

***Bill 46 – Save Lake Winnipeg Act***  
*Presentation to Legislative Review Committee, June 13, 2011*  
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My name is James Beddome, I am the Leader of the Green Party of Manitoba, and I will be presenting on Bill 46, the so-called, “Save Lake Winnipeg Act”, which essentially amends *The Crown Lands Act*, *The Environment Act*, *The Mines and Minerals Act*, *The Planning Act*, and *The Water Protection Act* of Manitoba.

Firstly I would like to say that I appreciate that the Manitoba Government is attempting to take actions in order to protect water bodies from nutrient loading, but this act falls short of going far enough. That said this act is typical of everything that is presently wrong with the present NDP government. Rather than taking sincere actions intended to deal with the ecological crises that we face both locally and globally, the government enacts these tiny incremental changes. In all honesty, my belief is that the true intent of this act is to create a political distraction in the lead up to a general election, and following some of the worst flooding seen in Manitoba in centuries, rather than a sincere attempt to protect Manitoba’s watershed!

The title itself, “The Save Lake Winnipeg Act”, is a clear indication of this political simplification of the complex issues of nutrient loading in our watershed. It demonstrates what us Greens would call a lack of ecological literacy – or to put it alternatively a lack of understanding as to how ecosystems function; we need to learn from and mimic nature, only in that way can we create truly sustainable solutions.

Certainly we all want to save Lake Winnipeg from eutrophication, increasing toxic algal blooms, and other forms of water pollution. However, we cannot simply focus on Lake Winnipeg. This is about more than just Lake Winnipeg; it is about water in general! The increased algal blooms witnessed in Lake Winnipeg in recent years are merely a symptom of much larger problems that relate to current: agricultural practices, sewage practices, hydro-electric activities, land use practices and how we presently manage our watershed in general.

To this end I would turn your attention to **Part 1, clause 2 of the Bill-46, under the heading “Considerations: 7.1.1.(2)”, sub (a)**, which states “*...the minister must consider: (a) whether the wetland is a coastal marsh directly linked to a large Manitoba Lake;*”

I would submit that this clause needs amending.

