

Ruth Pryzner, Bill 46: Save Lake Winnipeg Act, Written Submission

June 13, 2011

It was my hope when I heard the announcement that Bill 46, *The Save Lake Winnipeg Act* had been introduced that I would be able to stand before this committee and lend my support to this initiative. But I can't and won't.

Two years ago I was in New Zealand. I spoke with people who were concerned about water quality, the environment and food production. I was informed that with the move to the "new agriculture" which involved the intensification of livestock and crop production, with a shift to producing for export, there was a commensurate increase in nutrient loading of the landscape. Consequently, significant water quality problems have developed there. Indeed, one person told me that the New Zealand government estimates that if all livestock production and nitrogen fertilization of crops ceased today in the Rotorua area, it would take 80 years for the nutrient loading on the land to return to levels which existed in the 1990's and for lakes and rivers to heal. I quote, "We thought that if we could only educate the government about the problem, they would take action and do what was necessary to protect the water and the environment. But we found out that they already knew," said Andrew Leary.

I told him that what was happening to his country's environment was strikingly similar to what is occurring in Manitoba. Indeed, in the 1990s, ag extension staff encouraged us farmers to adopt the New Zealand and Australian models.

This included re-focussing government assistance and policy away from "inefficient farms" to bigger and "more efficient" operations, to allegedly benefit from economies of scale. This policy defines efficiency in capitalistic terms – not ecological terms, the main beneficiaries of which is global capital. For example, the Wal-Mart's, Cargill, Maple Leaf Foods, Tyson Foods, the big 3 pharmaceutical companies (one of which is the parent company of Monsanto – I'd ask you to think about that connection in particular).

More "efficient" capital intensive industrial food production systems – I won't call them farms or agriculture – require huge public subsidies to operate. One such subsidy is environmental degradation and destruction.

We are told by Dr. Leavitt among others, that Lake Winnipeg is at a "tipping point." Yet, Bill 46 does little to address the fundamental causes of the problem. Merely banning winter spreading is not going to prevent nutrient

transfer into Lake Winnipeg. We have to address the overloading of nutrients onto the land.

Mr. Alan Baron, appearing before the Lake Winnipeg Stewardship Board in 2005 as Co-Chair of CRAP, (Citizens for the Responsible Application of Phosphorus) presented similar estimates to those of New Zealand on the extent of the problem in Manitoba. His comments are on the public record.

Here we are today with a P regulation that Mr. Baron describes as a “license to pollute” and one that was designed to “accommodate what the industry is doing.”

I refer you to exhibit ___ in your packages. I submitted this information during the Bill 17 committee hearings where I opposed the moratorium on hog production and expansion. It is on public record. The charts I have provided regarding the existing phosphorus regulation show that phosphorus loading due to the rapid expansion of hog production – a type of food production actively promoted by government – has been rapid.

The chart shows how the phosphorus regulation was designed to meet the needs of the industry rather than protect the environment.

In 2006, citizens met with members of the Manitoba Phosphorus Expert Committee. Then Mr. Baron deciphered the implications of the proposed regulation. The group’s recommendation, and subsequently the recommendation of CRAP – Citizens for the Responsible Application of Phosphorus – was that 60 ppm – where the phosphorus regulation begins to limit phosphorus application – be the UPPER limit that could be adjusted when credible science proved that it could.

The environmental threshold in many jurisdictions for where phosphorus rapidly and exponentially escapes into surface waters is well below 60ppm. This information is contained in a number of studies I cited during the Bill 17 hearings, and was imparted to the public by Water Stewardship staff – Dwight Williamson at the consultations on the Water Quality Management Zones in Brandon.

Given this scientific fact, why then would government start regulating at 60ppm? The only logical conclusion that one can draw is to accommodate what the industry has been doing and relieve the financial burden to the industry of properly disposing of manure. Just as Mr. Baron has consistently point out to the public and to government.

The hog industry has had until 2015 to comply with the existing regulation,

which was amended to 2013 in 2009, and are now performing the same song and dance about the economic hardships that a “new” phosphorus regulation will bring to the industry. They are telling the public that the cost of complying will put them out of business. The fact is, the regulation has been in place since October 19, 2009 and they had lots of time to get their ducks in a row. They simply want to minimize costs with the expectation that the public interest in and costs to the environment are a subsidy that is owed to them. I am not including real hog FARMERS here.

