

Summary Comparison: Manitoba Water Strategy Documents

Contents

1.0	Introduction	Page 1
2.0	Policy Areas	Page 2
3.0	Implementation Framework	Page 9
4.0	Conclusion	Page 10

1.0 INTRODUCTION

This memo describes and compares three separate documents related to the Manitoba Water Strategy development process. The three documents are:

- Water: A Proposed Strategic Plan for Manitoba (Government Discussion Paper); October 2001
- Steering Committee Report to the Minister of Manitoba Conservation on The Water Strategy Discussion Document (Steering Committee Report); April 30, 2002
- The Manitoba Water Strategy (Final Document); April 2003

A fourth document, a 28-page magazine entitled Supply, Quality and Use of Water in the Prairie Provinces: Manitoba Edition provides a two-page overview of Manitoba's water strategy as well as 13 additional pages on water-related issues, trends and subjects with a focus on Manitoba¹.

The magazine was published in February 2003, and released at a Manitoba Clean Environment Commission forum. Yet the Government of Manitoba did not release its final *Water Strategy* until April 2003. It appears that the magazine erred in representing the facts about the Manitoba *Water Strategy* development process given that the *Water Strategy* was only at a draft stage in February 2003. It is not clear at this time what government source provided the contents in the magazine version of Manitoba's Water Strategy.

An additional 'content' problem with the Magazine's two-page summary of the *Water Strategy* relates to the public consultation process used to arrive at the final *Water Strategy*. The Magazine seems to overstate the level of public consultations that have taken place to date. This means that, for instance, statements about watershed planning are premature.

While the Government of Manitoba is listed as a contributor, the Magazine states that "*this information supplement was produced for public distribution, with contributions from supporting agencies. All content is the sole responsibility of the publisher and is not necessarily endorsed by contributors.*" As a result, this fourth document has not been included in this summary comparison. However, based on the two significant issues referenced above, and the fact that the Government of Manitoba purchased its right to contribute much or all of the relevant content, there is a concern that the Government of Manitoba effectively endorsed the magazine's content.

¹ Supply, Quality and Use of Water in the Prairie Provinces: Manitoba Edition was published by Keewatin Publications in February 2003.

2.0 POLICY AREAS

Each of the three documents identifies issues and strategies related to six separate policy areas. They are:

- Water quality
- Conservation
- Use & allocation
- Water supply
- Flooding
- Drainage

The Final Document does not deviate in any significant manner from the contents of the Government Discussion Paper. In certain instances, the Final Document incorporates the language of the Steering Committee Report. A major exception is in language dealing with hydroelectric development. In the Final Document, all the critical language pertaining to hydroelectric development has been eliminated. The Final Document goes so far as to add new language that espouses the ‘low impact’ nature and general benefits of hydro development.

The Final Document generally retains the language of the Steering Committee Report for ‘Water Supply’ and ‘Drainage’. Similarly, most of the Steering Committee Report language is retained in the section on ‘Flooding’ with the exception of the removal of critical language and a key action item associated with hydroelectric development (as outlined in the Steering Committee Report). This deleted action item calls on the government to ‘prepare watershed plans for northern areas of the province which address the effects of waterpower development projects’.

The Final Document deviates from the Steering Committee Report in a number of key areas in each of ‘Water Quality’, ‘Conservation’, and ‘Use and Allocation’.

See the following charts for details. Note the following acronyms.

