



Sustainable Development

Finance and Crown Lands
Shared Services and Risk Management
200 Saulteaux Crescent (Box 90), Winnipeg, Manitoba, Canada R3J 3W3
T 204-945-4170 F 204-945-4232
www.manitoba.ca

July 6th, 2016

Re: Your request for access to information under Part 2 of *The Freedom of Information and Protection of Privacy Act* / Our File # 4759

Manitoba Sustainable Development received your request for information, on May 5th, 2016 and subsequently extended to July 4th, 2016. The request is for the following:

All material provided to the current Minister of Sustainable Development, since the most recent provincial election, including but not limited to: advisory and briefing notes, house books and house preparation materials related to the transition of government.

Based on your May 17th, 2016 discussion with Mr. Mike Baudic, Director for Information and Privacy Policy Secretariat you clarified your request to be:

“The transition binder prepared by the department and provided to a new Minister upon appointment that describes the department structure, responsibilities, priorities and critical issues, as well as any advisory notes, briefing notes or other materials provided to the Minister by the date of the access request.”

Partial access is being granted to the documents. The information falling under the following exception to disclosure, under the *Freedom of Information and Protection of Privacy Act*, have been redacted ;

Advice to a public body

23(1) The head of a public body may refuse to disclose information to an applicant if disclosure could reasonably be expected to reveal

(a) advice, opinions, proposals, recommendations, analyses or policy options developed by or for the public body or a minister;

(b) consultations or deliberations involving officers or employees of the public body or a minister;

Section 23(1) has been applied when advice, opinions or recommendations were given. In each case we cited s. 23(1) we first considered whether the information in question came within an exception to the exception to disclosure under 23 (2) (meaning it would be disclosable). We concluded that the information did not come within Section 23(2). We then, in each case, considered whether we should exercise our discretion in favor of waiving the exception to disclosure. In each case we concluded that on its face the exception applied and that there were no factors which caused us to think we ought to waive the exception. The records also reveal the substance of consultations and deliberations involving staff.

Disclosure harmful to law enforcement or legal proceedings

25(1) The head of a public body may refuse to disclose information to an applicant if disclosure could reasonably be expected to

- (a) harm a law enforcement matter;

Information relating to investigations and inspections that could lead to penalties have been redacted from the documents.

Disclosure harmful to a third party's business interests

18(1) The head of a public body shall refuse to disclose to an applicant information that would reveal

- (c) commercial, financial, labour relations, scientific or technical information the disclosure of which could reasonably be expected to
 - (i) harm the competitive position of a third party,

Section 18 (1) is a mandatory exception that imposes a duty to refuse to disclose specified information about business interests of a third party.

Cabinet Confidences

19(1) The head of a public body shall refuse to disclose to an applicant information that would reveal the substance of deliberations of Cabinet, including

- (b) discussion papers, policy analyses, proposals, advice or similar briefing material submitted or prepared for submission to Cabinet;

- (e) a record prepared to brief a minister about a matter that is before, or is proposed to be brought before, Cabinet or that is the subject of communications among ministers relating directly to government decisions or the formulation of government policy.

A number of records within the scope of your request are subject to the mandatory exemptions afforded by Section 19(1)(b), (e) as they are regarding matters that were prepared to brief a minister in relation to matters that are going before cabinet, as well as advice prepared for submission to Cabinet.

In the interest of the Manitoba Government's commitment to openness and transparency, this response letter along with the responsive records will be made available on our proactive disclosure website. Any personal or other confidential information belonging to you or a third party will be removed prior to disclosure.

Subsection 59(1) of *The Freedom of Information and Protection of Privacy Act* provides that you may make a complaint to the Manitoba Ombudsman about this decision. You have 60 days from the receipt of this letter to make a complaint on the prescribed form to: Manitoba Ombudsman, 750 – 500 Portage Avenue, Winnipeg MB R3C 3X1; (204) 982-9130; 1-800-665-0531.



Sustainable Development

A Primer

.....

May 2016

Manitoba 

Outline

- Department Overview
- Budget Overview
- Programs and Services
- Budget Pressures
- Issues Requiring Decisions
- Priorities and Opportunities
- Upcoming FPT Meetings

Department Overview

- The department's mission is to sustainably manage and protect the environment and the rich biodiversity of natural resources, such as water, wildlife, fish and forests, by working cooperatively with the public, Indigenous people and other agencies, governments and stakeholders to strike a balance between protecting the integrity of the environment and meeting social and economic needs.
- Major responsibilities include:
 - fighting forest fires, managing provincial parks, enforcing conservation laws, creating new parks and protected areas.
 - managing use of Crown lands.
 - regulating industrial developments and enforcing environmental laws.
 - developing and implementing climate change measures.
 - regulating use of forests, peatlands and wildlife, including hunting, fishing and trapping.
 - regulating surface water and groundwater, drinking water standards and enforcing drainage regulations.

Budget Overview

- The 2015/16 budget was \$138.1 million, including:
 - \$79.8 for salaries,
 - \$44.9 operating, and
 - \$13.4 to pay amortization and interest on capital assets.
- The 2015/16 capital budget was \$23.5 million.
- The department employs over 1,600 people every year, many seasonally. The department has 1,138.45 staff years or full-time equivalents (FTEs).

Programs and Services

Finance and Crown Lands - 149 staff years. 2015/16 budget = \$15.4 million.

- Provides department-wide administrative support, e.g. paying bills, budgeting and accounting.
- Manages use of Crown lands, including working with First Nations on land claims.
- Maintains mapping information, including electronic interactive maps, and sells maps to the public.
- Provides land surveyor services to other government departments, e.g. conducts surveys of Crown land.
- Manages the relationship between Indigenous people and the department, including supporting land use planning and undertaking consultations when provincial activities infringe on Indigenous rights.
- Manages cottage program, which allows for the development of cottages in parks and on Crown land.

Programs and Services

Parks and Regional Services - 640.10 staff years. 2015/16 budget = \$68.9 million.

- Fights forest fires (wildfires), funding provided through an emergency appropriation of up to approximately \$50 million per year above the departmental budget.
- Manages provincial parks and other infrastructure, including maintenance of campgrounds, roads, drinking water and wastewater facilities, hiking trails, and interpretive and historic sites.
- Provides services which allow people to have cottages and businesses in provincial parks, e.g. issues permits.
- Enforces conservation laws through Conservation Officers.
- Proposes creation of new parks and the protection of important ecological areas.

Programs and Services

Environmental Stewardship - 127.00 staff years. 2015/16 budget = \$13.0 million.

- Regulates certain industrial developments which have an impact on the environment, such as hydro-electric projects, landfills and wastewater plants.
- Enforces environmental laws.
- Leads development and implementation of climate change measures.
- Provides corporate policy development and intergovernmental supports.
- Provides funding to the International Institute of Sustainable Development, including funding for Experimental Lakes Area.
- Includes Green Manitoba Eco Solutions, a special operating agency, which delivers programs and services related to waste reduction, greening government and education for sustainability.

Programs and Services

Water Stewardship and Biodiversity - 222.35 staff years. 2015/16 budget = \$27.3 million.

- Regulates and manages wildlife, fish, forestry and peatlands resources.
- Regulates hunting, fishing and trapping.
- Regulates and enforces drinking water standards.
- Develops, regulates and enforces drainage policies.
- Regulates surface water and ground water quality.
- Regulates use of water, e.g. water use by municipalities, agriculture and industry (including Manitoba Hydro).
- Develops policies to manage ground and surface water, water quality and usage.
- Includes Pineland Forest Nursery, a special operating agency, which provides seedlings and seed processing services for reforestation.

Budget Pressures

- From 2012/13 to 2015/16, the budget for the department was reduced by \$17.9 million or 11%.
- The department has also accommodated amortization and interest increases of \$3.3 million, which were made up in salaries and operating (among other cost increases).
- Since 2012, staffing levels have decreased by about 100 FTEs. Two divisions were eliminated, along with two Assistant Deputy Minister positions, and other management and staff positions. The department maintains a vacancy rate of about 15% to meet budget.
- For 2016, the department requires \$4.2 million for non-discretionary salary increases and \$2.2 million for non-discretionary increases in amortization and interest for capital projects, for a total of \$6.4 million.

Issues Requiring Decisions

Zebra Mussels - Doubling investment to \$1.0 million to combat the spread of zebra mussels was announced in 2015, but the 2016/17 budget was not introduced resulting in a lack of funding.

- The department has existing ongoing funding of \$228.0 but would require additional funding of \$972.0 to meet the commitment to double the budget.
- A decision is required in May. Without funding, the program would be scaled back.

The department will prepare a briefing note seeking direction on funding this issue and will include a request in the 2016/17 Budget.

Issues Requiring Decisions

ENVIRONMENT ACT LICENCE APPEALS:

Southwest Transit Corridor Environment Act Licence Appeal - In April 2014, the City of Winnipeg filed a proposal for Stage 2 of its rapid transit project. The project would result in clearing of minor wetlands. An adjacent area is privately owned, is outside of the project area and outside the scope of *The Environment Act*.

- The proposal was subjected to an environmental assessment. During the review, 14 citizens wrote to oppose construction within the Parker Lands.
- Concerns included clearing of wetlands, loss of a dog park and loss of green space.
- Based on the impact and mitigation measures, a licence was issued.
- The licence was appealed by 99 citizens to the Minister.
- A consultant was hired in March to consult with the private land developer, the City of Winnipeg, and citizens. A report is due at the end of May.
- A ministerial decision is required regarding on the appeal, with Cabinet approval of the decision.

The department will resubmit appeal documents to the Minister and Cabinet for consideration.

Issues Requiring Decisions

Lake Winnipeg Commercial Fishery Regulation – The Whitefish Optimization Program was introduced in recognition of the increase in the population and to reduce “bushing”. Whitefish, when caught as a bi-catch, are sometimes thrown in the bush so that these fish do not use up the limited quota. All fish that are kept count towards quota.

- Fishers have requested an increased quota of Whitefish in Lake Winnipeg.
- While both whitefish and walleye populations appear strong, the department does not have good data on stocks. Biologists are concerned the current quotas are not sustainable over the long term. For this reason, the department has generally declined quota increases or season extensions.
- However, based on current data, including the fact that fishers are not catching the existing quota of fish, biologists believe a modest increase in the program will not be detrimental to the whitefish stock, along with the one week extension to the season.

The department will prepare a briefing note for review and approval by the Minister.

Issues Requiring Decisions

Metis Natural Resource Harvesting - Manitoba signed agreements in 2012 and 2015 with the Manitoba Metis Federation (MMF) related to Metis harvesting rights, including setting boundaries and the development of enforceable regulations. A joint report was completed on March 31, 2016 containing recommendations.

- The report provides the following for consideration by the MMF Board of Directors and Manitoba:
 - Draft regulations under the three acts (*The Wildlife Act*, *The Fisheries Act*, and *The Forest Act*) to recognize Metis harvesting rights in a manner consistent with the revised version of the Metis Laws of the Harvest (4th edition).
 - 4th edition of the Metis Laws of the Harvest updated by the MMF.
 - Expansion of the area where Metis can hunt.

The department will prepare a briefing note for review and approval by the Minister, followed by a Cabinet submission as required.

Issues Requiring Decisions

Nature Conservancy of Canada (NCC) – In March 2009, the Province agreed to provide \$7.0 million in support of the NCC's Natural Areas Conservation Program through a grant funding agreement. The funds are matched by the federal government and the private sector. In return, Manitoba benefits from about \$21 million in conservation programming.

- To date, the Province has paid \$6.0 million of the \$7.0 million commitment, leaving \$1.0 million to be paid by 2018.
- The department did not receive any new funding for this commitment and has funded payments by managing expenditures, e.g. holding positions vacant.
- In 2015/16, the department set aside (accrued) \$500,000 to make a payment. However this payment is not mandatory and the agreement could be cancelled.

The department will prepare a briefing note and potentially a Treasury Board submission seeking direction on this agreement.

Issues Requiring Decisions

Falcon Lake Golf Course – In 2015, the department issued a request for proposals to seek a private operator for the Falcon Lake Golf Course.

- The clubhouse and restaurant are in need of significant upgrades.
- The course is currently operated through Ventures Inc., a Manitoba Crown Corporation.

*See 23(1)(a)
18(1)(c)*

The department will prepare a briefing note for the Minister's consideration.

Issues Requiring Decisions

Peatland Practices Committee - The peat industry is waiting for appointments to a committee that will make recommendations on peat management and recovery plans.

- *The Peatlands Stewardship and Related Amendments Act*, *The Peatlands Stewardship Regulation* and *The Peatland Practices Committee Regulation* were proclaimed on June 15, 2015.
- This new legislation removed peat from *The Mines and Minerals Act* and transferred responsibility from Mineral Resources to the department.
- The Regulation requires the establishment of a committee to develop guidelines and make recommendations on implementation of the Peatlands Stewardship Strategy.
- Membership has been proposed based on expertise of peat harvesting.

The department will resubmit a briefing note and related documents for review and approval by the Minister; and potentially the Agencies, Boards and Commissions unit.

Priorities and Opportunities

- 1. Working with Producers – Manure Management:** In 2011, a moratorium was implemented prohibiting the establishment of manure storage facilities to accommodate additional pigs. In May, 2014, Maple Leaf Foods announced labour cuts to their processing plant. The Manitoba Pork Council (MPC) suggested that the cuts were in part due to the moratorium. MPC and the department will continue to work together on a protocol for pilot project permits.
- 2. Working with Industry – Energy East:** Manitoba applied for intervener status in the federal regulatory process. Concerns include proximity to communities, drinking water and watercourses; the need for emergency preparedness; and carbon emissions. *The department is waiting for the National Energy Board to set heard dates and will prepare a briefing note and Cabinet paper seeking direction on Manitoba's position on Energy East.*

Priorities and Opportunities

3. **Improving Drinking Water Protection:** Changes to drinking water quality standards and safety regulations have been proposed. Policy development, including new or updated national guidelines for drinking water quality, is targeted for implementation. *The department will send forward a Cabinet submission seeking approval of new regulations.*
4. **The Pimachiowin Aki World Heritage Project:** The nomination is currently being evaluated by UNESCO. Recommendations will be made public in May 2016 and the World Heritage Committee will make a decision in July 2016. *The department will develop a briefing note and then potentially a Cabinet paper seeking direction.*
5. **International Water Matters:** Activities such as the Northwest Area Water Supply Project and Devils Lake in North Dakota and Quill Lakes and Fishing Lake in Saskatchewan in upstream jurisdictions may negatively impact Lake Winnipeg. *The department will develop a briefing note providing information on these issues for the Minister's consideration.*

Priorities and Opportunities

- 6. Reconciling with Indigenous People:** The department is working towards implementation of seven recommendations from the Truth and Reconciliation Commission. The department is guided by *The Path to Reconciliation Act* which sets out principles for reconciliation based on respect, engagement, understanding and action related to Indigenous relations. *The department will develop an implementation plan for the Minister's consideration.*

S. 23(1)(a)

- 8. Churchill River Diversion and Lake Winnipeg Regulation:** Manitoba Hydro is seeking final licenses to continue to operate the Churchill River Diversion and Lake Winnipeg Regulation. Consultations are ongoing with Indigenous communities. A consultation report should be ready this spring, in preparation for a licensing decision in September. *The department will prepare a consultation report along with a licensing recommendation for the Minister's consideration.*

Priorities and Opportunities

- 9. Regional Cumulative Effects Study:** The Clean Environment Commission (CEC) recommended that Manitoba Hydro conduct a Regional Cumulative Effects Assessment for projects in the Nelson River sub-watershed and that this review be undertaken prior to the licensing of any additional projects in the Nelson River. The first phase of the review was completed in May 2014, and included a compilation of available data and a description of the assessment approach to be used to analyze the data in the second phase. The second phase report was released in December 2015. Community consultations are planned for 2016. As part of its report, the CEC made recommendations related to erosion and environmental assessments. *The department continues to develop strategies to address the CEC's recommendations and will provide a briefing note for the Minister's consideration on this review.*

- 10. City of Winnipeg Wastewater Treatment Plants:** The City is currently undertaking significant upgrades of its two major wastewater treatment plants. The upgrades of the plants have been considerably delayed and over budget. The Province has pressured the City to move ahead quickly on upgrading the plants to reduce nutrient flow into Lake Winnipeg. *The department will provide regular updates to the Minister.*

Priorities and Opportunities

- 11. Better Managing Waste and Increasing Recycling:** In 2015, Manitoba conducted extensive consultation and developed an internal draft strategy to better manage organic waste; construction, renovation and demolition waste; institutional, commercial and industrial waste; hard to recycle products; and other issues. This draft strategy has been prepared and provides an opportunity for the Minister to review and provide direction on the strategy. *The department will prepare a briefing note seeking the Minister's direction.*

- 12. Polar Bear Park:** The department proposed the creation of a park along the coast of Churchill to better protect polar bears and habitat. In consultations with local communities, some support was indicated. Mineral rights were withdrawn in this area, preventing new claims from being made. The mining sector objects to this withdrawal. *The department will prepare a briefing note seeking the Minister's direction.*

Federal/Provincial/Territorial Committees

- **Canadian Council of Environment Ministers:** CCME is the primary minister-led intergovernmental forum for collective action on environmental issues of national and international concern. CCME is comprised of the environment ministers from the federal, provincial and territorial governments. The role of President of CCME rotates among the 14 ministers of environment on an annual basis. Ministers normally meet at least once a year to discuss national environmental priorities and determine work to be carried out under the auspices of CCME.
- **Canadian Council of Forest Ministers:** The CCFM is composed of fourteen federal, provincial and territorial ministers. The primary role of the CCFM is to provide a forum of discussion and exchange of views on forestry-related issues of common interest or with an intergovernmental or international standpoint and a vehicle to work cooperatively on common forest and forestry-related issues of Canadian and international concern.