Farmers such as myself reject the notion that the public bears the responsibility for environmental degradation. That is why I FARM and do not participate in industrial food production systems. I am trying to restore a purchased, previously degraded farm to an ecologically sound farm at my OWN EXPENSE. I could easily achieve this if government stopped subsidizing and supporting a dysfunctional marketplace, international trade agreements and a type of food production that prevents farmers from getting cost of production that includes a living wage.

A very important point to realize is that what soil tests measure is only the form of P that is available to be used by a crop at the time the test was taken which is 10% of what P205 is actually in the soil. This means that there is considerably more P in the soil than what the soil tests show.

When one considers the study entitled “*Report on current knowledge of Key Environmental Issues Related to Hog Production in Manitoba*,” Commissioned by the Clean Environment Commission, October 2007 written by Dr. Don Flaten, Karin Wittenberg and Qiang Zhang, all of the University of Manitoba, where 20.47lbs/acre per year of P205 is the average extracted in Manitoba, why would government or any credible scientist recommend or support loading p205 to 823 lbs/acre labile or over 7000 lbs/acre non-labile? By the way, the information to produce the chart was gleaned from this study. Don Flaten was a member of the Manitoba Phosphorus Expert Committee.

Water Stewardship personnel admit that under flood conditions, especially when land is under water for 10 days, this non-labile or “bound” phosphorus can become dissolved in flood waters and move into surface waters such as Lake Winnipeg. It will be frightening to learn what the P loading in Lake Winnipeg will be after this spring’s flooding and flush events.

Common sense tells real farmers that overloading soils with nutrients will pollute surface waters. Government has let industry get away with this

pollution and are now launching a new initiative at taxpayer's expense to clean up the Lake. This is clearly another subsidy and after the horse is out of the gate.

The key to preventing – not mitigating for and enabling pollution while subsidizing the industry, and to prevent the further exacerbation of polluting practices is to change the P regulation to only allow for P to be applied at rates that cannot exceed the amount a crop can use that growing season. It also requires capping residuals below 60 ppm which is 276 lbs P205.

Second, the current government policy of promoting and allowing industrial, intensive livestock production **MUST BE REVERSED**. Policies that support and encourage small, ecologically sound hog production, distributed widely over the province **MUST BE ENCOURAGED AND SUPPORTED**. Dr. Flaten maintains that Manitoba soils are deficient in P and could benefit from hog manure application. The problem is, P is being concentrated around these operations for economic reasons. It is too expensive to transport manure beyond 2kms. That's a figure I heard over and over again at conditional use hearings by the likes of Elite Swine. The problem is intrinsic to the concentration of animals produced in an industrial manner. We as a society must abandon the industrial model for ecologically sound ways of producing food.

Third, the province must challenge the federal vision of agriculture as contained in the document "Agriculture 2020" where smaller producers are deemed "inefficient" and not worthy of public support, yet the industrial model is deemed "efficient" and worthy of support.

Fourth, Bill 46 must be amended to include an amendment to the LMMMR. I suggest it includes the following statement, "No person shall apply manure at rates where the amount of phosphorus in the manure exceeds the phosphorus required to grow the intended crop."

Fifth, these regulations must be enforced and the unfettered discretion of the director and minister to waive the regulations and legislative requirements be removed.

By the way, a review of the P regulation was required to be done by March 31, 2011 pursuant to Section 18 of the LMMMR. I've asked for a copy of the review and who was consulted in conducting the review on several occasions. I have not been provided with one. The conclusion that I have drawn is that the review has not been done. This is a clear violation by the government of its own laws.

Wetlands

Why, knowing that wetlands are critical to maintaining clean water, does bill 46 not prohibit further wetland loss? It's not just the provincially significant wetlands that need protection. Nor, just "wetlands that are directly linked to a large Manitoba lake."

We have lost 80% of our wetlands in the Little Saskatchewan River watershed which flows into the Assiniboine and then into Lake Winnipeg. Yet, the Save lake Winnipeg Act limits regulation in 7.1.1(3) (b) in a way that leaves us with 'business as usual on private lands.

Finally with regard to the treatment of wetlands in this Bill, under Part 3 – the proposed changes to the Mines and Minerals Act, I have to ask why government is proposing a mere 2 year moratorium on permits or leases for peat moss extraction.

Peat bogs are exquisitely complex ecosystems, once mined are destroyed. Peat moss extraction is not a sustainable activity or "development." Unless, we are talking in terms of hundreds or thousands of years. Do we have that long? Most scientists say that we don't.

