement, incentives for continuing education, and an improved image from both the arborist and the public points of view.

27.1(2) Exception. Subsection (1) does not apply if the only services a person provides is the cutting down and removal of an entire tree.

The ISA Prairie Chapter fundamentally opposes this amendment. The ISA defines an Arborist in the following way;

“An arborist, by definition, is an individual trained in the art and science of planting, caring for, and maintaining individual trees. Arborists are knowledgeable about the needs of trees and are trained and equipped to provide proper care. Hiring an arborist is a decision that should not be taken lightly. Proper tree care is an investment that can lead to substantial returns. Well-cared-for trees are attractive and can add considerable value to your property. Poorly maintained trees can a significant liability. Pruning or removing trees, especially large trees, can be hazardous work. Tree work should be done only by those trained and equipped to work safely in trees.”

One of the most hazardous aspects of Arboriculture is the act of removing a tree. Tree removals in many cases requires extremely specialized training or equipment, and years of experience. To require an individual to possess a certification as an Arborist while exempting one of the most critical components of the profession is completely illogical.

The ISA Prairie Chapter believes the public will be put at risk where there is legislation that exists stating no qualification, or insurance is required to remove trees with potentially life-threatening and financially disastrous scenarios for the public.

Recommendation: All tree care workers offering tree removal services for compensation must hold a valid and subsisting certification from The International Society of Arboriculture

27.1 (3) Transitional. A person may act as an arborist without holding a certification required under subsection (1) if

(a) he or she hold an arborist licence under the former act immediately before the coming into force of this section; or

(b) he or she successfully completed the Manitoba Arborist Training and Licensing Course conducted by the University of Manitoba School of Agriculture before July 1, 2019.

By proposing 3 requirements to act as an arborist in Manitoba, this proposed amendment creates an

extremely complicated and illogical scenario for industry and for the public

The Manitoba Tree Pruners licence was grandfathered for the replacement Manitoba Arborists licence which would now again be grandfathered. A very confusing situation for those entering the industry, those currently working in it, and the public.

Under the legislation as proposed, an individual would be able to practice Arboriculture for decades after writing a test designed only to confirm entry-level professionalism. The 'grandfathered' individuals would also be exempt from the ISA's stringent requirement for ongoing education as a prerequisite for maintaining certification. There will be no way for verification of the credential other than an easily reproduced piece of paper an individual will possibly have had for decades. At present, there is no avenue for enforcement. By contrast, an ISA certification is easily verified, in real time, online. The ISA vigorously pursues individuals falsely claiming their certification.

Without alteration or reconsideration of the proposal to indefinitely extend the tenure of the current

Manitoba Arborist's License, the ISA Prairie Chapter cannot support or endorse the ISA Certified Arborist credential being represented as an equivalent option to the Manitoba Arborist's License. Without the phased removal of the Manitoba Arborist's License as a requirement for practicing Arboriculture in Manitoba, we believe the industry would be better served with self regulation, rather than legislation that potentially misrepresents the skills and training of the industry, and does not properly reflect the professionalism of Urban Forestry in Manitoba.

Recommendation: In lieu of the transitional considerations offered under 27.1(3), which appear to offer certification in perpetuity to anyone who simply attends the training program prior to the proffered date, the ISA Prairie Chapter recommends the current Manitoba Arborist's License be discontinued, and current Licensees be granted a 5-year 'sunset period' during which they can obtain certification as an ISA Certified Arborist.

Matt Vinet  
Representative, Manitoba  
International Society of Arboriculture, Prairie Chapter

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>**