Federal/Provincial/Territorial Committees

- **Canadian Council of Fisheries and Aquaculture Ministers:** The CCFAM is composed of fourteen federal, provincial and territorial ministers. The primary role of the CCFAM is to provide a forum of discussion and exchange of views on fisheries and aquaculture-related issues of common interest or with an intergovernmental or international standpoint and a vehicle to work cooperatively on common issues of Canadian and international concern.
- **Canadian Conservation, Wildlife and Biodiversity Ministers:** This group is not formally structured, but met February 2015, as ministers responsible for conservation, wildlife and biodiversity to discuss conservation, wildlife and biodiversity issues. A meeting is planned again for 2016.

Upcoming FPT Meetings

June 7 – 9: Canadian Council of Forest Ministers (Dawson City, Yukon).

June 21 – 22: Canadian Council of Fisheries and Aquaculture Ministers (St. Andrews, New Brunswick)

Oct. 3 (tentative): Canadian Council of Ministers of the Environment (Montreal)

TBD (Oct – Dec): Canadian Conservation, Wildlife and Biodiversity Ministers (Ottawa)

EXECUTIVE SUMMARY

SUSTAINABLE DEVELOPMENT

A. Department Responsibilities

The Department of Sustainable Development's mission is to sustainably manage and protect the environment and the rich biodiversity of natural resources, such as water, wildlife, fish and forests, by working cooperatively with the public, Indigenous people and other agencies, governments and stakeholders to strike a balance between protecting the integrity of the environment and meeting social and economic needs.

Major responsibilities include:

- fighting forest fires, managing provincial parks, enforcing conservation laws, creating new parks and protected areas.
- managing use of Crown lands.
- regulating industrial developments and enforcing environmental laws.
- developing and implementing climate change measures.
- regulating use of forests, peatlands and wildlife, including hunting, fishing and trapping.
- regulating surface water and groundwater, drinking water standards and enforcing drainage regulations.

B. Budget Overview

- The department's 2015/16 budget was \$138.1 million, including:
 - \$79.8 million for salaries,
 - \$44.9 operating, and
 - \$13.4 to pay amortization and interest on capital assets.
- The department's 2015/16 capital budget was \$23.5 million.
- The department has experienced significant financial pressures recently. The overall budget has decreased by about 11 per cent or \$17.9 million (from \$156.0 to \$138.1 million) from 2012/13 to 2015/16. The department has also accommodated amortization and interest increases of \$3.3 million, which was made up in salaries and operating as no new funding was approved.
- Sustainable Development has 1,138.45 staff years or full-time equivalents (FTEs). Since 2012, staffing levels have decreased by approximately 100 FTEs. Two divisions have been eliminated, along with two Assistant Deputy Minister positions, other management and other staff positions. The department maintains a vacancy rate of approximately 15 per cent.

- For 2016, the department requires \$4.2 million for non-discretionary salary increases and \$2.2 million for non-discretionary increases in amortization and interest cost for capital projects, for a total of \$6.4 million.
- It should be noted that the majority of Part B Capital Investment projects relates to Parks Infrastructure Assets, which are part of the Government of Manitoba's Parks Capital Strategy (\$100 million in Parks Capital to be spent over eight years through 2019/20).

C. Issues Requiring Decisions:

1. **Zebra Mussels:** Doubling investment to \$1 million was announced in 2015, but the 2016/17 budget has not passed resulting in a lack of funding. The department has existing ongoing funding of \$228.0 but would require additional funding of \$972.0 to meet the commitment to double the budget. A decision is required in May. Without funding, the program would be scaled back. The department will prepare a briefing note seeking direction on funding this issue and will include a request in the 2016/17 Budget.
2. **Environment Act Licence Appeals:**
 - a) *Southwest Transit Corridor Environment Act Licence appeal:* A ministerial decision is required regarding the stage 2 construction for the rapid transit project. Concerns expressed included a loss of wetlands and green space within the Parker Lands. The department will resubmit appeal documents to the Minister and Cabinet for consideration. *S. 23(1)(a)*
 - b) *Sunterra appeal* – Sunterra has a peat harvesting operation in the Interlake. Sunterra applied for and was approved for an expansion of its operation. The licence decision was appealed to the Minister but no decision has been made. The department will prepare a briefing note for the Minister's consideration.
 - c) *Daly Irrigation appeal* – In 2012, the department issued an environmental licence for this irrigation project on Little Saskatchewan River. A group of farms draw 2,600 acre feet per year of water for irrigation purposes. The license decision was appealed by nine people. No decision has been made yet. The department will prepare a briefing note for the Minister's consideration
 - d) *Harrow to Bishop appeal* – The Minister received one appeal to the Director's decision to issue an Environment Act licence to Manitoba Hydro for the Harrow Station to Bishop Grandin Transmission Project. Since the project is related to the City of Winnipeg rapid transit project, this appeal will likely be decided in parallel to that appeal decision.
 - e) *Keeyask* – The Minister issued a Class 3 licence for the Keeyask Generating Station on July 2, 2014. The licence was appealed and the appeal process is being managed by Civil Legal Services. Construction is underway and the department is monitoring for compliance with the licence. Civil Legal services will bring this appeal to Cabinet for consideration.

f) *Appeals to the Director's Decisions* – Decisions on these appeals do not require approval by Lieutenant Governor in Council.

- Director's decision to not recommend a public hearing for Manitoba Hydro's Harrow Station to Bishop Grandin Blvd. Transmission Project
- Director's decision to approve the Outfitter's Compensation Plan for the Bipole III project.

3. **Lake Winnipeg Commercial Fishery Regulation (Whitefish Optimization Program):** Lake Winnipeg Commercial Fishers have requested an expanded quota of whitefish in the north and south basins of Lake Winnipeg. The department will prepare a briefing note for review and approval by the Minister.
 4. **Metis Natural Resource Harvesting (MNRH):** Manitoba signed agreements in 2012 and 2015 with the Manitoba Metis Federation on mutual understandings related to MNRH, including boundaries and the development of enforceable regulations. A joint report was completed on March 31, 2016 containing recommendations for decisions. The department will prepare a briefing note for review and approval by the Minister, followed by a Cabinet submission as required.
 5. **Crown Land for Treaty Land Entitlement (TLE):** Four Treaty Land Entitlement Cabinet submissions with Order in Councils plus one Cabinet submission with Order in Council for withdrawal of land from the provincial forest have been submitted for TLE selections of the Bunibonibee Cree, Wuskwi Siphik Cree, Northlands, and Manto Sipi Cree First Nations. The department will resubmit the Cabinet documents for review and approval by the Minister.
 6. **Nature Conservancy of Canada (NCC):** In March 2009, the Province agreed to provide \$7.0 million in support of the NCC's Natural Areas Conservation Program through a grant funding agreement. To date, the Province has paid \$6.0 million of the \$7.0 million commitment, leaving \$1.0 million to be paid by 2018. No new funding for this commitment was received; the department has funded payments by managing expenditures. In 2015/16, the department set aside (accrued) \$500,000 to make a payment, which is not mandatory. The department will prepare a briefing note and potentially a Treasury Board submission seeking direction.
 7. **Falcon Lake Golf Course:** In 2015, the department issued a request for proposals to seek a private operator for the Falcon Lake Golf Course. The course is currently operated through Ventures Inc. a Manitoba Crown Corporation.
9. A3 (1) a
8. **Peatland Practices Committee:** The peat industry is waiting for ministerial appointments to the technical committee that will make recommendations on peat management and recovery plans. The department will resubmit a briefing note and related documents for review and approval by the Minister; and potentially the Agencies, Boards and Commissions unit.

D. Priority Issues and Opportunities

1. **Working with Producers – Manure Management:** In 2011, a moratorium was implemented prohibiting the establishment of manure storage facilities to accommodate additional pigs. In May, 2014, Maple Leaf Foods announced labour cuts to their processing plant. The Manitoba Pork Council (MPC) suggested that the cuts were in part due to the moratorium. MPC and the department will continue to work together on a protocol for pilot project permits.
2. **Working with Industry – Energy East:** Manitoba applied for intervener status in the federal regulatory process. Concerns include proximity to communities, drinking water and watercourses; the need for emergency preparedness; and carbon emissions. The department is waiting for the National Energy Board to set heard dates and will prepare a briefing note and Cabinet paper seeking direction on Manitoba's position on Energy East.
3. **Improving Drinking Water Protection:** Changes to drinking water quality standards and safety regulations have been proposed. Policy development, including new or updated national guidelines for drinking water quality, is targeted for implementation. The department will send forward a Cabinet submission seeking approval of new regulations.
4. **The Pimachiowin Aki World Heritage Project:** The nomination is currently being evaluated by UNESCO. Recommendations will be made public in May 2016 and the World Heritage Committee will make a decision in July 2016. The department will develop a briefing note and then potentially a Cabinet paper seeking direction.
5. **International Water Matters:** Activities such as the Northwest Area Water Supply Project and Devils Lake in North Dakota and Quill Lakes and Fishing Lake in Saskatchewan in upstream jurisdictions may negatively impact Lake Winnipeg. The department will develop a briefing note providing information on these issues for the Minister's consideration.
6. **Reconciling with Indigenous People:** The department is working towards implementation of seven recommendations from the Truth and Reconciliation Commission. The department is guided by *The Path to Reconciliation Act* which sets out principles for reconciliation based on respect, engagement, understanding and action related to Indigenous relations. The department will develop an implementation plan for the Minister's consideration.
8. **Churchill River Diversion and Lake Winnipeg Regulation:** Manitoba Hydro is seeking final licenses to continue to operate the Churchill River Diversion and Lake Winnipeg Regulation. Consultations are ongoing with Indigenous communities. A

S. 23(1)(a)

consultation report should be ready this spring, in preparation for a licensing decision in September. The department will prepare a consultation report along with a licensing recommendation for the Minister's consideration.

- 9. Regional Cumulative Effects Study:** The Clean Environment Commission (CEC) recommended that Manitoba Hydro conduct a Regional Cumulative Effects Assessment for projects in the Nelson River sub-watershed and that this review be undertaken prior to the licensing of any additional projects in the Nelson River. The first phase of the review was completed in May 2014, and included a compilation of available data and a description of the assessment approach to be used to analyze the data in the second phase. The second phase report was released in December 2015. Community consultations are planned for 2016. As part of its report, the CEC made recommendations related to erosion and environmental assessments. The department continues to develop strategies to address the CEC's recommendations and will provide a briefing note for the Minister's consideration on this review.

SUSTAINABLE DEVELOPMENT MINISTERIAL BRIEFING

Table of Contents

CHAPTER 1: ORGANIZATION	2
1.1 Departmental Responsibilities	2
1.2. Organizational Structure	4
1.3 Organization Chart.....	9
1.4 Agencies, Boards and Commissions	10
CHAPTER 2: STRATEGIC OVERVIEW.....	12
2.1 Priority Issues and Opportunities.....	12
2.2 Financial Overview	14
2.3 Statutory Responsibilities of the Minister/Legal Framework	17
CHAPTER 3: OTHER OUTSTANDING ISSUES	19
3.1 Upcoming Federal/Provincial/Territorial Ministers Meetings	19
3.2 Bills not passed during the 5th Session of the 40th Legislature	20
3.3 Legislation which has not been proclaimed	21
3.4 Outstanding Committee Appointments	23
3.5 Outstanding Reports	24
3.6 Recommended Meetings	25

CHAPTER 1: ORGANIZATION

1.1 Departmental Responsibilities

The Department of Sustainable Development's mission is to sustainably manage and protect the environment and the rich biodiversity of natural resources, such as water, wildlife, fish and forests, by working cooperatively with the public, Indigenous people and other governments, agencies and stakeholders to strike a balance between protecting the integrity of the environment and meeting social and economic needs.

Departmental Vision: A healthy environment now for tomorrow.

Departmental Mission: To lead and engage Manitobans by being stewards of the environment through the delivery of quality services and innovative programs for the benefit of current and future generations.

Departmental Values: The Department of Sustainable Development strives within our organization and in our dealings with clients and partners to commit to the following values and exhibit them through our actions:

- Respect
- Integrity
- Excellence
- Collaboration
- Innovation

The responsibilities of the department include the following:

- Fighting forest fires, managing provincial parks, enforcing conservation, and creating new parks and protected areas.
- Managing use of Crown lands, provincial parks, wildlife management areas, ecological reserves, provincial forests and traditional land use planning areas.
- Delivering programs and services to protect, conserve and manage Manitoba's environment and diverse ecosystems, promote sustainable development, and address climate change.
- Coordinating and partnering with Indigenous communities and a variety of stakeholders, including industry and non-governmental organizations, to deliver programs and balance decisions that consider the environmental, social and economic needs of all Manitobans while respecting Treaty and Aboriginal rights.
- Regulating industrial development and enforcing environmental laws. The department is administratively responsible for 44 statutes and 139 regulations, including *The Environment Act* and *The Water Protection Act*.
- Developing and implementing climate change measures, including reducing greenhouse gas emissions, coordinating and monitoring implementation of

commitments, progress reporting, resiliency planning and identifying and adapting to climate vulnerabilities and risks.

- Regulating use of forestry, peatlands and wildlands, including hunting, fishing and trapping.
- Regulating surface water and groundwater and drinking water standards, and enforcing drainage regulations.
- Providing secretariat support and advice to a number of boards and committees such as the Manitoba Round Table for Sustainable Development, Manitoba Water Council and the Licensing Advisory Committee; some of which report and provide recommendations to the Minister.
- Working with other provincial departments, federal government, local governments and on inter-jurisdictional committees such as Canadian Council of Ministers of the Environment, Canadian Council of Forest Ministers, Canadian Council of Fisheries and Aquaculture Ministers, Canadian Parks Council, and Ministers responsible for Wildlife and Biodiversity.

The department has two Special Operating Agencies:

- Pineland Forest Nursery provides seedlings and seed processing services for reforestation. These seedlings have been planted in all regions of Manitoba and across Alberta, Saskatchewan, Northwest and North-Central Ontario, Minnesota and Michigan.
- Green Manitoba Eco Solutions delivers programs and services related to waste reduction, greening government and education for sustainability.

1.2. Organizational Structure

Department staff are located in Winnipeg and in five regions: Eastern, Northeast, Northwest, Central and Western. Sustainable Development has regional headquarters in Lac du Bonnet, The Pas, Thompson, Gimli, Brandon, and Lac du Bonnet, as well as 43 district offices. In addition to these district offices, the department has a presence in at least 13 additional communities on a seasonal basis. Approximately 70% of department positions are located outside of Winnipeg.

The department consists of four divisions:

1. Finance and Crown Lands
2. Parks and Regional Services
3. Environmental Stewardship
4. Water Stewardship and Biodiversity

The **Finance and Crown Lands Division** (149.00 staff years) has the following responsibilities:

- Provides department-wide administrative support, e.g. paying bills, budgeting and accounting.
- Manages use of Crown lands, including working with First Nations on land claims.
- Maintains mapping information, including electronic interactive maps, and sells maps to the public.
- Provides land surveyor services to other government departments, e.g. conducts surveys of Crown land.
- Manages the relationships between Indigenous people and the department, including supporting land use planning and undertaking consultations when provincial activities infringe on Indigenous rights.
- Manages the cottage program, which allows for the development of cottages in parks and on Crown land.

The Finance and Crown Lands Division is comprised of the following five branches: Comptrollership, Grant Accountability and Contract Review; Financial Services; Geo Manitoba; Lands; and Indigenous Relations; along with two units: Process Improvement; and Shared Services and Risk Management.

The **Parks and Regional Services Division** (640.10 staff years) has the following responsibilities:

- Fights forest fires (wildfires) funded through an emergency appropriation of up to approximately \$50 million per year above the departmental budget.

- Manages provincial parks and other infrastructure, including maintenance of campgrounds, roads, drinking water and wastewater facilities, hiking trails, and interpretive and historic sites.
- Provides services which allow people to have cottages and businesses in provincial parks, e.g. issues permits.
- Enforces conservation laws through Conservation Officers.
- Proposes creation of new parks and the protection of important ecological areas.

The Parks and Regional Services Division is comprised of the following areas: Regions; Headquarters; Parks and Protected Spaces; and Fire and Emergency Response Program.

The **Environmental Stewardship Division** (127.00 staff years) has the following responsibilities:

- Regulates certain industrial development which have an impact on the environment, such as hydro-electric projects, landfills and wastewater plants.
- Enforces environmental laws.
- Leads development and implementation of climate change measures.
- Provides corporate policy development and intergovernmental supports.
- Provides funding to the International Institute of Sustainable Development, including funding for the Experimental Lakes Area.
- Includes Green Manitoba Eco Solutions.

The Environmental Stewardship Division is comprised of four branches: Environmental Approvals; Environmental Compliance and Enforcement; Climate Change and Air Quality; and Strategic Policy and Coordination. The division also includes Green Manitoba Eco Solutions, a Special Operating Agency.

The **Water Stewardship and Biodiversity Division** (222.35 staff years) has the following responsibilities:

- Regulates and manages wildlife, fish, forestry and peatlands resources.
- Regulates and enforces drinking water standards
- Regulates and enforces drainage policies
- Regulates surface water and ground water quality
- Regulates use of water, such as water use by municipalities, agriculture and industry (including Manitoba Hydro)
- Develops policies to manage ground and surface water, water quality and usage
- Includes Pineland Forest Nursery

The Water Stewardship and Biodiversity division consists of the following areas: Forestry and Peatlands Management; Wildlife and Fisheries; Water Science and Management; Watersheds, Drainage and Water Control; Water Use Licensing; and the Office of Drinking Water. The division also includes Pineland Forest Nursery, a Special Operating Agency.

Biographies

Grant Doak, Deputy Minister

Grant Doak was appointed Deputy Minister of the department in October 2013. Grant has also served as Deputy Minister of Innovation, Energy and Mines and of Family Services and Consumer Affairs.

Grant began his career with the Manitoba civil service in 1981, and since then has occupied many senior management roles. He was Executive Director of the Policy and Planning Branch in Family Services and Housing; the Assistant Deputy Minister of Finance and Administration and was a member of the Manitoba Housing and Renewal Corporation Board; as well as the Assistant Deputy Minister of the Disability Programs and Income Assistance Division.