GDP	Government Discussion Paper
SCR	Steering Committee Report
WS	Water Strategy - Final Document

Policy Area #1: Water Quality

GDP	<p><u>Issues</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Identifies 7 issues <input type="checkbox"/> No reference to Lake Winnipeg, Red River or other water bodies known to have contamination issues <input type="checkbox"/> No reference to the concept of precautionary principle <p><u>Actions</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Identifies 9 areas for action <input type="checkbox"/> No action identified to address contamination issues in Lake Winnipeg, the Red River, or other bodies of water known to have contamination issues <input type="checkbox"/> Does not include any public education initiatives
SCR	<p><u>Issues</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains all 7 issues identified in GDP (slight alterations to some) and added one more <input type="checkbox"/> Adds –‘Federal and provincial authorities lack coordination in regards to water quality and contaminants on reserve lands’ <input type="checkbox"/> Major alteration to issue: Stated that the potential for inorganic fertilizer and municipal and industrial discharges to contaminate surface and ground waters needs to be fully understood <input type="checkbox"/> No reference to the current condition of Lake Winnipeg, the Red River or other bodies of water known to have contamination issues <input type="checkbox"/> No reference to the concept of precautionary principle <p><u>Actions</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains all 9 GDP action items and added 2 more <input type="checkbox"/> Adds –‘Increase water quality monitoring to provide better baseline data, identify critical problem areas, and identify the sources of contaminants’ <input type="checkbox"/> Adds –‘Focus water quality enforcement efforts on critical problem areas’ <input type="checkbox"/> Adds –‘Develop a plan for the coordination of water quality activities between provincial and federal authorities, community members, and First Nation’s environmental health officers’ <input type="checkbox"/> Does not include any public education initiatives
WS	<p><u>Issues</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains 6 of 7 GDP issues and 6 of 8 SCR issues <input type="checkbox"/> Does not maintain SCR conclusion that a better understanding is needed on the potential contamination on surface and ground waters from surface runoff from livestock manure, inorganic fertilizer and municipal and industrial discharges <input type="checkbox"/> Affirms SCR call for greater federal/provincial cooperation but does not make reference to First Nation reserve lands <input type="checkbox"/> No reference to the current condition of Lake Winnipeg, the Red River or other bodies of water known to have contamination issues <input type="checkbox"/> No reference to the concept of precautionary principle <p><u>Actions</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Includes 8 of 9 GDP action items <input type="checkbox"/> Ignores GDP & SCR call for action to ‘enhance drinking water standards and analysis’ <input type="checkbox"/> Ignores SCR action –‘Develop a plan for the coordination of water quality activities between provincial and federal authorities, community members, and First Nation’s enviro. health officers’ <input type="checkbox"/> Does not call for increased water quality monitoring & enforcement (ignores GDP and SCR) <input type="checkbox"/> Limited action in addressing Lake Winnipeg and Red River contamination issues <input type="checkbox"/> Does not include any public education initiatives

Policy Area #2: Conservation

GDP	<p><u>Issues</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Identifies 4 issues <input type="checkbox"/> No reference to the concept of precautionary principle <input type="checkbox"/> No reference to aquatic protected areas <p><u>Actions</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Identifies 9 action items
SCR	<p><u>Issues</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains all 4 GDP issues and added one more –‘traditional knowledge of ecological functions is not incorporated into conservation objectives’ <input type="checkbox"/> No reference to the concept of precautionary principle <p><u>Actions</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains all 9 GDP action items (subject to certain edits) and added one more –‘incorporate traditional knowledge of ecological functions into conservation objectives and watershed planning activities’ <input type="checkbox"/> Calls for a review and evaluation of existing wetland classification systems
WS	<p><u>Issues</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains all 5 SCR issues <input type="checkbox"/> No reference to the concept of precautionary principle <p><u>Actions</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains 8 of 9 GDP action items and 8 of 10 SCR action items <input type="checkbox"/> Ignores SCR recommendation for action on TEK <input type="checkbox"/> Ignores SCR call for a review and evaluation of existing wetland classification systems <input type="checkbox"/> Both GDP and SCR call for integrated resource planning’...FD calls for ‘resource planning’ <input type="checkbox"/> No reference to aquatic protected areas