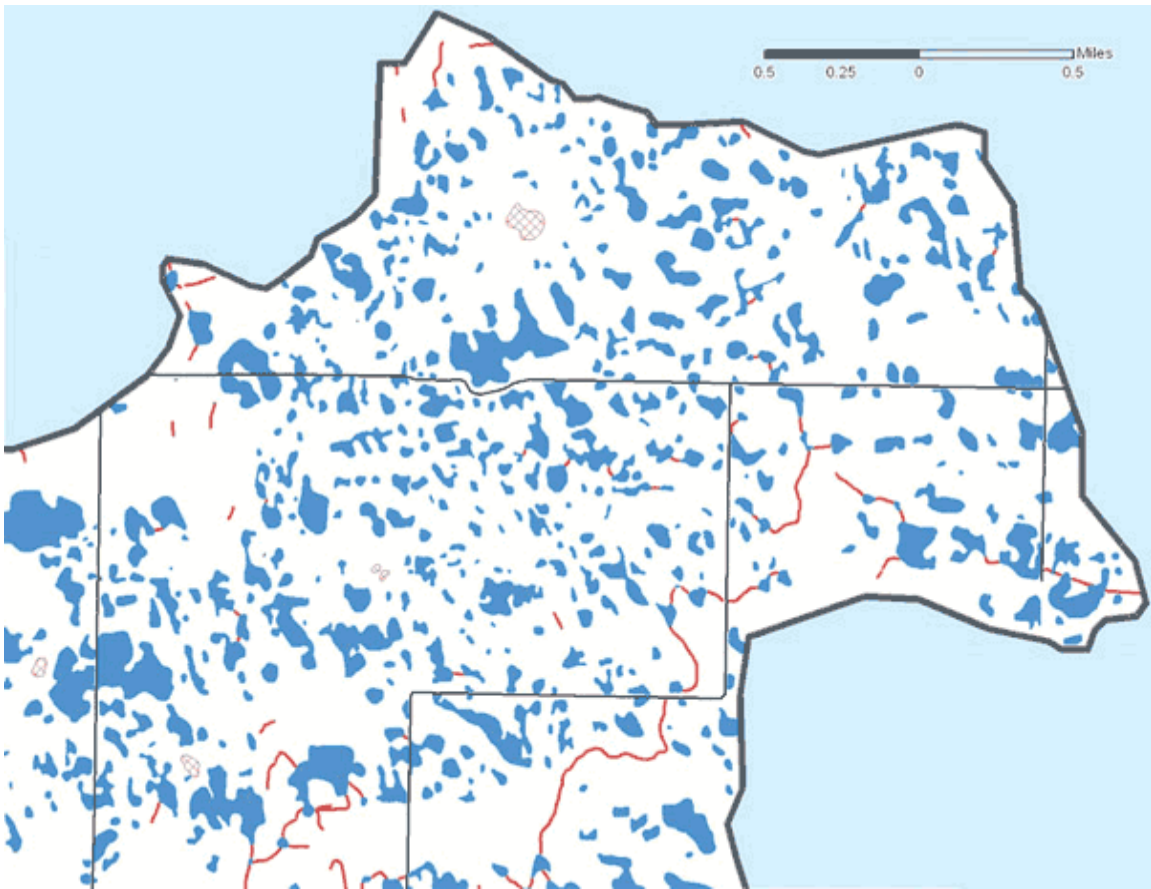
Firstly, contrary to public perception size is not everything. There is no operational definition in regards to surface area, volume of water, or any other metrics, which would help clarify what this act means when it uses the term “large Manitoba lake.” Secondly it is abhorrent to imply that large lakes, however this may be defined, are somehow more important than small and medium sized lakes. Indeed all water is precious. Other lakes in Manitoba such as Rock Lake and Killarney Lake have also face similar issues regarding eutrophication and algal blooms. The issues facing these lakes are more or less the same as those facing Lake Winnipeg. Granted there are some differences, but the

impacts on the local ecosystems, including but not limited to the lake ecosystem, are quite similar. The impacts of decreased tourism from algal blooms harms the town of Killarney in more or less the same manner as it does the town of Victoria Beach. So why only focus on “Saving Lake Winnipeg”, when what we need to be focussing on is saving our entire watershed? Clearly we should be protecting all of Manitoba's: lakes, rivers, marshes, etc. These smaller lakes afterall form part of the the larger water system, so if we pollute our smaller lakes in the Lake Winnipeg watershed it stands to reason that we will also pollute Lake Winnipeg.