Matt Wiebe, ADM Finance and Crown Lands Division

Matt Wiebe assumed the position of Assistant Deputy Minister of Finance and Crown Lands Division in July 2015. Matt joined the Province of Manitoba through the Management Internship Program in May 2005, where he had placements in Treasury Board Secretariat, Civil Service Commission, and Conservation. Matt has worked in positions for the Civil Service Commission and in other areas of the department, where he served as the Senior Manager of Financial Services, the Director of Financial Services, the acting ADM of Finance and Administration for a seven-month period and Acting Director of Strategic Policy and Coordination Branch.

Bruce Bremner, ADM Parks and Regional Services Division

Bruce Bremner has worked for the Manitoba government for 38 years in a variety of positions and locations in northern, western, and eastern Manitoba. During his career, Bruce has worked as a Park Ranger, Park Planner, Park Manager and Director of the Eastern Region. His current position includes responsibility for the wildland fire program, natural resource enforcement and compliance program, and parks operations and program development. Bruce is also a Co-Chair of the Board of Directors of the Pimachiowin Aki Corporation's nomination bid to be a UNESCO World Heritage Site.

Jocelyn Baker, ADM Environmental Stewardship Division

Jocelyn Baker has been the Assistant Deputy Minister of the Environmental Stewardship Division since 2013. Prior to this, she was the Executive Director of the Corporate Policy Division for the department and has been on the department executive since 2010. Jocelyn initiated the department's journey into Continuous Improvement and is the Executive Lean Champion for the department. Jocelyn is also the department's Executive Diversity Champion and leads a department Diversity committee. She was the first Learning Champion in Conservation, beginning in 2008, and since then has grown the Learning Champion network in the department and is the Executive Learning Champion.

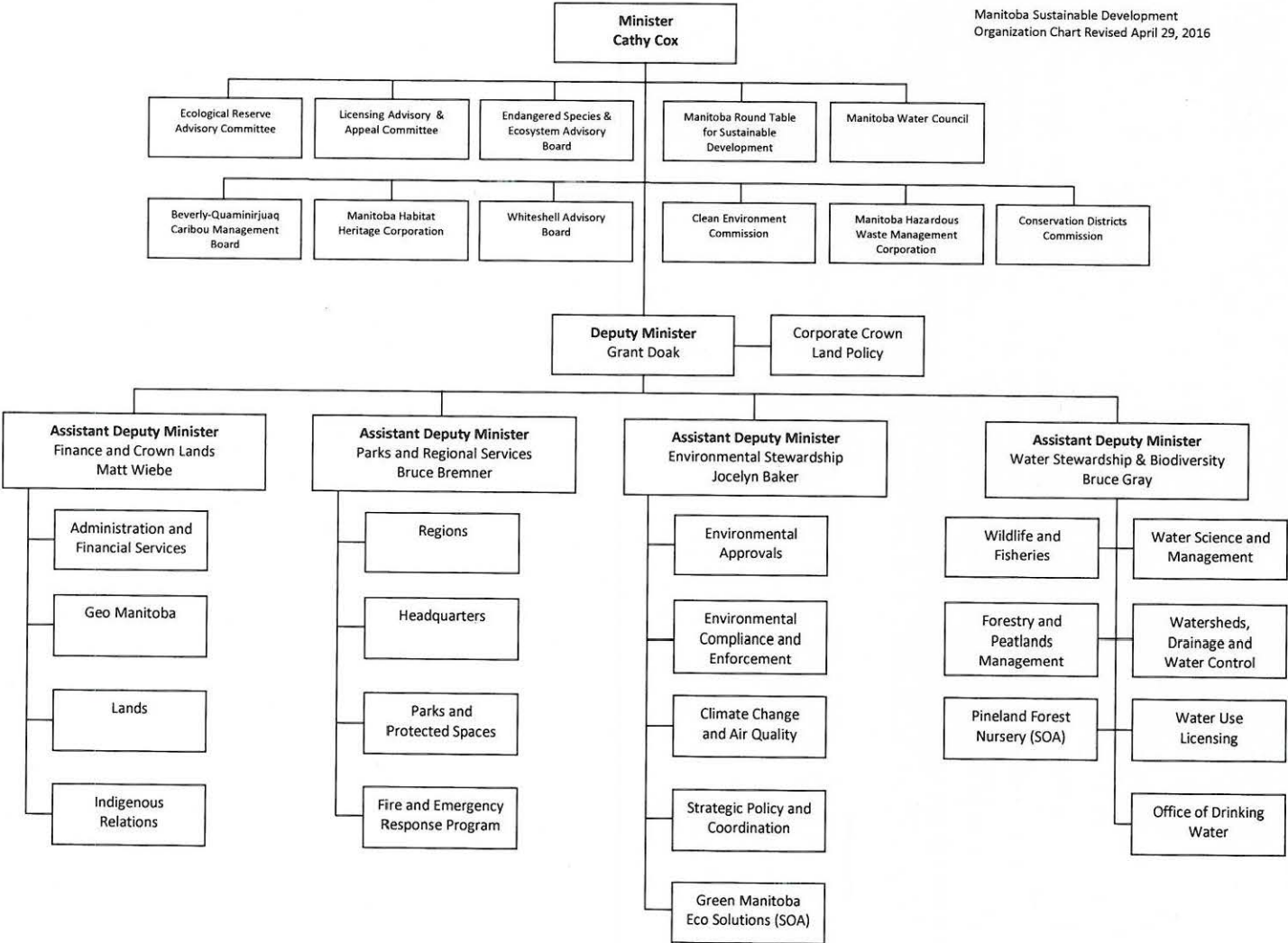
Bruce Gray, ADM Water Stewardship and Biodiversity

Bruce Gray has been the Assistant Deputy Minister of the Water Stewardship and Biodiversity Division since 2013. In this role, he provides leadership in program areas related to scientific research and monitoring, as well as wildlife, fisheries, water, and forestry resource management to ensure the quality and sustainability of these resources and ecosystems for Manitobans.

Prior to assuming his current ADM role, he was the ADM of the Administration and Finance Division within the department and an Assistant Deputy Minister for the department of Finance. Complementing his responsibilities as a senior manager with the province, Bruce teaches a course to provincial civil servants on the topic of Public Finance and Budgeting as part of the University of Manitoba / Manitoba Civil Service Certificate in Public Sector Management Program.

1.3 Organization Chart

PLEASE SEE ATTACHED



1.4 Agencies, Boards and Commissions

Agencies, Boards and Commissions:

Beverly and Qamanirjuaq Caribou Management Board: has a mandate is to coordinate the management of the Beverly and Qamanirjuaq barren ground caribou herds in the interest of traditional users while recognizing the interest of all Canadians in the survival of this resource and to ensure communication amongst and between traditional uses and governments on matters related to the conservation, management and protection of caribou and caribou habitat.

The Board is established under the authority of the Beverly and Qamanirjuaq Barren Ground Caribou Management Agreement signed by the governments of Canada, Manitoba, Saskatchewan, the Northwest Territories and Nunavut.

Conservation Districts Commission: established by *The Conservation Districts Act*, the Commission shall advise the minister in all matters relating to the Act.

Ecological Reserves Advisory Committee: is established under *The Ecological Reserves Act*, to examine and inspect areas for their suitability as reserves and makes recommendations to the Minister.

Endangered Species and Ecosystems Advisory Committee: is established under *the Endangered Species and Ecosystem Act*, to advise the Minister on species that are endangered, threatened, extirpated or extinct or whose habitats are endangered and makes recommendations for species to be designated.

Fish and Wildlife Enhancement Fund Committee and Subcommittees:* is established under *The Fish and Wildlife Enhancement Fund Act*. The purpose of the Board is to deliberate on funding proposals for fish and wildlife enhancement and provide recommendations to the Minister. Subcommittees review all proposals for enhancement initiatives that seek financial assistance from the fund and recommend to the Committee initiatives for funding.

Heritage Trees Review Committee:* is established under the Heritage Trees amendment to *The Forest Health Protection Act*. The Committee assesses nominations and make recommendations to the Minister for formal designation. Designated trees will be displayed within the Manitoba Trees Register, which is a publicly accessible spatial database.

Manitoba Habitat Heritage Corporation: is a Crown Corporation established by *The Manitoba Habitat Heritage Act (1986)*, that works in partnership with public and private agencies and organizations, as well as private landowners, to conserve, restore, and enhance fish and wildlife habitat in Manitoba.

Manitoba Hazardous Waste Management Corporation: is established under *The Manitoba Hazardous Waste Management Corporation Act*. The objective of the

Corporation is to develop and sustain a Manitoba hazardous waste management system that preserves and enhances the quality of the environment in the province.

Manitoba Round Table for Sustainable Development: is established under the *Sustainable Development Act*, to advise and support the province in making responsible environmental, social, and economic decisions. In the legislation the Round Table reports to the Premier, the responsibility of chairing the Round Table has been delegated to the Minister for the last 20 years.

Manitoba Water Council: is established under *The Water Protection Act*. The Council is a senior advisory body to the Minister that co-ordinates and oversees the work of all provincial advisory bodies on water protection, watershed planning and management. The Council is an important consultative mechanism for government on province-wide water issues and assists in building consensus among Manitobans on sustainable solutions to the province's water quality and quantity challenges.

Clean Environment Commission: is established under *The Environment Act (1988)* to provide an avenue through which the public can participate in the decision making process regarding the environment. The Commission also provides advice and recommendations to the Minister with respect to environmental issues and licensing.

Whiteshell Advisory Board: is established under *The Provincial Parks Act*. The Board serves, for Whiteshell Provincial Park, as a variance committee when a provincial park cottager formally requests a variance to normal policies and guidelines and as a review panel when a provincial park cottager wishes to have the department reconsider its interpretation and application of existing policies and guidelines relative to a decision made by the department.

Licensing Advisory & Appeal Committee: *The Resource Tourism Operators Act* requires licencing of outfitters and permitting of their facilities in order to ensure that tourism development of Manitoba's natural areas and resources is done in a sustainable and environmentally responsible manner. The LAC makes recommendations on the licencing of outfitters and the permitting of their facilities to the Administrator of Resource Tourism.

*Newly added

CHAPTER 2: STRATEGIC OVERVIEW

2.1 Priority Issues and Opportunities

- 1. Working with Producers – Manure Management:** In 2011, a moratorium was implemented prohibiting the establishment of manure storage facilities to accommodate additional pigs. In May, 2014, Maple Leaf Foods announced labour cuts to their processing plant. The Manitoba Pork Council (MPC) suggested that the cuts were in part due to the moratorium. MPC and the department will continue to work together on a protocol for pilot project permits.
- 2. Working with Industry – Energy East:** Manitoba applied for intervener status in the federal regulatory process. Concerns include proximity to communities, drinking water and watercourses; the need for emergency preparedness; and carbon emissions. The department is waiting for the National Energy Board to set heard dates and will prepare a briefing note and Cabinet paper seeking direction on Manitoba's position on Energy East.
- 3. Improving Drinking Water Protection:** Changes to drinking water quality standards and safety regulations have been proposed. Policy development, including new or updated national guidelines for drinking water quality, is targeted for implementation. The department will send forward a Cabinet submission seeking approval of new regulations.
- 4. The Pimachiowin Aki World Heritage Project:** The nomination is currently being evaluated by UNESCO. Recommendations will be made public in May 2016 and the World Heritage Committee will make a decision in July 2016. The department will develop a briefing note and then potentially a Cabinet paper seeking direction.
- 5. International Water Matters:** Activities such as the Northwest Area Water Supply Project and Devils Lake in North Dakota and Quill Lakes and Fishing Lake in Saskatchewan in upstream jurisdictions may negatively impact Lake Winnipeg. The department will develop a briefing note providing information on these issues for the Minister's consideration.
- 6. Reconciling with Indigenous People:** The department is working towards implementation of seven recommendations from the Truth and Reconciliation Commission. The department is guided by *The Path to Reconciliation Act* which sets out principles for reconciliation based on respect, engagement, understanding and action related to Indigenous relations. The department will develop an implementation plan for the Minister's consideration.

S. 23(1)(a)

8. **Churchill River Diversion and Lake Winnipeg Regulation:** Manitoba Hydro is seeking final licenses to continue to operate the Churchill River Diversion and Lake Winnipeg Regulation. Consultations are ongoing with Indigenous communities. A consultation report should be ready this spring, in preparation for a licensing decision in September. The department will prepare a consultation report along with a licensing recommendation for the Minister's consideration.

9. **Regional Cumulative Effects Study:** The Clean Environment Commission (CEC) recommended that Manitoba Hydro conduct a Regional Cumulative Effects Assessment for projects in the Nelson River sub-watershed and that this review be undertaken prior to the licensing of any additional projects in the Nelson River. The first phase of the review was completed in May 2014, and included a compilation of available data and a description of the assessment approach to be used to analyze the data in the second phase. The second phase report was released in December 2015. Community consultations are planned for 2016. As part of its report, the CEC made recommendations related to erosion and environmental assessments. The department continues to develop strategies to address the CEC's recommendations and will provide a briefing note for the Minister's consideration on this review.

2.2 Financial Overview

The department has experienced significant financial pressures recently. The overall budget has decreased by about 11 per cent or \$17.9 million (from \$156.0 to \$138.1 million) from 2012/13 to 2015/16. The department has also accommodated amortization and interest increases of \$3.3 million, which was made up in salaries and operating as no new funding was approved.

The department employs over 1,600 people every year, many seasonally. The department has 1,138.45 staff years or full-time equivalents (FTEs). Since 2012, staffing levels have decreased by approximately 100 FTEs. Two divisions have been eliminated, along with two Assistant Deputy Minister positions, other management and other staff positions. The department maintains a vacancy rate of approximately 15 per cent.

For 2016, the department requires \$4.2 million for non-discretionary salary increases and \$2.2 million for non-discretionary increases in amortization and interest cost for capital projects, for a total of \$6.4 million.

Part A Expenditures

Division	2015/16 Print (\$000s)	2014/15 Adjusted Vote (\$000s)
Finance and Crown Lands Division	15,421	15,980
Parks and Regional Services Division	68,939	69,278
Environmental Stewardship Division	12,963	12,703
Water Stewardship and Biodiversity Division	27,332	28,129
Costs Related to Capital Assets (Amortization and Interest)	13,434	14,710
Total	138,089	140,800

- The following table shows the FTE decline over the past four years:

Fiscal Year	2015/16	2014/15	2013/14	2012/13
# of FTEs	1,138.45	1,164.20	1,176.54	1,237.76

- The following table shows the Part A budget decline over the past four years:

Fiscal Year	2015/16	2014/15	2013/14	2012/13
-------------	---------	---------	---------	---------

Part A (\$000s)	138,089	140,800	144,187	155,461
------------------------	---------	---------	---------	---------

- Furthermore, the table below shows that due to the increasing costs in Amortization and Interest (A&I), which are due to Part B Capital Investments that get completed and then increase the overall costs for Part A A&I. The department has often been forced to fund these A&I pressures through reductions in operating programs.

Fiscal Year	2015/16	2014/15	2013/14	2012/13
Part A – A&I (\$000s)	13,434	14,710	11,805	10,137

Part B Capital Investments

Asset Category	2015/16 (\$000s)
General Assets	4,297
Parks Infrastructure Assets	16,726
Crown Land and Cottage Lots Development Infrastructure Assets	2,500
Total	23,523

- It should be noted that the majority of Part B Capital Investment projects relates to Parks Infrastructure Assets, which are part of the Government of Manitoba's Parks Capital Strategy (\$100 million in Parks Capital to be spent over eight years through 2019/20).
- When factoring out large one-time projects, there is a slightly declining trend over the five years in Part B budgets, mainly based on refined project planning. The department is still on track to meet commitments under the Parks Capital Strategy.
- The following table shows the overall slightly declining trend of the Part B Capital Investment budget over the past three years.

Fiscal Year	2015/16	2014/15	2013/14
Part B (\$000s)	23,523	30,529	24,427

- The Part B increase in 2014/15 over 2013/14 was due to construction of the Lac du Bonnet Initial Attack Fire Base.

2.3 Statutory Responsibilities of the Minister/Legal Framework

Sustainable Development is administratively responsible for 44 statutes and 139 regulations. The department is also responsible for administering and/or enforcing sections of a number of Federal Statutes, such as Migratory Birds Convention Act and the Federal Fisheries Act (Manitoba Fishery Regulation).