Your government has told us that you are committed to reducing green house gasses as part of your climate change strategy. Yet your government licensed the Deer Lake peat mine operation before the public environmental review process was complete. This mining operation is licensed for some 53,000 hectares on the West side of Lake Winnipeg. What is the point of environmental assessment if a project can't be turned down? This action is in direct contravention of the intent in Part 1 of Bill 46.

City of Winnipeg

While, in principle it is a positive move to require P removal by the City of Winnipeg, I have to ask why the acceptable P discharge outlined in Bill 46 is 1.0 mg/litre which is 20 times the scientifically accepted level of .05mg/litre, beyond which negative environmental effects occur? The expense to the City of Winnipeg and to taxpayers to remove P is substantial. Why is this not being done to a level that will have a concrete effect? This makes no sense to me at all.

I also have to ask why the Bill proposes to reduce P levels to 1990 levels when all other government statements have been that we need to reduce levels to pre-1970 levels? What might this say about the hog industry's contribution to the problem?

Planning

It is a positive move to require planning of developments based on water availability and sewage disposal, particularly in flood plain areas. Calendon County has done this years ago.

As some point we have to recognize that we have to say NO to development. It is not good enough to try to fix the problem after the fact. The Sustainable Development Act requires the use of the precautionary principle. The evidence before us is that precaution isn't working. We need to have the courage and foresight to employ the preventative principle. If we have the slightest hope that we can save Lake Winnipeg, we have to do a complete flip on the way in which we plan for development and abandon the idea that all development is positive.

Government has to take the lead and to perform the function that it was designed and exists for. That is, to protect the public interest which includes, at the most fundamental and critical level, the protection of that which is most fundamental and critical to the existence and health of human and other life forms – the web-of-life. That is your foremost and most important duty and responsibility. If not, why bother to develop regulations unless it is to deceive the public into believing that their interests are paramount while putting the interests of industry first.

We have to put in place mechanisms and decision-making processes where we can determine ahead of time, at industry's expense, the cumulative impacts of all types of development on our web-of-life. We have to be able to say No to development. We have to start protecting the basis of life and health ahead of everything else. This includes the public resource – water.

P amount minus Crop Removal at (lb/acre e)	P205 amount minus Crop Removal at (lb/acre)	Years of Application	A x C Residual P (lb/acre e)	B x C Residual P205 (lb/acre e)	P Regulation Threshold Achieved (lbs P/acre)	P Regulation Threshold Achieved (lbs P205/acre)
28.6	65.78	1	28.6	65.78		
28.6	65.78	2	57.2	131.56		
28.6	65.78	3	85.8	197.34		
28.6	65.78	4	114.4	263.12		
28.6	65.78	5	143	328.9		
28.6	65.78	6	171.6	394.6		
28.6	65.78	7	200.2	460.46		
28.6	65.78	8	228.8	526.24		
28.6	65.78	9	257.4	592.02	340	552
28.6	65.78	10	286	657.8		
28.6	65.78	11	314.6	723.58		
28.6	65.78	12	343.2	789.36		
28.6	65.78	13	371.8	855.14	3.0	6.8
28.6	65.78	14	400.4	920.92		