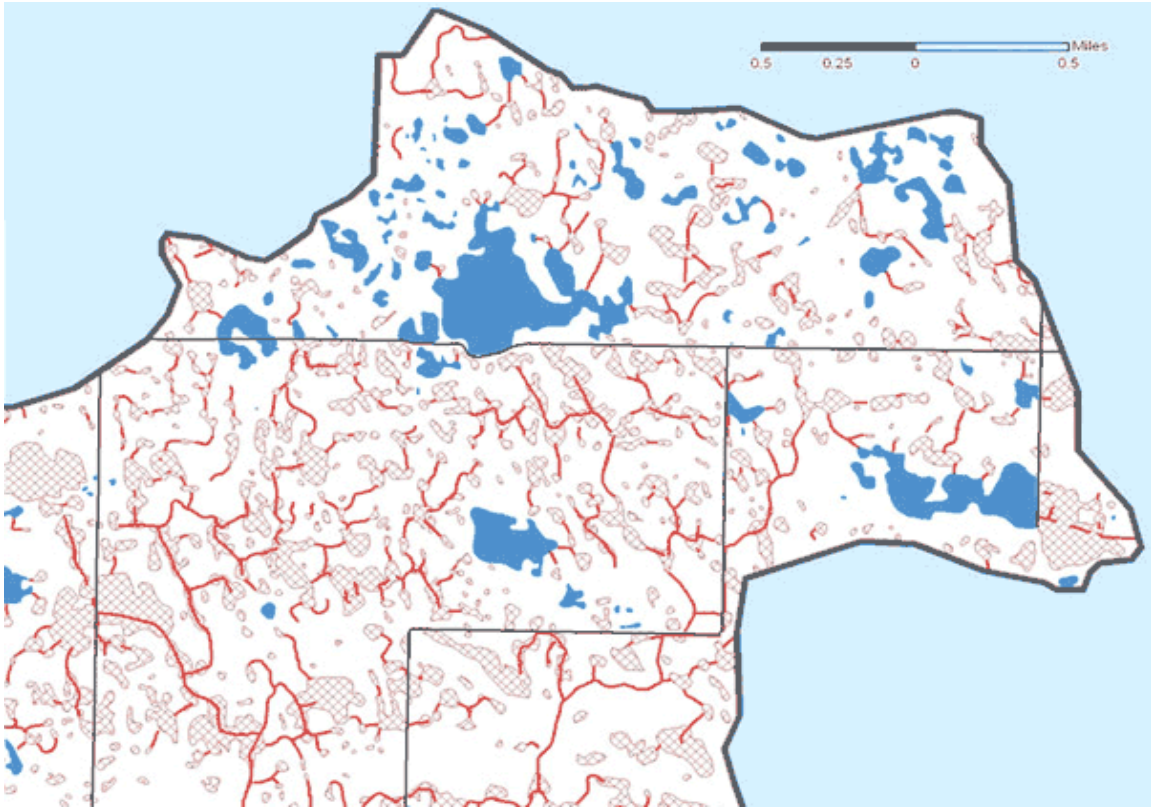
Secondly the proposed amendment clearly places a higher priority on coastal marshes. While the importance of coastal wetlands cannot be over-looked, neither should the importance of isolated watersheds be overlooked – much of Manitoba is after all located in within the prairie pothole region. A 2009 study funded by Ducks Unlimited and written by Dr. Pascal Badiou and Shane Gabor, entitled “Broughton Creek Watershed: The Impacts of Wetland Loss in Manitoba” is quite instructive on the importance of isolated wetlands. The study examined the impacts of wetlands loss in Broughton Creek Watershed, located in the Western Part of Manitoba primarily within the R.M. of Blanshard, but also encompassing parts of the RM of Harrison and the RM of Saskatchewan. The study found that between 1968 and 2005 nearly 6,000 wetland basins had been degraded or totally lost, a 70% decline in the number of watersheds, and a 21% decline in the total in the total area of wetland being lost. As can be seen in Figures 1 & 2, the installation of drainage ditches increases the size of the remaining wetlands. The study found this resulted in a 30% increase in water flow, with a corresponding 31%

increase in nitrogen and phosphorous loading from the watershed, and a 41% increase in sediment loading. The study highlights the need to immediately stop the loss of wetlands, If wetland loss continues at present rates, then the phosphorous from South-western Manitoba will increase by 41%, contributing an additional 46 tonnes per year by 2020.

**FIGURE 1:** Broughton Creek Watershed – 1968 (Source: Ducks Unlimited)



**FIGURE 2:** Broughton Creek Watershed – 2005 (Source: Ducks Unlimited)



The amendments to the *Crown Lands Act* will not stop the process of wetland degradation. In fact, section 5(1)(h) of *The Crown Lands Act* explicitly allows projects for “draining and reclaiming Crown swamp land”, subject to section 5(2) which requires ratification by the legislature if the lands being drained equals or exceeds four townships – once again indicative of the mantra that bigger is better, and *ergo* more important. Again small isolated wetland basins are vital for helping to retain water and nutrients. They also serve as wildlife habitat and carbon sinks that help to mitigate the impacts of climate change. I would submit that section 5(1)(h) and 5(2) of *The Crown Lands Act* should be repealed. Manitoba needs to make a commitment to protect all crown wetlands, and restore degraded crown wetlands.