Statute	Regulations
<i>The Climate Change and Emissions Reductions Act</i>	4
<i>The Conservation Agreements Act</i>	3
<i>The Conservation Districts Act</i>	1
<i>The Conservation Officers Act</i>	1
<i>The Contaminated Sites Remediation Act</i>	1
<i>The Crown Lands Act</i> [sections 1, 5 and 5.1, clause 7(1)(c), section 7.1.1, subsection 7.2(1), section 8, subsections 12(2), 13(1) and (2), 13.1(1), sections 19, 22 and 27 to 29; sections 4, 6 and 6.1, clauses 7(1)(a), (b), (d) and (e), subsections 7(2) to (6), sections 7.1, 10, 14, 16 to 18, 21, subsection 23(3), section 24, subsections 25(1) and (2) and sections 26 and 30 to 35 insofar as they relate to the administration of Crown lands not designated as agricultural Crown lands, including setting fees and rents and issuing work permits but excluding other dispositions]	6
<i>The Dangerous Goods Handling and Transportation Act</i>	11
<i>The Drinking Water Safety Act</i>	2
<i>The East Side Traditional Lands Planning and Special Protected Areas Act</i>	5
<i>The Ecological Reserves Act</i>	2
<i>The Endangered Species and Ecosystems Act</i>	2
<i>The Environment Act</i>	24
<i>The Fish and Wildlife Enhancement Fund Act</i>	1
<i>The Fisheries Act</i> [except Part III]	6
<i>The Fishermen's Assistance and Polluter's Liability Act</i>	0
<i>The Forest Act</i>	4
<i>The Forest Health Protection Act</i>	3
<i>The Ground Water and Water Well Act</i> (to be repealed by SM 2012, c. 27, s. 93 on 1 Jan 2017) [except as it relates to the planning, construction or operation of provincial water control works]	1
<i>The Groundwater and Water Well Act</i> , SM 2012, c. 27 • This Act is not yet in force. It comes into force on January 1, 2017.	2
<i>The Manitoba Habitat Heritage Act</i>	0
<i>The Manitoba Hazardous Waste Management Corporation Act</i>	0

<i>The International Peace Garden Act</i>	0
<i>The Manitoba Natural Resources Transfer Act</i>	0
<i>The Natural Resources Agreement Act, 1938</i>	0
<i>An Act to Ratify a Certain Agreement Between the Government of the Dominion of Canada and the Government of the Province of Manitoba</i>	0
<i>The Manitoba Natural Resources Transfer Act Amendment Act</i>	0
<i>The Manitoba Natural Resources Transfer Act Amendment Act, 1963</i>	0
<i>The Ozone Depleting Substances Act</i>	1
<i>The Provincial Parks Act</i> [except section 22 and clause 33(u) and the Debt Certificate Regulation, M.R. 140/96]	11
<i>The Peatlands Stewardship Act</i> [except Part 7]	2
<i>The Pimachiowin Aki World Heritage Fund Act</i>	0
<i>The Polar Bear Protection Act</i>	1
<i>The High-Level Radioactive Waste Act</i>	0
<i>The Resource Tourism Operators Act</i>	1
<i>The Surveys Act [Part II]</i>	2
<i>The Sustainable Development Act</i>	1
<i>The Upper Fort Garry Heritage Provincial Park Act</i>	0
<i>The Waste Reduction and Prevention Act</i>	5
<i>The Water Power Act</i> [except as it relates to the planning, construction or operation of provincial water control works]	2
<i>The Water Protection Act</i>	4
<i>The Water Resources Conservation Act</i>	1
<i>The Water Rights Act</i> [except as it relates to the planning, construction or operation of provincial water control works]	1
<i>The Wildfires Act</i>	2
<i>The Wildlife Act</i> [except the portion of clause 89(e) that relates to compensation for damage to crops caused by wildlife, as it relates to big game and migratory waterfowl]	27
<i>The Wild Rice Act</i> [except subsections 10(1) and 11(1)]	1

CHAPTER 3: OTHER OUTSTANDING ISSUES

3.1 Upcoming Federal/Provincial/Territorial Ministers Meetings

Date	Meeting	Location
June 7-9, 2016	Canadian Council of Forest Ministers	Dawson City, YK
June 21-22, 2016	Canadian Council of Fisheries and Aquaculture Ministers	Saint Andrews, NB
Oct. 3, 2016 (tentative)	Canadian Council of Ministers of the Environment	Montreal
TBD (Oct.-Dec. 2016)	Canadian Conservation, Wildlife and Biodiversity Ministers	Ottawa (tentative)

3.2 Bills not passed during the 5th Session of the 40th Legislature

Bill	Status
The Environmental Rights Act (Bill 20)	First Reading on March 2, 2016
Surface Water Management Act (Bill 5)	Standing Committee March 9, 2016 No amendments proposed, insufficient time for 3 rd reading and royal assent.

3.3 Legislation which has not been proclaimed

	Proclamation date	Exceptions	Comment
ACTS			
The Groundwater and Water Well Act - New	Proclaimed on December 16, 2015 and comes into force on January 1, 2017	6(d)(i) and (ii), 10(a), 12, 14-19, 33, 50(2) and (3), 86(3)(f)	One year grace before new Act to come into force. Non-proclaimed sections require further stakeholder engagement (respecting new requirements)
The Wildlife Act - Amendments	Proclaimed on Feb 24, 2016 Amendments s. 7,8,9,17 and 19 come into force September 1, 2016		Delayed coming into force date to allow for communication with stakeholders.
The Peatlands Stewardship Act	June 15, 2015	8-16, 30	Non-proclaimed sections allow new peat developments. Wetland inventory is to be completed prior to new developments.
The Sustainable Development Act	June 12, 2008	3	Section 3 not proclaimed respecting application of Sustainable Development principles in all government activities.
REGULATIONS			
Waste Management Facilities Regulation – new	Registered Feb 23, 2016 Comes into force on July 1, 2016		Delayed date to allow communication with stakeholders prior to coming into force.
Groundwater and Water Well Regulation - new	Registered Dec 21, 2015 Comes into force same day as s. 8 of The Groundwater and Water Well Act		Regulation under new Groundwater and Water Well Act.
Well Standards Regulation - new	Registered Dec 21, 2015 Comes into force same day as s. 8 of The Groundwater and Water Well Act.		Regulation under new Groundwater and Water Well Act.
Hazardous Waste	Registered Nov 25, 2015		Delayed date to allow communication with

	Proclamation date	Exceptions	Comment
Regulation - new	Comes into force 6 months after registration (May 25, 2016)		stakeholders prior to coming into force.
Peatlands Stewardship Regulation	Registered and came into force on June 11, 2015	3-5	Exempted sections come into force when s. 8 of The Peatlands Stewardship Act comes into force.

3.4 Outstanding Committee Appointments

Agency, Board or Commission	Vacancies (#)	Upcoming Expirations (#)	Expiry Date
Clean Environment Commission		5	June 20, 2016
Conservation Districts Board	3		
Endangered Species Advisory Committee		3	May 31, 2016
Fish and Wildlife Enhancement Fund and Subcommittees	1		
Hazardous Waste Management Corporation Board		2	July 1, 2016
Manitoba Habitat Heritage Corporation		2	June 30, 2016
Manitoba Water Council		6	Aug. 31, 2016

3.5 Outstanding Reports

Note: Further discussions are required to confirm policy regarding tabling of reports/documents printed for distribution prior to change in government. Reports may need to be reprinted. Clerk's office has been engaged and is discussing the matter.

Reports:	Notes:
Five-year Report to the Legislature on Ecological Reserves April 1, 2009 – March 31, 2014	<ul style="list-style-type: none"> • Statutory Report - Required under section 4.2 of <i>the Ecological Reserves Act</i> • Reviewed and approved by previous Minister • Printed copies sent to the Minister's office in 2014 but decision to table was delayed • Next steps: prepare advisory note and discuss next steps regarding tabling
Manitoba Hazardous Waste Corporation Annual report 2014/15	<ul style="list-style-type: none"> • Statutory Report - Required under section 19.1 of <i>The Manitoba Hazardous Waste Management Corporation Act</i> • Report was prepared and printed in 2015 and is ready to submit for tabling • Next steps: discuss next steps regarding tabling. Printed copies with memo are being sent to Deputy Minister's office for forwarding to the Minister's office for tabling in the legislature when decision is confirmed
2015 Provincial Summary Report on Achievement Status on the Canadian Ambient Air Quality Standards (CAAQS) for Fine Particulate Matter (PM _{2.5}) and Ozone	<ul style="list-style-type: none"> • Required under Canadian Council of Ministers of the Environment (CCME) commitment • Report completed • Next step: Completed report to be forwarded to Minister's office for Ministerial approval. (Once approved the report will be ready to be posted on the department's website and shared with Environment Canada and other jurisdictions)
Action on the Drinking Water Advisory Committee Report Recommendations – November 2015	<ul style="list-style-type: none"> • Report printed and with the department for processing • Confirming further details with staff
Waste Reduction and Recycling Strategy	<ul style="list-style-type: none"> • Not a statutory report • Stakeholder consultation on working draft completed and feedback incorporated • Next steps: revised version forwarded to the Deputy Minister and Minister's office for review and direction

3.6 Recommended Meetings

Agencies, Boards and Commissions:	Issue:	Timeframe:
<p><u>Manitoba Habitat Heritage Corporation</u> Works in partnership with public and private agencies and organizations, as well as private landowners, to conserve, restore, and enhance fish and wildlife habitat in Manitoba. (MHHC is a non-profit Crown Corporation established by The Manitoba Habitat Heritage Act and is responsible to the Minister of Sustainable Development.)</p>	Habitat Conservation Programs including wetlands	1-3 months
<p><u>Manitoba Round Table for Sustainable Development</u> Advisory body to the government established under <i>The Sustainable Development Act</i>, to promote sustainable development in Manitoba and provide advice and recommendations to government in accordance with <i>The Sustainable Development Act</i>.</p>	Minister is the chair of the board	1-3 months
<p><u>Manitoba Water Council</u> Advisory body to the government established under <i>The Water Protection Act</i> to provide advice to the Minister on a broad spectrum of matters relating to water.</p>	Water efficiency, water management including wetlands	1-3 months
Indigenous Organizations:	Issue:	Timeframe:
<p><u>Assembly of Manitoba Chiefs</u> Advocates on issues that affect the First Nations of Manitoba.</p>	Path to Reconciliation Act	4-6 months
<p><u>Manitoba Metis Federation</u> Promotes the political, social, cultural, and economic interests and rights of the Metis in Manitoba.</p>	Memorandum of Understanding commitments	1-3 months
<p><u>Manitoba Keewatinowi Okimakanak</u> Supports and promotes interests of northern First Nations communities in Manitoba.</p>	Path to Reconciliation Act	4-6 months
<p><u>Manitoba Southern Chiefs Organization</u> Supports and promotes interests of southern First Nations communities in Manitoba.</p>	Path to Reconciliation Act	4-6 months
Water Science and Stewardship:	Issue:	Timeframe:
<p><u>International Joint Commission (IJC) International Red River Board</u> The International Red River Board helps the IJC prevent and resolve transboundary disputes by providing advice on matters affecting the quality, levels and integrity of the waters of the Red River ecosystem.</p>	Transboundary water issues, including nutrient loading to Lake Winnipeg and drought management	4-6 months
<p><u>Lake Friendly Stewards Alliance</u> Support the goals and objectives of the Lake Friendly Accord and assist in moving the goals of the accord into action. (recommend meeting with Chairs of Alliance).</p>	Lake Friendly Accord	1-3 months
<p><u>Lake Winnipeg Foundation</u> Are focused on research, public education,</p>	Lake Winnipeg water quality	4-6 months

stewardship and collaboration to ensure a clean, healthy Lake Winnipeg and watershed.		
<u>Red River Basin Commission</u> Helps facilitate a cooperative approach to water management within the Basin and is a well-established forum for identifying, developing, and implementing solutions to cross-boundary issues.	Transboundary water issues, including nutrient loading to Lake Winnipeg and drought management	4-6 months
Municipal Government:	Issues:	Timeframe:
<u>Association of Manitoba Municipalities</u> Represents all of Manitoba's incorporated municipalities, including the City of Winnipeg.	Conservation district funding, Dutch Elm Disease, drought management	1-3 months
Non- governmental Organizations:	Issues:	Timeframe:
<u>Ducks Unlimited Canada</u> Works to conserve, restore and manage wetlands and grasslands to benefit waterfowl, wildlife and people.	Wetlands	4-6 months
<u>Canadian Parks and Wilderness Society (CPAWS) Manitoba Chapter</u> Champions the protection of wilderness and parks with a focus on the establishment of new parks.	Protected areas, Boreal Planning / Yes! North	4-6 months
<u>Manitoba Conservation Districts Association</u> Represents the 18 Conservation Districts within Manitoba and promotes and highlights the successes of the program in sustainable watershed management.	Wetlands, watershed planning and drought management	4-6 months
<u>International Institute for Sustainable Development</u> Undertakes research on finding practical solutions to the challenge of integrating environmental and social priorities with economic development. They also conduct scientific research on lake and watershed health through the IISD Experimental Lakes Area (IISD-ELA).	Climate research, climate change policy, Experimental Lakes	1-3 months
<u>Manitoba Wildlife Federation</u> Registered charity, dedicated to the conservation and sustainable use of fish, wildlife and habitat resources. (The organization runs Nightwatch a campaign to end spotlight hunting.)	Night hunting	4-6 months
<u>Manitoba Conservation Officers Association</u> Advocates on issues and concerns affecting Manitoba's natural resources and its officers.	Officer safety	4-6 months

**SUSTAINABLE DEVELOPMENT
ISSUES REQUIRING DECISIONS**

Index of Issues Requiring Decisions:

Issue	Suggested Timeline for Action	Page #
Zebra Mussels	May 2016	2
Environment Act Licence Appeals	Pending Ministerial decision	4
Lake Winnipeg Commercial Fishery Regulation: Whitefish Optimization Program	May 2016	6
Metis Natural Resource Harvesting	June 2016	7
Crown Land for Treaty Land Entitlement	May 2016	8
Nature Conservancy of Canada	May 2016	9
Falcon Lake Golf Course and Games Area, Whiteshell Provincial Park	May 2016	10
Peatland Practices Committee	May 2016	11

Zebra Mussels

Issue:

Zebra mussels are found in all basins of Lake Winnipeg, the Red River, and Cedar Lake which are ecologically sensitive and economically expensive to manage. Other aquatic invasive species (AIS), including Asian carp and quagga mussels, are nearby. The department has been working to determine the extent of these invasions as well as implementing measures to contain and prevent their further spread.

Current Status:

Zebra mussels were confirmed in Lake Winnipeg in 2013, the Red River in June 2015, and Cedar Lake in October 2015.

On June 17, 2015, federal Aquatic Invasive Species Regulations came into force providing a comprehensive regulatory framework for all provinces and territories. Manitoba has the delegated authority to administer and enforce these regulations.

Provincially, new Aquatic Invasive Species legislation under *The Water Protection Act* came into force on November 2, 2015. This legislation provides Manitoba with a strong and comprehensive tool to manage aquatic invasive species.

The AIS legislation is broad and covers a wide range of conveyances and user-groups. New cleaning provisions are in place for conveyances entering or leaving any water body in the province as well as specific requirements for bait harvesters and dealers, as well as for the diversion, appropriation and transfer of water. Additional species have been added to the prohibited species list, the principles of “clean, drain, and dry” are now law, and there is a legal requirement for watercraft to stop for inspection.

In October 2015, the province announced a doubling of its investment to combat zebra mussels. The resources are for watercraft inspections, enforcement and communications. In 2015, the watercraft inspection program deployed rotating teams equipped with decontamination units at international border crossings as well as high traffic launches along the Red River and Lake Winnipeg. The full time program ran from mid-May until August 31.

Options:

- 1) Depending on 2016/17 Budget decisions, the Department is preparing to launch the 2016 program to coincide with open water season (late May to early October). This includes:
 - communicating through an enhanced public awareness campaign;
 - deploying five decontamination units at strategic “pinch-points” to intercept, inform and, as necessary, decontaminate recreational boating traffic;

- developing partnerships with agencies such as Canadian Border Services, lakeside communities and cottage associations; and,
- added monitoring and research to identify potential future threats.

Contact: Bruce Gray, Assistant Deputy Minister, Water Stewardship and Biodiversity
Division
(204) 945-7008

Lake Winnipeg Commercial Fishery Regulation: Whitefish Optimization Program

Issue:

The Whitefish Optimization Program, introduced in 2008, was intended to increase deliveries of lake whitefish to meet Freshwater Fish Marketing Corporation market demands and reduce discarding. The base program provides for retention of 200kg (south basin) and 500kg (north basin) of off-quota whitefish for Lake Winnipeg commercial fishers.

Lake Winnipeg Commercial Fishers have requested an expanded 2016-17 Whitefish Optimization Program of 750kg of whitefish per fisher (both basins). Increases to the base program have been provided in the previous two years.

Current status:

Allowing additional whitefish optimization quota creates room for fishers to deliver more high value walleye against their individual quotas. In the past two years, walleye catches are down sharply compared to recent past years and walleye mortality rates are higher than would produce maximum yields and returns to fishers.

The department does not collect sufficient stock assessment data on lake whitefish to determine the effect of the whitefish optimization program quota on whitefish populations. In November, 2015, SeaChoice-Seafood Watch issued an assessment report on Lakes Winnipeg, Manitoba and Winnipegosis recommending that consumers "AVOID" purchasing fish products from these fisheries due to unsustainable fishery management practices. In response, the department initiated a Fisheries Review of Lakes Manitoba, Winnipeg and Winnipegosis to be led by Dr. Harold Westdal.

The Minister, under delegation from the federal *Fisheries Act*, has final responsibility for implementing management changes for Manitoba's fisheries, including implementing the whitefish optimization program. A ministerial decision on the program is required for the April 26/27 meeting of the Lake Winnipeg Fisheries Co-management Board and before the spring open-water season.

Options:

S. 23(1)(a)

Contact: Bill Galbraith, Manager, Commercial Programs
(204) 945-7811

This document is a Cabinet confidence as defined in subsection 19(1) of *The Freedom of Information and Protection of Privacy Act*.

Metis Natural Resource Harvesting

Issue: The Manitoba Metis Federation (MMF) and Manitoba signed a Points of Agreement on September 29, 2012, and then further signed a Memorandum of Understanding (MOU) on September 26, 2015 to reflect common understandings in consideration of several issues related to the Metis Natural Resource Harvesting Zone boundary and development of enforceable regulations.

The working group created as a result of the recent MOU, consisting of representatives and legal counsel from the MMF and Manitoba, completed a report that includes recommendations on expansion of the Metis Natural Resource Harvesting Zone boundary, the appropriate form of Manitoba regulations with regards to Metis rights-based harvesting, and updated Metis Laws of the Harvest.

Current Status: The report provides the following for consideration by the MMF Board of Directors and the Government of Manitoba:

- 1) Draft Manitoba regulations under the three relevant acts (*The Wildlife Act*, *The Fisheries Act*, and *The Forest Act*) to recognize Metis harvesting rights in a manner consistent with the revised version of the Metis Laws of the Harvest (4th edition)
- 2) 4th edition of the Metis Laws of the Harvest updated by the MMF and included consideration of comments from Manitoba
- 3) Identification of the “contiguous” Game Hunting Areas (GHAs) proposed included in the expansion of the Metis Natural Resource Harvesting Zone boundary, based on review of evidence:
 - GHAs 26 and 17A (excluding any part of GHA 17A that is covered by the Pimitotah (Bloodvein) Traditional Use Planning Area) to address the priority commitment under the MOU to include an adjacent area in the Manigotagan region
 - GHAs 5, 7 and 7A to address the priority commitment under the MOU to include an adjacent area in the Grass River region.