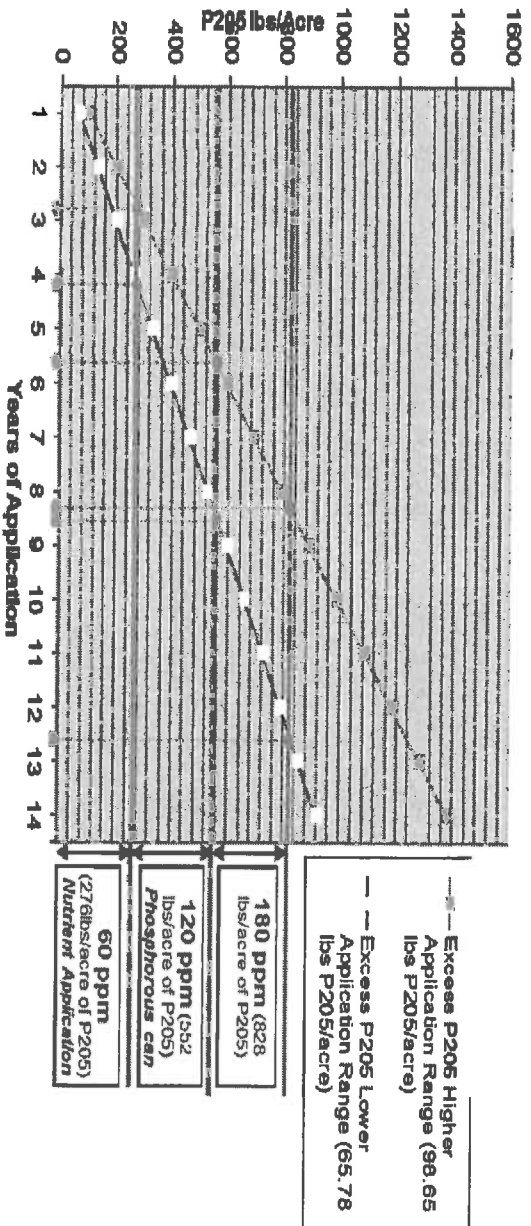


Figure 1: Actual Average Annual Excess Phosphorus (P205) Application Manitoba Hog Industry

A	B	C	D	E	F	G
P amount minus Crop Removal at (lb/acre e)	P205 amount minus Crop Removal at (lb/acre e)	Years of Application	A x C Residual P (lb/acre e)	B x C Residual P205 (lb/acre e)	P Regulation Threshold Achieved (lbs P/acre)	P Regulation Threshold Achieved (lbs P205/acre e)
42.89	98.65	1	42.89	98.65		
42.89	98.65	2	85.78	197.3		
42.89	98.65	3	128.67	295.65	1.7	2.7
42.89	98.65	4	171.56	394.6		
42.89	98.65	5	214.45	493.25		
42.89	98.65	6	257.34	591.9	2.0	5.5
42.89	98.65	7	300.23	690.55		
42.89	98.65	8	343.12	789.2		
42.89	98.65	9	386.01	887.85	3.0	7.8
42.89	98.65	10	428.9	986.5		
42.89	98.65	11	471.79	1085.15		
42.89	98.65	12	514.68	1183.8		
42.89	98.65	13	557.57	1282.45		
42.89	98.65	14	600.46	1381.1		

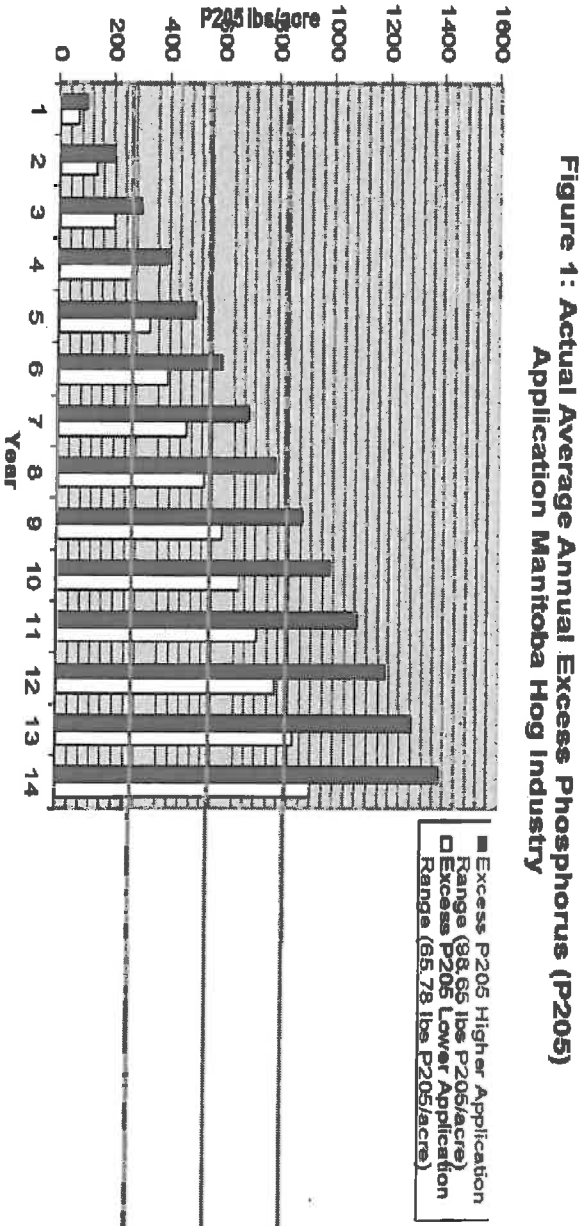


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