This act also does not deal with wetland degradation on these privately held lands. While an estimated 90% of Manitoba’s land base is Crown land, most of the wetlands degradation has occurred in the agriculturally dominated Southern portion of the province. It should be acknowledged that the government has put forward \$2 million over four years (2008-2012) for the Wetland Restoration Incentive Program. Moreover the government also helped provide 1.2 million Alternative Land Use System (ALUS) pilot project located in the RM of Blanshard. The results of these programs have shown a high-level of adoption from agricultural producers, who receive payments for conserving or restoring valuable ecosystems. Most importantly the idea of paying farmers for the ecological service that they render for the rest of Manitoba creates a structure whereby agricultural producers are given incentives to rethink how they presently manage their farms.

An April 2007 study funded by the Delta Waterfowl Foundation estimated that the cost of a national ALUS program across Canada, which would encompass 36 million acres, would be \$738 million. Moreover such a program would deliver \$820 million in public benefits, including \$61 million in direct government expenditure reductions do to lower crop insurance claims, and less money needing to be spent on water retention.

In the grand scheme of things less than four million over nearly a decade is not a lot of public financing, and it is nowhere near the investment level needed if we want to seriously start reclaiming our degraded wetlands. When we consider how much public money has been spent on: creating drainage ditches, building hydro dams which change water flow patterns, constructing sewage systems, and promoting modern industrial agriculture - particularly intensive hog operations; it becomes apparent that it is the expenditure of public money that has gotten our watersheds, including Lake Winnipeg in so much trouble. The Government then has responsibility to spend the public money to solve the problems created from previous expenditures and past economic development plans. This is not about pointing fingers, mistakes were made in the past, some in good faith, others perhaps less so, but this does not change the fact that we all rely on the same watershed and we all therefore need to work together to solve the problems that have been created. Cuba Gooding Jr. had a great line in the movie *Jerry Maguire*, when he exclaimed: "SHOW ME THE MONEY!" We need hundreds of millions of dollars to truly make such a program work, and it will be more than worth every penny!

Yes some may argue that the watershed extends beyond Manitoba's borders, but neither are we blameless here in Manitoba. As the recent Leavitt report established approximately half of the nitrogen and phosphorous flowing into the Lake Winnipeg water basin comes from within Manitoba. As the adage goes: first you have to clean up you own front yard, before you ask your neighbour to do the same.

According to the 2006 *Restoring the Health of Lake Winnipeg, Technical Annex* by the Lake Winnipeg Implementation Committee, "Scientists attribute the dramatic response of the North Basin of Lake Winnipeg to the interaction of three anthropogenic factors:

- excess quantities of phosphorus entering the lake from the sub-basin
- regulation of the lake as a hydroelectric generation reservoir leading to retention of nutrient-rich water and algal populations during the productive summer season
- damming of the Saskatchewan River upstream of the North Basin causing the sediment load to be deposited before reaching Lake Winnipeg, resulting in increased light availability for algal growth."

Yet nowhere in Bill 46 is the issue of Hydro dealt with. On January 4<sup>th</sup> of 2011, Bruce Owen of the Winnipeg Free Press reported that Premier Selinger committed to forcing Manitoba Hydro to get a permanent license for the Lake Winnipeg Regulation, and that the licensing process would include public hearings. It seems worth noting that according to Manitoba Hydro advertisements, that Hydro is less than two inches away from the maximum Lake Winnipeg Regulation levels of 717ft. Although Hydro contest this fact, there are many people who feel that higher lake levels, and damming of the outflows results in higher nutrient levels in Lake Winnipeg. Aside from this

announcements, made only in the newspaper, no further announcements or developments regarding the hearing process have been made. A public hearing would allow for the impact of Hydro's management of Lake Winnipeg levels to be examined in an open and transparent manner. Such a public hearing needs to be held before the next provincial election.