The Province acknowledges that expanding the boundary is recognition of Metis harvesting rights in the priority areas and does not require section 35 consultation. However, a communications strategy is needed for potentially-affected First Nations who exercise rights and/or have traditional territory within the priority areas.

The report, finalized and dated March 31, 2016, was provided during the election period, and as such it will be incumbent on Manitoba to review and make a decision soon after April 19, 2016.

Contact: Matt Wiebe, Assistant Deputy Minister, Finance and Crown Lands Division
(204) 782-0139

Crown Land for Treaty Land Entitlement

Issue:

J. 23(1) a

The provincial Order in Council submission is the final provincial step in a long list of responsibilities required to complete the transfer of Crown land for Treaty Land Entitlement to Canada. Manitoba is able to prepare these submissions following conclusion of any land transfer conditions by the parties and completion of land surveys and land descriptions by Canada.

Current status:

There have been no significant delays in the preparation of the submission packages attributed to Manitoba since the province received the land descriptions and requests for the transfer of the land from Canada in mid January 2016.

Sensitivity:

There is current media regarding a delegation of First Nations that visited Ottawa on March 22, 2016 to protest federal delays in concluding Treaty Land Entitlement transfers. Canada has not accepted completed Order in Council transfers from Manitoba for upwards of three and a half years due to the implementation of a federal consultation process.

Options:

- 1) Process the Treaty Land Entitlement Cabinet submission at the earliest opportunity.
- 2) If submission is considered and approved by Cabinet prior to election day, no announcement may take place. Announcement could follow at a later date.

Contact: Lori Stevenson, Director of Lands
1-204-476-0053

Nature Conservancy of Canada's *Natural Areas Conservation Program*

Issue:

In March 2009, the Province agreed to provide \$7 million by March 31, 2013 in support of Nature Conservancy of Canada's (NCC) *Natural Areas Conservation Program* through a grant funding agreement. The funds are matched by the federal government and the private sector. In return, Manitoba benefits from approximately \$21 million in conservation programming.

Current status:

This grant agreement helps to deliver on objectives to conserve and protect important habitats and areas of ecological significance and will help conserve several species listed under Manitoba's *Endangered Species and Ecosystems Act* and the federal *Species at Risk Act*. The priority natural areas occur in southern Manitoba where little Crown land remains for protection.

A July 2012 amendment to the grant agreement extended the project timeframe to March 31, 2018. The amendment identified a second installment of \$1.5 million, which was paid in June 2012, followed by a payment schedule of \$500,000 installments per year over five years (2013/2014 to 2017/2018). This commitment is subject to and conditional upon Manitoba duly appropriating the funds payable in the fiscal year in which they are required.

In 2015/16 NCC agreed to provide Manitoba with \$100,000 to assist with the purchase of property to expand Pembina Valley Provincial Park. To offset this arrangement, the grant payment to NCC in 2015/16 was reduced by \$100,000.

To date, the Province has delivered \$6 million of the \$7 million committed, leaving \$1 million to be paid prior to March 31, 2018. The department accrued \$500,000 from surplus funds at the end of 2015/16 for the payment required in 2016/17.

Contact: Matt Wiebe, Assistant Deputy Minister, Finance and Crown Lands Division
(204) 782-0139

Bruce Bremner, Assistant Deputy Minister, Parks and Regional Services
(204) 945-4842

Falcon Lake Golf Course and Games Area, Whiteshell Provincial Park

Issue:

The department has been directed to transition the lease for the operation and maintenance of the Falcon Lake Golf Course and Games Area from Venture Manitoba Tours Inc.

(Venture) a company of which Manitoba is the sole shareholder, to

S. 23(1)(a) Once the transition is complete, Department of Tourism, Culture, Heritage, Sport and Consumer Protection (TCHSCP) will wind down Venture.

Current status:

In 2015, the department issued a request for proposals for the private operation of the golf course. Lakeland was the only bidder, but met all the mandatory requirements and criteria.

S. 23(1)(a)
S. 18(1)(c)

To facilitate the transition, the department has extended the lease with Venture. Venture has provided [redacted] with an interim access agreement to the restaurant building for repairs and operation of that facility. Once the process of transitioning from Venture to [redacted] complete, TCHSCP will complete the wind down of Venture.

Options:

S. 23(1)(a)

Contact: Mike Gilbertson, Director, Parks and Protected Spaces
(204) 471-9338

Appointment of Members to the Peatland Practices Committee

Issue: The peat industry is waiting for the government to appoint members of the Peatland Practices Committee, a technical committee that will make recommendations on the governance of peat management plans and recovery plans.

Current status: *The Peatlands Stewardship and Related Amendments Act, The Peatlands Stewardship Regulation and The Peatland Practices Committee Regulation* were proclaimed on June 15th, 2015. This new legislation removed peat from *The Mines and Minerals Act* and transferred responsibility to CWS from Manitoba Mineral Resources.

The Peatland Practices Committee Regulation requires the establishment of a ministerial appointed committee to facilitate the development of guidelines and make recommendations to the department on the implementation of the Peatlands Stewardship Strategy and related legislation.

Committee membership has been proposed. Proposed members were selected based on technical expertise and operational knowledge of peat harvesting operations in Manitoba.

Proposed committee members met with provincial and industry representatives on March 22, 2016 to discuss objectives and timelines.

Options:

- 1) Approve appointees as recommended by departmental staff.
- 2) Do not approve recommendations and request a revised list of potential appointees.

Contact: Alisa Ramrattan, Director, Forestry and Peatlands
(204) 945-3578

Briefing Notes

Conservation and Water Stewardship

	<u>Page</u>
Aquatic Invasive Species (AIS) – AIS Legislation and Program Update _____	1
Big Game Management _____	3
Boil Water Advisories _____	5
Boreal Woodland Caribou _____	7
Bovine TB Eradication Efforts in Elk and Deer - Riding Mountain Area _____	8
City of Winnipeg Drinking Water Report _____	10
City of Winnipeg Water Pollution Control Centres _____	11
Clean Environment Commission _____	13
Climate Change: Issues and Opportunities _____	17
Commercial Fishery: 2016 Fall Season Extension _____	19
Commercial Fishery Review _____	21
Commercial Fishery: Whitefish Optimization Program _____	23
Conservation Districts Funding _____	25
Drought Preparedness and Conditions for Manitoba _____	26
Dutch Elm Disease (DED) Program _____	28
Flooding at Whitewater Lake _____	30
Green Manitoba: Manitoba Composts Program _____	32
Green Manitoba: Producer Responsibility Organizations (PROs) Program _____	33
Green Manitoba Special Operating Agency _____	35
Green Manitoba: Waste Reduction and Recycling Support (WRARS) Program _____	37

	<u>Page</u>
How Canada Performs – Environmental Report Card _____	39
Hydro Projects:Keeyask, Manitoba to Minnesota Transmission Line and Bipole III _____	41
Lake Winnipeg Actions and Opportunities _____	43
Lake Winnipeg Regulation Project _____	45
Manitoba`s New Boreal Strategy _____	46
MOU with Saskatchewan on Water Management and Other Related Issues ____	48
Omnitrax: Grain Storage Operation and Port of Churchill _____	50
Outstanding and Ongoing Audits _____	52
Pan-Canadian Framework on Clean Growth and Climate Change _____	54
Peatlands Stewardship Strategy _____	56
Pineland Forest Nursery _____	57
Proposed Polar Bear Park and Churchill Wildlife Management Area Tourism Carrying Capacity Review _____	59
Recycling and Waste Reduction Strategy _____	61
Surface Water Management _____	63
The Pas Wastewater Violation _____	65

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Aquatic Invasive Species (AIS) – AIS Legislation and Program Update

ISSUE:

- Aquatic invasive species (AIS), particularly zebra mussels, are found in all basins of Lake Winnipeg, The Red River, and Cedar Lake which are ecologically sensitive and economically expensive to manage. Other AIS threats, including Asian carp and quagga mussels, are nearby.
- The department has been working to determine the extent of these invasions as well as implementing measures to contain and prevent their further spread.

CRITICAL BACKGROUND:

- Zebra mussels were confirmed in Lake Winnipeg in 2013, the Red River in June 2015, and Cedar Lake in October 2015.
- On June 17, 2015, federal Aquatic Invasive Species Regulations came into force. These regulations provide a comprehensive regulatory framework for all provinces and territories. Manitoba has the delegated authority to administer and enforce these regulations.
- Provincially, new Aquatic Invasive Species legislation under *The Water Protection Act* came into force on November 2, 2015. This legislation provides Manitoba with a strong and comprehensive tool to manage aquatic invasive species.
- The AIS legislation is broad and covers a wide range of conveyances and user-groups. New cleaning provisions are in place for conveyances entering or leaving any water body in the province as well as specific requirements for bait harvesters and dealers, as well as for the diversion, appropriation and transfer of water. Additional species have been added to the prohibited species list, the principles of “clean, drain, and dry” are now law, and there is a legal requirement for watercraft to stop for inspection.
- In October 2015, the province announced a doubling of its investment to combat zebra mussels. The resources are for watercraft inspections, enforcement and communications.
- In 2015, the watercraft inspection program deployed rotating teams equipped with decontamination units at international border crossings as well as high traffic launches along the Red River and Lake Winnipeg. The full time program ran from mid-May until August 31.

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Big Game Management

ISSUE:

- Moose, elk, and white-tailed deer populations have declined in several regions of Manitoba. The recent white-tailed deer decline is a result of several severe winters; this population historically rebounds fairly quickly with average winters. Elk and moose numbers have been affected by a number of factors including disease, predation, habitat loss, increased access, and hunting (including for subsistence).

CRITICAL BACKGROUND:

- The department has taken steps to address declining moose populations, including: reducing harvest opportunities for licensed hunters, road closures for access management, wolf control incentives, increased deer harvest (to help reduce impact of brain worm – a disease associated with deer that is fatal to moose), and full conservation closures in some areas.
- Managing declining elk populations in some parts of the province presents challenges similar to moose management. While there are no ‘conservation closures’ currently in place for elk, more frequent aerial surveys are required to better monitor these populations to detect downward population trends and take action before populations reach critically low numbers.
- Conservation closures for moose were implemented in a manner consistent with the Sparrow Supreme Court decision. The Sparrow decision added clarity to the 1982 Constitution’s interpretation of Aboriginal Rights and effectively defined what is considered an infringement of these rights and what is not an infringement, including a “valid legislative objective” which could be conservation of natural resources.
- Conservation closures have been effective in curtailing population decline; however, this required the department to infringe on First Nations and Métis rights to subsistence harvest. These closures are temporary measure.
- An effective conservation framework must manage subsistence hunter harvest in a way that involves First Nations and Métis communities as active participants.
- Developing a framework would require Crown-Aboriginal consultations with all 64 First Nations, bordering First Nations communities in Saskatchewan and Ontario, as well as Métis communities. The magnitude of this consultation would exceed that of Bipole III which was Manitoba’s largest consultation effort to date.

NEXT STEPS:

- A management framework will be developed that will be informed by stakeholders, First Nations and Métis consultation and focus on the overall goal of long-term sustainable big game populations.

Contact : Bruce Gray, ADM, Water Stewardship and Biodiversity Division

Date : May 2, 2016

NEXT STEPS:

- Depending on 2016/17 Budget decisions, the department is preparing to launch the 2016 program to coincide with open water season (late May to early October). This includes:
 - communicating through an enhanced public awareness campaign;
 - deploying five decontamination units at strategic “pinch-points” to intercept, inform and, as necessary, decontaminate recreational boating traffic;
 - developing partnerships with agencies such as Canadian Border Services, lakeside communities and cottage associations; and,
 - added monitoring and research to identify potential future threats.

Contact : Bruce Gray, ADM, Water Stewardship and Biodiversity Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Boil Water

Advisories **ISSUE:**

- As of April 2016, there are approximately 45 active boil water advisories on public water system, 36 active advisories on semi-public water systems, and 10 active water quality advisories. Fifty (50) boil water advisories on seasonal water systems will be reactivated as of May 1, 2016. Boil water advisory lists and maps are located on the Office of Drinking Water website and updated daily.
- Most boil water advisories are on extremely small water systems, including Northern Communities, co-operatively-owned residential and privately-owned seasonal campgrounds that do not have the funds, or borrowing capacity, to upgrade their water treatment plants under federal or provincial cost-sharing programs.

CRITICAL BACKGROUND:

- Over the last 15 years, approximately \$272M in federal/provincial/local funding (provincial share \$91.8M) has been committed to support water infrastructure projects throughout Manitoba. More than 150 water systems have upgraded to better protect against waterborne diseases, and over 475 boil water advisories have been addressed and lifted.
- There are now over 900 public and semi-public water systems participating in the province's subsidized bacteria monitoring program - more than twice the number being monitored when the Office of Drinking Water was created in 2002. Monitoring frequencies have increased, and responses to bacterial pathogens have significantly improved - most risks associated with these pathogens are now identified and addressed quickly. Improvements include increased monitoring, legislated "live voice" reporting requirements and 24-hour response team availability.

S. 23(1)(a)

- The province is no longer reporting boil water advisories on communities served by private wells. Private well owners are responsible for the safety of water from their well, and are encouraged to take advantage of the provincial program for subsidized bacteria testing of their well water.

NEXT STEPS:

- Options will be jointly developed with other departments to address water system infrastructure funding, regulatory measures and public health needs and be advanced for consideration.

Contact : Bruce Gray, ADM, Water Stewardship and Biodiversity Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Boreal Woodland Caribou

ISSUE:

- Boreal Woodland Caribou (BWC) are listed as threatened under Manitoba's *The Endangered Species Act* and under Canada's *The Species at Risk Act*. Manitoba promotes protection of caribou populations and their habitat for their long-term persistence.

CRITICAL BACKGROUND:

- Manitoba's "Conservation and Recovery Strategy" has been updated and it was released on October 15, 2015.
- The strategy commits to the development of action plans for all management units, and for plans for the high conservation concern units (Interlake, Naosap, Partridge Crop, Wabowden and Owl-Flintstone) by 2018.
- Action plans outline the specific actions that Manitoba will take to protect caribou populations and their habitat to ensure their long-term persistence. Environmental groups may raise concerns that action plans do not restrict industrial and recreational development sufficiently to ensure enough boreal woodland caribou habitat is protected.
- The Wildlife and Fisheries Branch is the management authority for BWC recovery in Manitoba. Manitoba contributes to BWC national recovery through participation on the National Boreal Caribou Technical Committee and through the implementation of the provincial conservation and recovery strategy.
- Manitoba has collaborated with Manitoba Hydro and the East Side Road Authority on caribou monitoring during the environmental licensing and planning phases for Bipole III and the construction of all-season roads on the east side of Lake Winnipeg.
- Funding support to monitor BWC has been provided through Regional Caribou Committees by: HudBay Minerals Inc.; Victory Nickel Inc.; Cross Lake and Norway House Resource Management Boards; Tolko; Manitoba Model Forest; Environment Canada; Tembec; Vale; Manitoba Hydro; and the Province of Manitoba.

NEXT STEPS:

- The department staff engaged in review of the specific management units and is drafting action plans for each of them as committed the strategy. They will be advanced for senior management and ministerial review as they are completed.

Contact : Bruce Gray, ADM, Water Stewardship and Biodiversity Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Bovine Tuberculosis (TB) Eradication Efforts in Elk and Deer, in the Riding Mountain National Park Area

ISSUE:

- Bovine TB, imported by infected livestock, is a contagious disease found in cattle, elk (1992) and white-tailed deer (2001) in the Riding Mountain National Park area. Wild elk may be acting as disease reservoirs within the Riding Mountain area, with deer currently considered a spill-over species, and not a reservoir. Cow elk seem to be more likely to harbour the disease than bulls and calves.

CRITICAL BACKGROUND:

- In 2000, the department partnered with Manitoba Agriculture, Food and Rural Development, Canadian Food Inspection Agency (MAFRD), and Parks Canada Agency (PCA) to form a Bovine TB Task Group to collaborate on activities to eradicate the disease in livestock and wild cervids.
- Analysis of the disease prevalence in wild elk and white-tailed deer has identified a smaller, core area, centered on the Birdtail River Valley within, and adjacent to the Park. An area identified in regulation as the Western Control Zone approximates this core area where disease management actions are now being concentrated.
- The department, through the Big Game Health Program, contributes to the eradication of bovine TB in the Park area by maintaining low elk populations, the strict enforcement of attracting and feeding regulations, and requiring licensed hunters to provide samples of all harvested elk and white-tailed deer. The Department is not currently enforcing the sample submission requirement on rights-based harvesters, but has tried to encourage their participation in this program in past through a \$25.00 cash incentive which has produced about 10 samples per year.
- Based on continued collaborative efforts between federal and provincial departments and Park, there is no reservoir of TB in the deer population – only spill-over infections have occurred. In January and February, 2015, PCA captured radio-collared and tested 59 cow elk in the core area. All elk and deer tested, including hunter submitted samples, and elk captured and tested in the Park were found to be negative for bovine TB.

NEXT STEPS:

- The department will continue to encourage the submission of tissue samples from rights-based harvesters and apply scientific analysis in collaboration with MAFRD to support risk-based management of the disease.

Contact : Bruce Gray, ADM, Water Stewardship and Biodiversity Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: City of Winnipeg Drinking Water Report

ISSUE:

- The department ordered The City of Winnipeg to conduct an investigation of their water system in response to a January 2015 boil water advisory, an October 2013 advisory, and a single positive *E.coli* test result in May 2014.