Policy Area #3: Use & Allocation

GDP	<p><u>Issues</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Identifies 1 broad issue <input type="checkbox"/> No reference to the concept of precautionary principle <p><u>Actions</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Identifies 7 action items <input type="checkbox"/> Does not include any public education initiatives
SCR	<p><u>Issues</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains GDP issue and adds one more –‘Aboriginal rights, as they apply to water, need to be defined, recognized, and respected’ <input type="checkbox"/> No reference to the concept of precautionary principle <p><u>Actions</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains all 7 GDP action items <input type="checkbox"/> Does not include any public education initiatives
WS	<p><u>Issues</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains both SCR issues and adds one –‘Non-consumptive uses of waterways for recreation and tourism development need to be considered an integral part of water management and planning’ <input type="checkbox"/> No reference to the concept of precautionary principle <p><u>Actions</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains 3/7 GDP/SCR action items <input type="checkbox"/> Ignores GDP and SCR call to review water rights licensing process <input type="checkbox"/> Ignores GDP and SCR call to integrate water quantity and quality in all decisions <input type="checkbox"/> Ignores GDP and SCR call to ‘negotiate agreements with appropriate agencies to cooperatively manage local water resources’ <input type="checkbox"/> Ignores GDP and SCR call to conduct water use monitoring <input type="checkbox"/> Does not include any public education initiatives <input type="checkbox"/> Adds an action item –‘initiating discussions with Aboriginal organizations and communities on the implementation of the water strategy’

Policy Area #4: Water Supply

GDP	<p><u>Issues</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Identifies 4 issues <p><u>Actions</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Identifies 6 action items
SCR	<p><u>Issues</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains 4 GDP issues and added three more <input type="checkbox"/> Adds –‘There is a need to increase our knowledge and management of ground water sources <input type="checkbox"/> Adds –‘There is a lack of current and comprehensive hydrological and ground water supply data <input type="checkbox"/> Adds –‘Water supply infrastructure is in need of repair and reconstruction’ <p><u>Actions</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains 6 GDP action items (subject to certain edits) and added four more <input type="checkbox"/> Adds –‘Record usage, users, and uses of ground water sources in critical areas where the ground water is under stress and where additional data is required to address the sustainable limits’ <input type="checkbox"/> Adds –‘Consider dealing with water supply issues through demand management techniques and principles’ <input type="checkbox"/> Adds –‘Ensure that watershed and basin plans, throughout the province, are sensitive to the impacts of climate change’ <input type="checkbox"/> Adds –‘Coordinate efforts between towns, cities, municipal, provincial, and federal governments, First Nations, and other interested parties to ensure the development, reconstruction, repair, and maintenance of aging water supply infrastructure throughout the province’
WS	<p><u>Issues</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains all 7 SCR issues <p><u>Actions</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains all 10 SCR action items

Policy Area #5: Flooding

GDP	<p><u>Issues</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Identifies 6 issues <p><u>Actions</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Identifies 6 action items
SCR	<p><u>Issues</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains all 6 GDP issues (combines two into one) and adds 5 more (10 in total) <input type="checkbox"/> Adds –‘Flood plane mapping is not complete for the province’ <input type="checkbox"/> Adds –‘There is a need to periodically monitor and assess the vulnerability of all basins to flooding due to changing factors, for example climate change and land use changes’ <input type="checkbox"/> Adds –‘There is a lack of agreement amongst various users on the fairness and equity of the level of flood protection across Manitoba’ <input type="checkbox"/> Adds –‘Water power development projects, and the associated flooding of the landscape, has resulted in significant repercussions and ongoing issues in northern Manitoba’ <p><u>Actions</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains 6 GDP action items and adds 3 more <input type="checkbox"/> Adds –‘Consider other non-structural methods, such as water retention and land use management in addressing the issue of flood control’ <input type="checkbox"/> Adds –‘Determine and implement the most effective and viable means of increasing flood protection for the City of Winnipeg’ <input type="checkbox"/> Adds –‘Prepare watershed plans for northern areas of the province which address the effects of water power development projects’
WS	<p><u>Issues</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains 9/10 SCR issues –alters Hydro flood reference to ‘hydroelectric projects have caused flooding in the past’...no reference to continuing impact <p><u>Actions</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains 8/9 SCR action items –ignores SCR recommendation to ‘prepare watershed plans for northern areas of the province which address the effects of water power development projects’ <input type="checkbox"/> Promotes use of ‘low-impact’ hydroelectric development