Further restrictions on confined livestock areas and manure storage facilities for pigs are a welcome addition. The Green Party of Manitoba welcomes a province wide moratorium on the expansion of confined livestock operations, however such a moratorium should be applied to all confined animal livestock feeding operation. For years this NDP government, and the PC one before them, has been shovelling money at the industrial livestock agriculture. Such economic development strategies have helped only a few, as the subsidization of these massive livestock operations have led to ecological damage, increased risk of disease, fewer farmers, and sub-par treatments of the animals in these in industrial facilities. The Green Party would redirect these subsidies to supporting smaller scale farms that support the local market, rather than large scale farms that support the export market. We also support establishing livestock limits based upon the appropriate ecological carrying limits of Manitoba and its regions.

The inefficient industrial agricultural system needs to be revamped. As an example although Manitoba is one of the largest pork-producing provinces in Canada, it is estimated that only 10% of the pork consumed in Manitoba is Manitoban pork. It is not just livestock producers. The increasing use of chemical fertilizers is both a major cause

of greenhouse gases in Manitoba, and a major source of nutrient loading into our water basins. The Green Party of Manitoba remains committed to providing the necessary funding, by redirecting 'big-ag' subsidies towards sustainable farmers such as organic, and biodynamic producers.

The two-year ban on mining Peat is a good first start, but the extension should be mandatory. A search of the public registry turns up several peat mines that are still in the licensing process. Assuming that Bill 46 passes I would also like a clear indication if any of these peat mines will be allowed to proceed, or if there further development will be inhibited by the passage of Bill 46.

Before I begin to address the amendment proposed to *The Planning Act* by Bill 46, it should firstly be put on record, that in the late Fall of 2008 I, along with numerous other participants, participated in review of what was then new draft Public Land Use Policies, or PLUPs for short. Despite the public consultation process ending almost three-years ago the new draft PLUPs to my knowledge have still not been passed.

Now addressing Part 4, s. 13, which is would amend the *Planning Act* with the insertion of 51(1.1) (b)(ii) needs to be edited. 51(1.1)(b)(ii) uses the words "sustainable and financially viable" this is redundant. By definition in order to be sustainable something must also be financial viable, as well as ecologically and socially viable too. Financially viable could be removed from the section without any impact.

Finally I move to the amendments intended to address Winnipeg's sewage system and in particular the North End Sewage Treatment Plant. For years the Green Party of Manitoba has been trying to get this Government to understand the idea of ecological sanitation. The basic idea of ecological sanitation is to deal with human and animal excrements at source, using little or no water to transport the excrements. The excrements are then treated by way of composting, and the nutrients are then returned to soil from whence they came; creating a closed loop system. We would begin implementing ecological sanitation in all urban areas and housed livestock operations through the six essentials of sewer avoidance:

1. Not extending sewers to currently un-sewered buildings and areas;
2. Implementing a rigorous program of internal industrial point-source separation;
3. Banning the use of materials in consumer goods that are toxic to humans and the environment;
4. Placing a moratorium on the sale of kitchen sink garburators;
5. Developing legislated land-use planning policies that protect ecosystem health  
Installing systems designed for on-site conversion of human excreta (feces and urine) into humus (soil organic matter), beginning at the edge of communities whose sewage treatment facilities are already overloaded
6. Implement low-cost, on-site, excreta recycling technologies giving primacy to dry, composting toilets in all provincial buildings and as a requirement of new developments.

Examples of the effective use of dry-composting toilets in Winnipeg can be found at Mountain Equipment Coop and Centre for Indigenous and Environmental Rights. As a

way of promoting the further development of this necessary technology Greens would require dry, composting toilets in all provincial buildings and as a requirement of new developments. For more information on this I refer you to my April 28, 2008 submission to the Legislative Review Committee on what was then Bill-8: The Phosphorous Reduction Act.

This concludes my presentation subject to any concerns you may have.