CRITICAL BACKGROUND:

- The January 2015 advisory was issued to the entire City of Winnipeg as a result of multiple positive *E.coli* bacteria test results. The October 2013 advisory was issued to the south St. Vital area as a result of multiple positive *E.coli* bacteria counts in water samples from that area. Both advisories were lifted within days following receipt of clean re-sample test results.
- The boil water advisory investigation was conducted by an independent third party engineer in accordance with the U.S. Environmental Protection Agency's "Revised Total Coliform Rule Assessments and Corrective Actions Guidance Manual". The report concluded that the most likely cause of the positive bacteriological samples was contamination introduced in the sampling and/or laboratory analytical process.
- The full 992 page City of Winnipeg Boil Water Advisory Investigation Report was posted on the City's website on May 29, 2015. *S. 93(1)(a)*
- A number of changes were made following the report that has led to a stronger, more robust system of oversight for the entire province.

NEXT STEPS:

- The Department of Sustainable Development, the Department of Health and the WRHA continue to work closely with the City to ensure appropriate and timely responses to adverse bacteria test results, and include clear and rapid communication with the public and appropriate corrective actions to restore the safety of the water supply.

Contact : Bruce Gray, ADM, Water Stewardship and Biodiversity Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: City of Winnipeg Water Pollution Control Centres

ISSUE:

- The North End Water Pollution Control Centre (NEWPCC) must be upgraded to meet effluent quality parameters including the removal of nitrogen. The North End Master Plan was approved subject to the condition that the City of Winnipeg completes the work by December 31, 2019.
- The City of Winnipeg has an Environment Act Licence (EAL) regulating their South End Water Pollution Control Centre (SEWPCC) to extend implementation of upgrades from 2012 to 2015. The City requested an extension to 2018; the province extended the licence compliance date to December 31, 2016 requiring quarterly progress reports and an alternatives analysis due September 30, 2016.
- The City of Winnipeg was issued an EAL for their combined sewer overflows (CSOs) which contains terms and conditions to regulate the implementation of upgrades to their system that will reduce the number of CSOs.

CRITICAL BACKGROUND:

- In 2005, The City of Winnipeg was issued an EAL for its NEWPPC to require full compliance with the effluent limits of nitrogen removal to 15 mg/L, phosphorus removal to 1.0 mg/L, and ammonia for daily maximum limits. For a number of reasons, the City proposed to amend the full compliance date from December 2014 to April 2020. However, the department has not approved this date and the compliance date is currently December 2019. The City was directed to provide progress reports every six months on the construction and commissioning of the upgraded plant to ensure the City maintains the schedule and to document key achievements and milestones. To date, the reports have been filed in compliance.
- Provincial technical staff meet regularly with the City's technical staff to discuss progress of the SEWPCC upgrades. The City is preparing a detailed alternative analysis report to expedite the current construction schedule. They will be seeking input from the Clean Environment Commission on the draft analysis report.
- The preliminary proposal for CSOs was submitted to the department in December 2015. This proposal is under review and was posted for public comment in February 2016. The licence requires a Master Plan to be submitted by December 31, 2017 and the approved plan to be implemented by December 31, 2030. To monitor progress in meeting the licence requirements, the City is required to file annual progress reports by March 31st of each year for the preceding calendar year.

NEXT STEPS:

- The department is drafting a revised Environment Act Licence for the North End Water Pollution Control Centre to reflect the revised completion date and update other clauses and expects to issue the revised licence in the next few weeks. The City continues to submit regular update reports as required by their licence.
- The City will submit an alternatives analysis report for the South End Water Pollution Control Centre by September 30, 2016 following which the department must determine whether to approve the requested extension of construction completion date. The City continues to submit regular update reports as required by their licence.
- The department is reviewing the Combined Sewer Overflows Preliminary Proposal. Additional information has been requested and the department is meeting with the City to discuss the technical considerations. This review is expected to be complete and a decision made by the end of May. Following approval of the Preliminary Proposal, with or without conditions, the City will continue working on the Master Plan, which is due December 31, 2017.

Contact : Jocelyn Baker, ADM, Environmental Stewardship Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Clean Environment Commission

ISSUE:

- Background Information on the Clean Environment Commission (CEC) and update on current references

CRITICAL BACKGROUND:

- The Clean Environment Commission (CEC) is established under *The Environment Act* to provide a mechanism through which the public can participate in environmental decision making. The Commission conducts public reviews and hearings into matters of environmental concern and provides advice and recommendations to the Minister of Sustainable Development . The Commission, while reporting directly to the minister, is independent of the department.
- *The Contaminated Sites Remediation Act* (CSRA) designates the CEC as the tribunal responsible for adjudicating a number of matters covered by the statute. Until recently, the CEC had been called upon only once to deal with CSRA matters, in which case the matter was settled prior to a hearing. However, with recent changes to the Act, the CEC may be called upon to deal with CSRA issues on a regular basis.
- The Commission has a full-time staff of three: the Chair (appointed by OIC), the Commission Secretary (who operates as an Executive Director or Registrar) and an Administrative Assistant (both of whom are civil servants). When conducting a public proceeding – and depending on the nature of the proceeding – the Commission may engage a number of contractors to assist in the review. These may include: engineers, scientists, environmental consultants, lawyers, report writers and others.
- *The Environment Act* requires that the Minister appoint a minimum of ten members to the Commission – in addition to the Chair. These members serve part-time, participating on a panel when needed. There are currently thirteen members. Given the nature of most recent proceedings, members are engaged for many months, which necessitates that most persons appointed to the Commission be able to commit their time for extended periods. CSRA adjudicative panels will be of short duration.
- Salaries and benefits for the full-time staff, as well as operating expenditures, are covered by the Department of Sustainable Development . The costs of proceedings for smaller projects, supplementary reviews and policy investigations are covered by the department. This will often require the Commission to seek Treasury Board approval for additional funding.
- Regulation allows the Minister to order the proponent of a Class 3 project to cover the costs incurred by the Commission for its review. This includes the cost for the Participant Assistance Program. (Consideration has been given to amend this

regulation to allow the Minister to make such an order in respect of all classes of projects.)

Reference:

- Under *The Environment Act*, the Commission, typically, conducts public proceedings only once a reference has been made by the Minister. References may be made on the Minister's own volition; on a recommendation from the Director of the Environmental Approvals Branch; or in response to a significant public call. The types of matters referred by the Minister include:
 1. **Large projects** – projects requiring an Environment Act licence and other licensing, such as hydro projects (generating stations and large transmission lines) and the Floodway expansion. These tend to be referred as a matter of course.
 2. **Small projects** – such as municipal water supply projects and small scale industrial development proposals, where there is a high level of public concern and requirement of an Environment Act licence. (Pembina Valley Water Cooperative 2007).
 3. **Supplementary reviews** – these include further investigations into matters previously subject to a Commission review. Recent examples are City of Winnipeg Wastewater (2009 & 2010) and Louisiana Pacific (2010).
 4. **Environmental Issues** – from time-to-time, the minister will request that the Commission conduct an investigation into an environmental issue of particular concern, recent examples being the hog industry in Manitoba (2007) and Lake Winnipeg Regulation (2015).
- Under the Act, the Commission may conduct an investigation into any environmental matter on its own volition. However, this is rare, and has not been done in more than a decade.

Participant Assistance Program:

- Regulation allows the Minister to establish a participant assistance program that provides funding for public interveners in the hearing process. This program is very valuable and beneficial to the process, especially for larger projects. It allows certain participants to be well-prepared in making their presentations to the hearing panel. This benefits the overall hearing process as it allows for a more thorough and thoughtful review of the issues before the panel, which, in turn, is beneficial to long-term environmental stewardship. In recent years, the Commission has instituted procedures and controls to ensure that the program is transparent, accountable and of benefit to the process.

Current References:

1. **Regional Cumulative Effects Assessment** - On August 20, 2015, the Minister of Conservation and Water Stewardship requested that the Clean Environment Commission “hold a series of public outreach meetings on the final report for the Regional Cumulative Effects Assessment (RCEA) that was completed by the Manitoba government and Manitoba Hydro for the Nelson, Burntwood and Churchill River systems.”

This assessment arose out of a CEC recommendation contained in the 2013 report on the Bipole III Project:

“Manitoba Hydro, in cooperation with the Manitoba Government, conduct a Regional Cumulative Effects Assessment for all Manitoba Hydro projects and associated infrastructure in the Nelson River sub-watershed; and that this be undertaken prior to the licensing of any additional projects in the Nelson River sub-watershed after the Bipole III project.”

This recommendation was accepted by Manitoba and a Terms of Reference for a regional cumulative effects assessment of hydroelectric developments was agreed to by Manitoba and Manitoba Hydro. The scope was expanded to include areas beyond that identified in the Commission’s recommendation to include the Churchill, Burntwood and Nelson River systems. The study was completed in two phases. The first phase was completed in May 2014; the second phase report was released in December 2015. The completion of a summary document is expected at the end of May 2016.

The Commission has begun the preparatory work for these meetings, including:

- Appointing a panel;
- Tendering and awarding contracts to consultants and support services; and
- Soliciting applications for funding under the Participant Assistance Program.

The deadline for applications for participant assistance was March 31, 2016. Seventeen applications were received. Decisions on the awarding of these funds have not been made. Meetings to conduct the public outreach have yet to be scheduled. Meetings will be held in a number of communities in northern Manitoba, as well as in the city of Winnipeg. They could commence in late-summer 2016 and would take 6 – 8 weeks to complete. The report would be delivered to the minister within 4 months of the completion of the meetings.

It is expected that the successful completion of a regional cumulative effects assessment would provide a very valuable tool to guide future development in this region of Manitoba, whether it be hydroelectric or other development, as well as in the re-licensing of existing hydro facilities.

2. **Manitoba-Minnesota Transmission Project** - In December 2015, the Minister requested that the Commission hold public hearings on the proposed Manitoba-Minnesota Transmission Project. This is a Class 3 project, under *The Environment Act*. As such, the proponent, Manitoba Hydro, was required to conduct an environmental impact assessment, which will be subject to a comprehensive review by the Commission through the public hearings.

The Environmental Impact Statement (EIS) was delivered to the Department in late-2015. Once department officials have completed their review, the EIS will be forwarded to the Commission.

Preparatory work by the Commission has begun and includes:

- Appointing a panel; and
- Tendering and awarding contracts to consultants and support services.

It is expected that hearings could commence in late 2016/early 2017. They would be held in a couple of communities in the region of the project, as well as in Winnipeg. They would take 2 – 3 weeks to complete. The report would go to the minister within 90 days of the completion of the hearings.

3. **Contaminated Sites Remediation Act** - On April 11, 2016, the Commission received a referral for an apportionment hearing. Under the Act, a hearing date must be set within 30 days. It is expected that the hearing will be held by early-June.
4. **The South End Water Pollution Control Centre** - The Department required the City of Winnipeg to consult with the Commission on a draft analysis report prepared by the City to expedite the current **construction schedule for the South End Water Pollution Control Centre**. The decision to require upgrades to the facility was in response to a 2003 Commission report that recommended significant improvements to the treatment standards in the City. These recommendations were confirmed by the Commission in reports of 2009 and 2011. The consultation on the draft report is expected to be complete in the summer of 2016.

NEXT STEPS

- Work is currently underway on four CEC references.
- There are 5 commission member appointments expiring in June 2016.

Contact : Jocelyn Baker, ADM, Environmental Stewardship

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Climate Change Issues and Opportunities

ISSUE:

- The department is the provincial lead on climate change. A new Climate Change and Green Economy Action Plan was released in December 2015 that includes new goals to reduce emissions, adapt to a changing climate and support a green and growing economy in Manitoba.

CRITICAL BACKGROUND:

- Since 2001, Manitoba has developed and implemented climate change action plans outlining a wide suite of policies and actions to reduce greenhouse gas (GHG) emissions and adapt to the impacts of a changing climate.
- The Beyond Kyoto 2008-2012 plan was successfully implemented with over 65 actions across multiple sectors, including transportation, agriculture and energy. While it achieved its interim target of stabilizing emissions in 2010 at year 2000 levels, Manitoba was unable to achieve its goal of reducing emissions to 6% below 1990 levels by 2012.
- In 2013, Manitoba represented 3.6 percent of Canada's population and about 3 per cent of national emissions. Between 1990 and 2013, Manitoba's total GHG emissions increased by 14.4 per cent, from 18.7 megatonnes (MT) to 21.4 MT CO₂e (carbon dioxide equivalent). This increase resulted from increases in emissions from the agriculture sector, on-road light duty gasoline trucks and heavy duty diesel vehicles and a 16.0 per cent population increase over the same period of time.
- As outlined in the recent Climate Change and Green Economy Action Plan, Manitoba's vision is of a province that is carbon -neutral. The province had committed to reduce greenhouse gas emissions by one-third over 2005 levels by 2030, by half over 2005 levels by 2050 and become carbon neutral by 2080.
- The Action Plan emphasized:
 - Establishing a carbon cap-and-trade system for large emitters and a made-in Manitoba carbon stewardship program for non-capped sectors. A Memorandum of Agreement with Ontario and Quebec has been signed that will help develop a cap-and-trade program.
 - Creating a \$5 million Climate Change Action Fund to support local actions that reduce emissions, adapt to the impacts of climate change, while promoting green economy and green jobs.

- Building partnerships and sharing science based knowledge with leading organizations from the agriculture municipal and transportation sectors and the leading-edge Prairie Climate Centre, a joint undertaking of the University of Winnipeg and International Institute for Sustainable Development, which provides governments, the private sector, public and other practitioners with practical tools and information they need for climate change adaptation.
- Demonstrating leadership by becoming carbon neutral in all government operations.
- Preparing for future climate impacts, particularly in the north.

NEXT STEPS:

- The Climate Change and Air Quality Branch will prepare briefing notes outlining options for proceeding with activities to reduce energy consumption and greenhouse gas emissions, analyze future climate risk scenarios and develop appropriate strategies for adaptation, undertake economic modeling of different carbon pricing scenarios, and build partnerships within different sectors of the economy.

Contact : Jocelyn Baker, ADM, Environmental Stewardship Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Commercial Fishery: 2016 Fall Season Extension

ISSUE:

- Warmer fall temperatures over most of the past five years have resulted in Lake Winnipeg commercial fishers requesting and being granted a one week season extension from the current fall closing date of October 31. The timing of the granting of the extension has often been in the middle of the season after considerable pressure from fishers to extend the date.

CRITICAL BACKGROUND:

- The Lake Winnipeg Co-management Board is comprised of community fishing representatives from all areas of the lake in the south and north basin. As an advisory board, it jointly considers resolutions with respect to the management of the fishery, including quotas, fish seasons and other controls for departmental review and Ministerial approval, if considered to not negatively impact the resource.
- The Board passed a resolution at its most recent meeting to permanently extend the length of the fall season from October 31 to November 7.
- The added timeframe does not change the harvest quota that fishers must fish within, however, it adds opportunity to increase production and resulting incomes.
- Due to a trend of declining walleye populations, the department has taken a precautionary approach in past years to extending the season as it increases the time available in which fish can be harvested.
- During the 2016 fall extension, 131 largely south basin fishers delivered 82,200 kilograms of fish, including 55,000 kilograms of walleye. This represents about 2% of the current average annual catch.
- While the department has declined or delayed past requests for an increase in the length of the season, current data on actual harvest during the added week and that fishers have not filled quota amounts in recent years, the requested increase is not considered to have a significant negative impact on fish resources on a short-term basis.

NEXT STEPS:

S. 23(1)(a)

Contact : Bruce Gray, ADM, Water Stewardship and Biodiversity Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Commercial Fisheries Review

ISSUE:

- In November 2015, a review of Manitoba's largest fisheries of Lake Winnipeg, Lake Manitoba, and Lake Winnipegosis was announced in response to an "avoid" rating for consumers in a report by Seachoice, an independent sustainable fisheries assessor.
- The Seachoice report and resulting review is a concern to commercial fishers who rely in current harvest levels in earning income from fishing and recreational fishers who want high quality fishing experiences on these lakes.

CRITICAL BACKGROUND:

- Overall, there are increasing market and consumer demands for sustainably harvested, or eco-certified, fish products.
S. 23(1)(a)
- Seachoice and other sustainable fisheries assessors use biological and resource management techniques to consider the accuracy of measuring fish populations, as well as the effectiveness and responsiveness of management authorities to respond to changes in population numbers, in order to achieve sustainable populations. In the Manitoba context, the Department of Sustainable Development is the fisheries management authority.
- Sustainable populations exist when overall managed fish harvest does not exceed the fish population's ability to reproduce over the long term, thereby avoiding a population collapse.
- To date, the department has invested over \$550,000 in resources (financial and staff) to support eco-certification efforts in Manitoba and undertaken over 50 consultation meetings with fishers, their associations, and industry representatives to share information on eco-certification.
- On June 24, 2014, the Waterhen Lake walleye and northern pike commercial gill net fishery became the first Marine Stewardship Council (MSC) eco-certified inland freshwater fishery in the western hemisphere.
- The first phase of the Fisheries Review conducted by Harold Westdal is nearing completion and a formal report to the department is expected by the end of May. His work thus far has involved meeting with fishers from around Lake Winnipeg, reviewing sustainable fisheries models and reviewing past provincial studies.

NEXT STEPS:

- The department will consider the Westdal report and present options that may include alternate fisheries monitoring and management models developed with full engagement of the industry, recreational fishers and rights-based Indigenous harvesters. Any new sustainable management model will also consider industry impacts, program funding requirements and options to recover these costs.

Contact : Bruce Gray, ADM, Water Stewardship and Biodiversity Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Commercial Fishery: Whitefish Optimization Program

ISSUE:

- There is an increased fisher demand for the harvest of whitefish on Lake Winnipeg, which challenges the current fisheries management regime. In 2015, Lake Winnipeg south basin fishers indicated that an unprecedented increase in whitefish this past fall resulted in fishers discarding large quantities of whitefish in favour of higher value walleye.