Policy Area #6: Drainage

GDP	<p><u>Issues</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Identifies 4 issues <p><u>Actions</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Identifies 6 action items
SCR	<p><u>Issues</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains 4 GDP issues (subject to certain edits) <p><u>Actions</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains 6 GDP action items and adds one more – ‘Improve drainage maintenance and develop means to address the deteriorating drainage infrastructure’
WS	<p><u>Issues</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains all 4 GDP/SCR issues <p><u>Actions</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintains all 7 SCR action items

3.0 IMPLEMENTATION FRAMEWORK

Three elements include:

- Watershed Management Planning
- Legislative Framework
- Financing

Watershed Management Planning

The Final Document generally coincides with the contents of the Steering Committee Report with the exception of language associated with water power development. The Final Document omits a Steering Committee Report reference that states ‘Manitoba requires a watershed based process that will address issues concerning northern communities and water power development’.

Legislative Framework

The Final Document generally coincides with the contents of the Steering Committee Report. One significant deviation relates to hydroelectric development.

Both the Government Discussion Paper and the Final Document focus on seven existing acts to be incorporated into comprehensive water legislation:

- *The Water Rights Act*
- *The Water Resources Administration Act*
- *The Ground Water and Water Well Act*
- *The Diking Authority Act*
- *The Water Commission Act*
- *The Water Supply Commission Act*
- *The Water Resources Conservation and Protection Act*

The Steering Committee Report includes *The Water Power Act* as an 8th Act to be incorporated but it is excluded from the Final Document.

Financing

The Final Document generally coincides with the contents of the Steering Committee Report.

4.0 CONCLUSION

The Final Document ignores five important Steering Committee Report recommendations:

- A need to review Manitoba's water policies (policies that are now over 13 years old)
- A need to include demand side water conservation strategies within the overall strategy
- A need to include northern perspectives and issues
- A need to include Aboriginal perspectives and issues
- A need to better account for Manitoba Hydro's role and responsibilities in water management

Rather than address these important Phase 1 issues (i.e. issues related to the development of the strategy), the Department of Conservation issued the Final Document and moved immediately to Phase 2 (i.e. the development of the implementation plan). As of August 2003, the process remains in Phase 2.

The Final Document also eliminates references to the 1999 Consultation on Sustainable Development Implementation (COSDI) report. Significant COSDI references appeared in the Steering Committee Report.

The Final Document refers to proposed consultation activities with northern and Aboriginal communities during the water strategy implementation stages. It does not address the absence of northern and Aboriginal perspective and issues in the Final Document (given the fact that no northern or Aboriginal consultation took place).

Neither the Final Document, nor the Government Discussion Paper or the Steering Committee Report, include recognition of the 'precautionary principle' or action items to address this important concept.

The Final Document does not provide adequate recognition and action to 'education' in relation to policy areas of 'Water Quality' and 'Use and Allocation'.

The Final Document removes all Steering Committee Report reference to hydroelectric development wherever those references use what might be construed as 'critical' or 'concern' language. This language did not appear in the Government Discussion paper. In effect, the Final Document seems to refer to hydroelectric development in only positive ways in the context of 'Aboriginal-approved' and 'low impact' development.

We note that recommendations from consultation workshops (regarding the discussion paper) did not remain in the steering committee report. Notable among these is the recommendation to protect waterway from development impacts, both inside terrestrial protected areas and in establishing water and aquatic protected areas.