CRITICAL BACKGROUND:

- In 2008, the department introduced the Whitefish Optimization Program to reduce fish wastage (bushing) and provide economic opportunities to fishers. The program allocation was increased in 2014 and 2015.
- Fish wastage results when fishers choose to bush less valuable fish in order to preserve room on their combined species quota that exists for walleye, sauger and whitefish in order that it may be used for the most valuable of these three species, walleye, which is currently three times the price of whitefish.
- The Lake Winnipeg Co-management Board is comprised of community fishing area representative from all areas of the Lake in the South and North Basin. As an advisory board, it jointly considers resolutions with respect to the management of the fishery, including quotas, fish seasons and other controls which are advanced for departmental review and Ministerial approval, if considered to not negatively impact the resource.
- The Board passed a resolution at its most recent meeting to increase the existing Whitefish Optimization Program from its historical level of 200 kilograms per fisher in the South Basin to 750 kilograms per fisher and from a current level of 500 kilograms in the North Basin to 1,000 kilograms on a one-year basis, subject to annual review. Whitefish is generally more plentiful relative to other species in the North basin.
- The department does not collect sufficient whitefish stock status information to definitively determine the effect on whitefish populations of providing the additional quota. In addition, walleye stocks, while on a downward trend, are strong.
- Biological factors have been considered when the department has declined or tempered past requests for an increase in the Whitefish Optimization Program. The requested increase is not considered to have a significant negative impact on these fish resources on a short-term basis, due to the current data and the fact that fishers have not filled quota amounts in recent years.

- The department in partnership with fishers and the Freshwater Fish Marketing Corporation is carrying out a long term North Basin Whitefish Study to improve information on whitefish stocks. This information will be considered in reviewing overall status in coming years.

NEXT STEPS:

S. 23(1)(a)

Contact : Bruce Gray, ADM, Water Stewardship and Biodiversity Division
Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Conservation District Funding

ISSUE:

- Conservation Districts (CDs) and their member municipalities continue to express concern that reduced core provincial funding is affecting their ability to deliver programming.

CRITICAL BACKGROUND:

- In 2013/14, core provincial funding was reduced by approximately 10% to \$5.162 M for watershed programming in all 18 conservation districts from \$5.736 M in 2012/13. Core provincial funding remained at \$5.162 M in 2014/15.
- In 2015/16, an additional \$150.0 core funding was provided to CDs making the grant total to \$5.312 M.
- New complementary funding will be available to CDs in 2016/17 which includes up to \$300.0 from Part B Water-Related Capital in Manitoba Infrastructure and Transportation for new drainage and water retention initiatives (including up to \$45.0 from the Building Manitoba Fund for annual maintenance costs of the projects).
- Core funding to the Conservation Districts Program is provided to the 18 CDs through a long-standing 75% provincial – 25% municipal cost share, but CDs are also very successful in leveraging additional funding from other sources like industry and non-governmental organizations to fund other projects in local watersheds.
- Through an ongoing partnership with Manitoba Agriculture, Food and Rural Development under the federal-provincial Growing Forward 2 policy framework, \$750,000 in 2015/16 was provided in project-specific funding for CDs to implement ecological goods and services projects in partnership with farmers again this year. Since 2013/14, CDs have received over \$1.9 M for ecological goods and services projects in local watersheds from this program.

NEXT STEPS:

- The department will consider funding options in the context of future budget development.

Contact : Bruce Gray, ADM, Water Stewardship and Biodiversity Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Drought Preparedness and Conditions for Manitoba

ISSUE:

- In 2015, some areas of the province experienced drier than normal conditions which led to drought impacts. The Red River was particularly dry during the spring. This resulted in a few small dust storms, grassfires and low on farm supplies (irrigation reservoirs/dugouts). The northwest region of agri-Manitoba was dry in the summer. This led to some agriculture impacts such as slower pasture growth. Rainfall over the summer reduced or eliminated the drought conditions in Manitoba.

CRITICAL BACKGROUND:

- Currently, river baseflows are much above normal across most Manitoba basins and soil moisture at the time of freeze-up was generally normal to above normal with the exception of the Red River basin which was near normal to below normal. Winter precipitation is below normal in southwestern Manitoba, portions of the Interlake, and throughout much of northern Manitoba. Environment Canada and National Weather Service's long-term seasonal outlooks suggest much of Manitoba and surrounding areas have increased potential of receiving below normal precipitation over the January-February-March period.
- The department released the Manitoba Drought Management Strategy in January 2016. The drought management strategy will help the province to respond to drought on a formal basis both locally and provide-wide.
- The strategy enables a formal, clear, science based, coordinated process for the declaration of drought and ongoing drought management. The strategy includes drought indicators for Manitoba that are used to assess drought conditions and stages across the province.
- A new "Manitoba Drought Monitor" website went live with the release of the strategy (<http://www.manitoba.ca/drought>). The department is continually monitoring drought potential and will continue to provide monthly water availability and drought conditions reports as required.
- Basin preparedness assessments to evaluate resilience to drought and water shortages have commenced with a pilot study in the Roseau River Basin in southeastern Manitoba. This study will be completed in the spring of 2016.
- Manitoba is working with Canadian and international jurisdictions to share experiences and information on drought management preparedness and practices including climate change adaptation.

NEXT STEPS:

- The monthly drought monitor updates will be provided and should a drought management response be required appropriate advice and decision making documents will be forwarded.

Contact : Bruce Gray, ADM, Water Stewardship and Biodiversity Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Dutch Elm Disease (DED) Program

ISSUE:

- The province approved the transfer of the responsibility for the removal of DED infected trees to each of the 40 municipalities outside Winnipeg along with annual funding of \$1.05 million to support the community-based tree removals. The transition will be completed in 2016/17 as the department phases out internal tree removal operations.
- Some communities have raised concerns through the Association of Manitoba Municipalities (AMM) regarding the transition of the program.

CRITICAL BACKGROUND:

- The provincial DED management program has operated since the 1980s to maintain elm tree populations within urban forests of 40 communities throughout Manitoba. The program involves detection and removal of infected trees.
- Provincial assistance is capped at \$181.32 per tree removed plus up to \$2000 for administration for each community annually. Removal costs vary by tree size and location with recently submitted community claims showing actual costs ranging from \$200 to \$500 per tree. Although communities may incur additional costs to complete the tree removals, the revised structure will establish a cost shared approach that will increase community involvement in the protection of their urban forests.
- The department has held meetings with each of the 40 communities during winter of 2014/15 to discuss implementation plans for the upcoming fiscal year and share the draft grant agreement that will be used to distribute financial assistance for the tree removals. Most communities have engaged in positive discussions and have indicated continued participation in the program
- The 2016/17 grant agreement was signed by all but two of the forty participating communities.
- The City of Winnipeg has an independent DED program that is supported by an annual provincial grant of \$1 million.

NEXT STEPS:

- The department is working with the AMM on options for improved partnerships for the delivery of urban forestry programs including the DED Program. The department recently updated the AMM on the positive response and developments with the DED program transition.
- The department will continue to coordinate the DED program and will conduct annual detection surveys, provide technical expertise and training and will provide financial assistance for preventative maintenance and the removal of diseased trees. Community participation in this program will continue to be voluntary.

Contact : Bruce Gray, ADM, Water Stewardship and Biodiversity Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Flooding at Whitewater Lake

ISSUE:

- The province is concerned about the overland flooding that is occurring in the Whitewater Lake area.
- The level of the lake is at a historic high and spilling over the watershed boundary across private land (20 feet wide by over 1 foot deep) into Medora Creek. While diverting water to Medora Creek is happening naturally, any consideration to enhanced diversion requires consideration of regulatory requirements, impacts on downstream properties, scale and cost.

CRITICAL BACKGROUND:

- Whitewater Lake is an unregulated terminal basin, making it very sensitive to changes in land use, drainage and runoff from large precipitation events such as those spring runoff of 2011 and intense rainfall event in 2014; thousands of private and Crown Land were flooded.
- The Environment Act (EA) licensing process is ongoing and will determine what water level is suitable for Whitewater Lake. Any constructed project would require licensing by the department under the auspices of *The Water Rights Act* for the construction and operation of any outlet associated with this project. The Water Rights licence will dictate operating rules of any outlet and will be directly tied into any lake elevation set by the Environment Act Licence (EAL).
- The Environment Act Licence (EAL) is open for public and TAC comments until May 20. The proposal involves two outlets: one to the west of the lake, leading to Medora Creek, and the other to the north, leading to Elgin Creek. The target level chosen for the lake in the proposal is 496.2 metres (1628.0 feet) above sea level. This level is 1.8 m below the 2013 peak level of the lake, and 1.3 m above the bottom of the lake. The outlets would be operated only when downstream conditions allowed along the outlet routes. It has not been clarified whether the Rural Municipalities will collectively decide or if the Province will play a role.
- The RMs of Winchester-Delorraine and Morton-Boissevain hired a consultant to look at the outlet options for Whitewater Lake as part of the EA licensing process.
- The respective RMs have not applied for a Water Rights licence presently – it is anticipated that if an EAL is issued for the project, the Water Rights licence application will follow in short order.

NEXT STEPS:

- Once an Environment Act licence decision is issued, the department will consider the water rights license. If all approvals are granted based on no adverse environmental or drainage impacts, the lake levels will be able to be regulated going forward.

Contact : Bruce Gray, ADM, Water Stewardship and Biodiversity Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Manitoba Composts Program

ISSUE:

- Manitoba Composts Program Status Update

CRITICAL BACKGROUND:

- Organic waste makes up 30% of the overall solid waste stream. Diverting organic waste from landfills to composting facilities reserves landfill space, reduces greenhouse gases and leachate production from landfills, creates local green jobs, and produces compost - a value added soil amendment.
- The Manitoba Composts Program was announced in June 2014 to support the diversion of organic waste throughout the Province by providing up to \$1 million in annual funding from the Waste and Recycling Support Fund, with a goal to annually divert 100,000 tonnes of organic waste from landfills by 2020. It is estimated this will reduce greenhouse gas emissions by 59,000 tonnes CO₂ equivalent.
- Funding from the Manitoba Composts Program is available to municipal and private sector compost facilities meeting specific program criteria. To be eligible for support payments, compost facilities must be in compliance with *The Environment Act* requirements, have trained personnel on site and produce compost that meets national quality standards.
 - Facilities enter into a three-year contribution agreement with Green Manitoba and are eligible for \$10 per tonne of organic waste processed (facilities that process 2,500 tonnes or less are eligible for \$25 per tonne).
- There are currently 9 composting facilities registered with the Manitoba Composts Program (4 municipal, 5 private). An additional three facilities have initiated the registration process and 20 other sites have expressed interest in registering.
- In 2014, the eight registered composting facilities reported processing 44,068 tonnes of organic waste equating to \$499,330.00 in annual payments.
- The City of Winnipeg received its first support payment of a 3 year agreement in 2015 for \$297.5, for 29,750 tonnes of eligible leaf and yard waste collected at curbside and composted in 2014, and the City of Brandon received \$98.44 for 9,844 tonnes.
- Funding for capital projects and research, training, promotion, and market development is also available under the program.

NEXT STEPS:

-

S. 23 17 a

Contact : Jocelyn Baker, ADM, Environmental Stewardship Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Producer Responsibility Organizations Program

ISSUE:

- Producer Responsibility Organizations Program overview and status updates

CRITICAL BACKGROUND:

- *The Waste Reduction and Prevention Act* and associated regulations of the Province require stewards (manufacturer, first importer and retailers) of designated materials to operate or subscribe to stewardship programs to recycle and/or safely dispose of end-of-life materials.
- In Manitoba, stewardship programs are run by industry funded Producer Responsibility Organization who operate those programs on a not-for-profit basis.
- Presently, there are 12 Producer Responsibility Organizations running stewardship programs for designated materials such as household hazardous waste, used tires, used oil and filters, paint, fluorescent lights, electronic waste, empty pesticide and fertilizer containers, and printed paper and packaging.
- Green Manitoba is the Agency designated to provide support services to government in relation to the operation of the stewardship programs. The Agency provides regulatory oversights to the Producer Responsibility Organizations that include reviewing stewardship program plans and making recommendations to the minister, receiving and reviewing annual plans, preparing Provincial annual Waste and Recycling Reports, assisting these organizations with steward compliance, and working with the industry organizations to enhance waste reduction and recycling in Northern and remote communities.
- The Industry programs generate approximately \$42 million annually from stewards to implement their program plans in Manitoba. Green Manitoba recovers \$315.0 annually from these organizations for its services to government and the public. This cost recovery is in accordance with *The Act* and regulations, which state that Producer Responsibility Organization plans must provide for the payment of salaries and other costs of government for the administration and enforcement of the regulation and of *The Act*. These funds are currently recovered by Green Manitoba through Cost Recovery Agreements with each of the Producer Responsibility Organizations operating approved programs in Manitoba.

NEXT STEPS

- In 2016, 10 of the 12 stewardship programs expire and new 5-year plans will be submitted to the Minister for review and approval. Green Manitoba facilitates the plan review and approval process including the province-led public consultations on the new plans, and provides recommendations to the Minister for approval or refusal. This review process is currently underway.

Contact : Jocelyn Baker, ADM, Environmental Stewardship Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Green Manitoba Special Operating Agency

ISSUE:

- Overview of Green Manitoba Operations

CRITICAL BACKGROUND:

- On April 1, 2006, Green Manitoba Eco Solutions was designated as a Special Operating Agency. The Agency operates under a charter approved by the Lieutenant Governor in Council and issues its own business plan and annual report.
- The mission is to promote sustainability practices by bringing together all partners (government, business, others) and in doing so, achieve more than if each had acted alone.
- The Agency delivers programs and services related to waste reduction and sustainability and serves as the access point for the public to acquire information to help make better sustainability decisions.
- The staff compliment for 2015/16 stands at 10 regular FTEs; The Green Manitoba Advisory Board provides advice and feedback to the Agency.
- Financial: The Agency receives no departmental service grant. Funds are held in a separate trust and may be carried over annually; The Agency receives all funding for its programs and operations from industry and the Waste Reduction and Recycling Support (WRARS) Fund and uses those funds to address government priorities related to sustainable development and waste diversion.
- Of the \$2.5M accumulated surplus at the beginning of 2015/16, \$1M is committed to waste and recycling programs through contracts and contribution agreements. The remainder of \$1.5M is retained earnings. The Agency requires approximately \$1.03M annually in salary/operating costs and brings in \$900K annually from non-government sources to cover those costs. The annual operating deficit of \$130.0 will be addressed through reducing costs and/or generating additional revenue; currently 1 position has been held vacant to address this deficit.
- Key programs include:
 - Waste Reduction and Recycling Support (WRARS) Program – Green Manitoba administers the WRARS Program and Fund that was established in 2009 under *The Waste Reduction and Prevention (WRAP) Act*. Program resources are directed towards: organic waste diversion; construction, renovation and demolition waste diversion, Household Hazardous Waste service enhancement, parks recycling, and regional waste planning and diversion programs; agricultural plastic waste and northern/remote community recycling. \$600.0 is recovered from the Fund to administer the Agency's waste programs including:

- WRARS Landfill Levy and Recycling Rebate Program – collection of the \$10 per tonne landfill levy (\$9.8M revenue in 2015) from 184 landfill operators and municipal recycling rebate payments (80% of levy revenue).
- Manitoba Composts - Up to \$1M is available annually for Manitoba Composts Support Payments to public and private sector compost facilities that meet program guidelines and organic waste projects under the WRARS Fund.
- Producer Responsibility Organizations (PRO's) Program – Green Manitoba is the Provincial agency designated to provide support services to government in relation to the operation of all Producer Responsibility Organizations. A total of 12 PRO's have been established in Manitoba to manage designated materials such as household hazardous waste (HHW), used tires, used oil and filters, paint, fluorescent lights, electronic waste, and printed paper and packaging under five stewardship regulations of The WRAP Act.
 - 10 programs of the 12 program plans will be submitted for public consultation and renewal in 2016/17.
 - \$300.0 is recovered from PRO organizations (with total program revenues totaling \$42M) to administer the oversight and approval processes.

NEXT STEPS

- Continue to deliver programs and services related to waste reduction and sustainability and serve as the access point for the public to acquire information to help make better sustainability decisions.

Contact : Jocelyn Baker, ADM, Environmental Stewardship Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Waste Reduction and Recycling Support (WRARS) Program

ISSUE:

- Information update on the \$10 per tonne Waste and Recycling Support Landfill Levy

CRITICAL BACKGROUND:

- The WRARS Fund was established in 2009 as a special fund under *The Waste Reduction and Prevention Act* to hold revenue from the WRARS Levy. The Minister of Sustainable Development is authorized to approve the Fund expenditures for the following purposes:
 - a) providing support or incentives to municipalities and local government districts for recycling;
 - b) supporting recycling programs and improvements to waste management including the management of electronic waste and household hazardous waste programs;
 - c) supporting organic waste management programs and initiatives.
- All Class 1, Class 2 and Class 3 landfills (182 landfills) are required to remit the \$10 per Tonne Levy for the January to June and July to December reporting periods.
- The purpose of the Levy is to support Manitoba's waste reduction objectives by increasing the cost of waste disposal (discourage waste) and rewarding waste diversion and recycling efforts. Only Alberta and Saskatchewan send more waste per capita to landfill than Manitoba.
- The WRARS Program Guideline allows for:
 - 80% of the Levy revenue (less administrative costs) to be returned to municipalities based on the percentage share of the recycling tonnage they report.
 - The remaining 20% is allocated to support key provincial waste and recycling initiatives and priorities.
- Between 2009 and 2015, the Program has paid \$48.17 million in recycling rebates to eligible municipalities. A further \$12.04 million was paid for electronic-waste and household hazardous waste management, composting, construction, renovation and demolition waste and other waste management and diversion projects and programs. In 2015 total Levy revenue was \$9.8 million.

NEXT STEPS:

- Continue to administer the WRARS Program and prepare for the January to June Levy remittance process.

Contact : Jocelyn Baker, ADM, Environmental Stewardship Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: How Canada Performs – Environmental Report Card

ISSUE:

- Manitoba received a grade of D on the Conference Board of Canada's How Canada Performs – Environmental Report Card.

CRITICAL BACKGROUND:

- The report, released on April 21, 2016, compares 26 jurisdictions (10 provinces, Canada and 15 other countries) using 10 indicators under four themes: air pollution, waste, freshwater management, and climate change. Manitoba placed 5th out of 10 provinces, and 19th out of all 26 jurisdictions.
- Manitoba received high grades on three indicators:
 - Low-emitting electricity production: A+; first of all 26 jurisdictions as virtually all domestic electricity production is from low-emitting sources
 - Water withdrawals: A; 1st province
 - Wastewater treatment: B; 3rd province
- Manitoba received average grades on two indicators:
 - Nitrogen oxides (NO_x) emissions: C; 4th province
 - Greenhouse gas emissions per capita: C; 6th province
- Manitoba received low grades on five indicators:
 - Volatile organic compounds (VOC) emissions: D; 7th province
 - Particulate matter (PM₁₀) emissions: D; 2nd province
 - Sulphur oxides (SO_x) emissions: D-; last of all 26 jurisdictions due to emissions from the smelting and refining industry
 - Waste generation: D; 8th province
 - Energy intensity: D-; 9th province
- It should be noted that the four air pollution indicators (VOC, PM₁₀, SO_x and NO_x) measure emissions per capita and may not reflect ambient air quality, especially in jurisdictions with lower population density. As well, the waste generation indicator compares only the provinces due to a lack of comparable data for other jurisdictions and is not included in the aggregate grades.

NEXT STEPS:

- Continue to implement national standards for air quality management and participate in federal/provincial/territorial efforts. Identify how new federal requirements impact Manitoba's emitters and overall emissions

§ 23(1)(a)

Contact : Jocelyn Baker, ADM, Environmental Stewardship Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Hydro Projects – Keeyask, Manitoba to Minnesota Transmission Line, and Bipole III

ISSUE:

- A Class 3 Environment Act Licence (EAL) for the Bipole III transmission line was issued on August 14, 2013. The licence was appealed and appeals were subsequently dismissed. Construction is underway and the department continues to monitor compliance with the EAL conditions.
- A Class 3 licence for the Keeyask Generating Station was issued on July 2, 2014. The licence was appealed and the appeal process is being managed by Civil Legal Services. Construction is underway and the department is monitoring compliance with the licence.
- Manitoba Hydro plans to apply to the National Energy Board (NEB) to build and operate the Manitoba-Minnesota Transmission Project (MMTP). The proposed project includes construction of an International Power Line (IPL) in southeastern Manitoba.

CRITICAL BACKGROUND:

- Environmental Approvals Branch (EAB) and NEB staff are discussing the upcoming regulatory process for the Manitoba-Minnesota Transmission Project (MMTP) and how it will be coordinated. A draft scoping document for the Manitoba-Minnesota Transmission Project (MMTP) was posted for public review and comment. The Environmental Impact Statement for MMTP was filed in December 2015. A Technical Advisory Committee review is underway and should be complete by February 2016.
- All three projects either have completed and/or are in the midst of Crown-Aboriginal consultation.
- The department conducts regular inspections of construction to ensure compliance with EALs. Environmental Approvals Branch leads weekly telephone meetings with regional staff and relevant technical staff in Winnipeg to ensure that the licence conditions are correctly interpreted and to facilitate the local compliance oversight of the field work.

NEXT STEPS:

BipoleIII

- Continue to monitor compliance with the licence. There is an appeal outstanding for the Director's decision to approve the outfitters plan. The branch is processing that appeal.

Keeyask

- Continue to monitor compliance with the licence. The licence is under appeal. The appeal process is being managed by Civil Legal Services.

Manitoba to Minnesota Transmission Line

- The public comment period is past. EAB is processing the information requests. An announcement for a Clean Environment Commission hearing was made and it is expected that the hearing will take place in Q1 2017. Holding a public hearing is necessary to meet the federal regulatory project requirements

Contact : Jocelyn Baker, ADM, Environmental Stewardship Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Lake Winnipeg Actions and Opportunities

ISSUE:

- Excessive concentrations of nitrogen and phosphorus are contributing to an increase in the frequency and severity of algal blooms in Lake Winnipeg.

CRITICAL BACKGROUND:

- In 2011, Manitoba committed to reducing phosphorus concentrations in the south basin of Lake Winnipeg by 50% or to 0.05 mg/L. Specific targets and timelines for nutrient concentrations for the north and south basin of the lake, and for nutrient loads from major tributaries, are currently being developed. Recent amendments to *The Water Protection Act* allow these targets to be enshrined in regulation.
- A Lake Friendly Accord has been developed which will guide efforts towards improving water quality through the reduction of nutrients. The Accord provides a framework to engage stakeholders and the public, to coordinate efforts, promote leadership, and identify actions that can be taken to reduce nutrient loading and improve water quality.
- The Lake Friendly Stewards Alliance Steering Committee released its “Priorities for Action” in early January 2016. The document provides an overview of the issues and the urgency and recommends 7 priority areas for action including:
 - Develop a science plan for Lake Winnipeg
 - Create a regulatory environment that supports innovation
 - Facilitate adoption of nutrient management actions that improve water quality and support agricultural production
 - Improve municipal wastewater, storm water and drainage management
 - Incorporate Indigenous perspectives and knowledge
 - Create a consistent and coordinated messaging strategy to encourage individual and sector-based behaviour change.
 - Engage and seek commitments from transboundary stakeholders towards the objectives of the Accord.
- Working groups established under the Lake Friendly Stewards Alliance may play a key role in engaging sectors in pledging to the Accord and in developing sector specific commitments to reduce nutrient loading and improve water quality.

NEXT STEPS:

- The department will review the current approach to addressing the issue of nutrient loading in Manitoba, including the role of the Lake Friendly Stewards Alliance and the Accords, and seek direction from Cabinet on a comprehensive approach to improving water quality in Lake Winnipeg.

Contact : Bruce Gray, ADM, Water Stewardship and Biodiversity Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Lake Winnipeg Regulation Project

ISSUE:

- The Lake Winnipeg Regulation (LWR) Project received an Interim Licence under *The Water Power Act* in November 1970. This was followed by a supplementary Interim Licence in August 1972. The project went into service on July 16, 1976. Manitoba Hydro submitted a request for a Final Licence, including all supporting documentation for LWR in December 2010. No changes to the operating conditions were requested.
- Manitoba Hydro has expressed concern regarding the timing of the granting of the final license as it is required as part of an agreement to sell electricity to Wisconsin.

CRITICAL BACKGROUND:

- The Clean Environment Commission (CEC) was asked to conduct a review regarding the licensing of LWR. The review was conducted from January 2015 to May 2015. The CEC report was released to the public in the fall of 2015 and included recommendations related to erosion control and a more comprehensive approach to environmental assessment.
- There was a commitment by the government to address all of the 34 CEC recommendations on the Lake Winnipeg Regulation and work is underway.
- Crown–Aboriginal consultations with Indigenous communities that may be affected by the licensing decision began in September 2014. Forty four First Nations and Aboriginal communities were notified of the consultation process and 24 actively engaged.
- LWR is not a generating station but allows Manitoba Hydro to temporarily store water on Lake Winnipeg for the generation of hydroelectricity at generating stations located on the Lower Nelson River and at the Jenpeg generating station.
- LWR as currently operated does not require a licence under *The Environment Act* as the project is an existing project that predates the Act.

NEXT STEPS:

- A discussion paper on a more comprehensive approach to environmental assessment than contemplated in the CEC-LWR report is currently being drafted with a targeted completion date of June 2016.
- Options with respect to erosion control recommendations require further review in terms of determining the role of Hydro and related costs.

Contact : Bruce Gray, ADM, Water Stewardship and Biodiversity Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Manitoba's New Boreal Strategy

ISSUE:

- Since 2010 environmental organizations have worked together under the umbrella of the Canadian Boreal Forest Agreement with a common vision of protecting half of the boreal in Manitoba as well as other provinces as part of the Canadian Boreal Initiative. This initiative is connected to land use planning initiatives in Ontario (The Far North Act) and Quebec (Plan Nord).
- In Manitoba, the focus has remained on broad area planning exercises, such as the land use planning under *The East Side Traditional Lands Planning and Special Protected Areas Act*, which has been led by the department. The department has been working to develop Manitoba's Boreal Strategy alongside the work on the Opportunities North initiative being led by Manitoba Aboriginal and Northern Affairs.

CRITICAL BACKGROUND:

- On February 17, 2015, the department and ANA co-hosted a Boreal Summit held in The Pas to bring various stakeholders and northerners together to discuss how a Boreal Strategy should be developed; 88 people attended from industry, NGOs, municipal, provincial and federal governments, and Indigenous communities.
- A Boreal Summit Report was released in October 2015. Major themes summarized in the report were:
 - balance between economic development and protecting the environment;
 - shared decision-making;
 - increased communication and collaboration, and;
 - creating certainty and stability for business, communities, governments and Indigenous communities
- Over the past year, some Summit participants, mainly lead by the Pew Foundation and the Thompson Community Futures – North Central Development Corporation, have gathered independently to create their own "Declaration of Common Values for the Sustainable Development of the Boreal in Northern Manitoba", intended for release during the provincial election campaign. Much of its content aligns with the statements contained in the department Boreal Summit Report.
- There is high public interest in planning in the Boreal. The department continues to develop the Boreal Strategy, which is targeted for release by February 2017.

NEXT STEPS:

- Department staff are responding to feedback and enquiries, related to The Boreal Summit Report that was posted in October 2015, as they are received.
- An interest group was formed late in 2015 made up of environmental non-governmental organizations, Indigenous groups, rural municipalities, and industry representatives from the North. This group developed a position paper - "A Declaration of Common Values for the Sustainable Development of the Boreal in Northern Manitoba". Staff continue to monitor this process, as well as the Manitoba Aboriginal and Northern Affairs led Opportunities North process, to ensure coordination of the provincial approach to northern and Boreal planning efforts.
- There is an opportunity for the government to confirm or change its approach to the development of Boreal Strategy going forward.

Contact : Jocelyn Baker, ADM, Environmental Stewardship Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: MOU with Saskatchewan on Water Management and Other Related Issues

ISSUE:

- Large flooding events in 2011 and summer 2014 have been attributed to unregulated agricultural and municipal drainage. The scale of damage and unprecedented movement of water is a result of unregulated drainage in Saskatchewan and Manitoba, as well as the loss of natural wetland areas.

CRITICAL BACKGROUND:

- Manitoba and Saskatchewan share a number of water issues including related to excess moisture and drainage, drought, water quality and aquatic invasive species.
- The two jurisdictions cooperate through a number of forums including the Prairie Provinces Water Board and the International Joint Commission's International Souris River Board. The federal government along with other states and provinces are also involved in these forums.
- In an effort to strengthen existing cooperation, Manitoba and Saskatchewan signed a Memorandum of Understanding (MOU) in October 2015 that sets out broad principles to achieve cooperative and coordinated goals for surface water management. The MOU sets a framework for developing a cross border senior staff working committee.
- The MOU sets out broad principles for a cooperative and coordinated approach to mitigate flooding and drought and to protect and improve water quality and aquatic ecosystem health. Key aspects of the MOU include: sharing data, knowledge and forecasting tools in these areas; engaging groups in cross border transboundary watershed planning to address excess nutrient loading, aquatic invasive species; and enhancing cooperation on transboundary flooding and drainage issues.
- Action underway with respect to drainage includes developing a process in which Manitoba can raise specific cross border drainage concerns for potential action by Saskatchewan. The provinces are also establishing a working group to look looking at the broader issues around drainage more systemically and coming up with broad statements around the issues and how we might work together better.
- Staff from the department and the Saskatchewan Water Security Agency chaired a meeting in Gainsborough, Saskatchewan in early 2016 with local municipalities from both Saskatchewan and Manitoba. The meeting discussed local cross border drainage issues and provided a venue to begin discussions on specific issues and locations. There have been two additional site meetings between municipalities discussing specific issues.
- Saskatchewan has developed new drainage regulations as a preliminary attempt to address unregulated drainage within Saskatchewan, which would in turn benefit

Manitoba as a downstream jurisdiction. The regulations are being implemented as pilot projects in the neighbouring Souris and Assiniboine River Basins and are not expected to be fully in place for 10 years.

- Manitoba and Saskatchewan also cooperate on water management through the Prairie Provinces Water Board which has a mandate to apportion or share water equitably between the Prairie Provinces and to protect transboundary surface water quality and groundwater aquifers. Alberta and the Canadian federal government are also included in the Prairie Provinces Water Board.

NEXT STEPS:

- Terms of reference with respect to protocols and actions within the MOU with Saskatchewan will be finalized within the next two months.
- Surface water management and drainage policy and related legislative and regulatory frameworks will be revisited and options will be advanced for the Minister's consideration

Contact : Bruce Gray, ADM, Water Stewardship and Biodiversity Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Omnitrax: Grain Storage Operation and Port of Churchill

ISSUE:

Section 25(1)a

CRITICAL BACKGROUND:

- Omnitrax is a privately owned company headquartered in Denver. Its holdings include the rail line to Churchill and the Port of Churchill.

1. Omnitrax Grain Storage Operation

Section 25(1)a

2. Port of Churchill

Section 25(1)a

Section 25(1)a

NEXT STEPS:

Section 25(1)a

Contact : Bruce Gray, ADM, Water Stewardship and Biodiversity Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Outstanding and Ongoing Audits

ISSUE:

- Formal reviews and audits are conducted by Internal Audit and Consulting Services and the Office of the Auditor General, who then prepare recommendations for improvements to processes and systems.
- These recommendations are implemented by the department, with ongoing monitoring by Finance and Crown Lands Division. The department, through its Audit Committee, chaired by the Deputy Minister, reviews progress, discusses financial and business processes, and makes recommendations for further work.

CRITICAL BACKGROUND:

<u>Internal Audit and Consulting Services</u>	<u>Outstanding Recommendations</u>
<u>Completed reviews that have outstanding recommendations</u>	
• Inventory/Asset Management (2007)	26
• Grant Accountability (2012)	2
• Purchasing Cards and Expense Claims (2012)	2
• Timekeeping (2013)	15
• Expenditure Process Review (2013)	7
• Revenues and Accounts Receivable Management Processes (2014)	18
• Revenue Handling - Regional Locations Review (2014)	12
• Surety Review (2014)	16
<u>Reviews which are complete but a report has not been issued yet</u>	<u>Status</u>
• Accountable advance administration and oversight	Draft Report Issued
• Commercial Fishing Compensation Program	Draft Report Issued
<u>Reviews planned for the current fiscal year</u>	<u>Schedule</u>
• Emergency Fire Fighting Payroll	Winter 2016
• E-Licensing business processes	Summer/Fall 2016
• Inventory business processes	Fall 2016
• Big Game Draw	Spring 2016
<u>Office of the Auditor General</u>	<u>Outstanding Recommendations</u>
<u>Completed reviews with outstanding recommendations</u>	
• Managing Climate Change	14

NEXT STEPS:

- The Audit Committee meets quarterly (or more often as required) to review progress on outstanding recommendations and plan future reviews. The Committee has approved a risk based approach to implementing outstanding recommendations and is continually improving the department's systems and processes.
- The installation of an enterprise inventory system (SAP) and the implementation of an electronic licensing system for selling recreational hunting and fishing licenses are expected to resolve approximately 50% of the outstanding recommendations by improving and reducing cash handling and license distribution and improving asset and equipment monitoring and tracking.
- Regular auditing ensures compliance with government policies and continuously improves business processes and financial systems, furthering accountability, comptrollership, and risk mitigation in the department.

Contact : Matt Wiebe, ADM, Finance and Crown Lands Division

Date : May 4, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Pan-Canadian Framework on Clean Growth and Climate Change

ISSUE:

- On March 3, 2016, federal, provincial, and territorial governments (FPT) signed the Vancouver Declaration committing to developing a pan-Canadian framework on clean growth and climate change. The framework will assist in complementing climate action efforts across the country and represents Canada's plan for achieving its international climate commitments.

CRITICAL BACKGROUND:

- Four working groups have been created to deliver interim reports (June) and final reports with options (September). Terms of Reference were developed to outline the working groups' mandate, membership, deliverables, engagement expectations, timelines, and support groups.
- Each working group is led by a federal and provincial/territorial co-chair. Mitigation and Adaptation groups report through the Canadian Council of Ministers of the Environment (CCME); the Clean Technology, Innovation and Jobs group reports to the Ministers of Innovation and Economic Development; and the Carbon Pricing group reports through Ministers of Finance and CCME.
- All groups met in April 2016 and identified a significant work regime. Representatives are expected to dedicate a significant amount of time to the working groups (weekly calls and 3-4 meetings). Resourcing is a concern for smaller jurisdictions.
- Indigenous and other sectorial engagement though desired, is not currently well defined.

Working Group	Manitoba Representative
Specific Mitigation Opportunities	Neil Cunningham, Director, Climate Change and Air Quality Branch
Adaptation and Climate Resilience	Neil Cunningham, Director, Climate Change and Air Quality Branch
Clean Technology, Innovation and Jobs	Douglas McCartney, Executive Director, Science, Innovation and Business Development

Carbon Pricing Mechanisms	Richard Groen, Assistant Deputy Minister, Fiscal Research Division Neil Cunningham, Director, Climate Change and Air Quality Branch
---------------------------	--

NEXT STEPS:

- The department will provide advice and options for engaging local organizations in addition to the nationally focused engagement strategy that is underway. The Climate Change and Air Quality Branch will prepare a briefing note outlining options and recommendations.
- The department will review interim reports in June 2016 to confirm that Manitoba's priorities are accurately represented.
- The department will review the four Working Group final reports before they are presented to CCME Ministers in September 2016 and First Ministers in October 2016 to ensure that Manitoba's priorities are fully integrated.

Contact : Jocelyn Baker, ADM, Environmental Stewardship Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Peatlands Stewardship Strategy

ISSUE:

- *The Peatlands Stewardship Act* was proclaimed on June 16, 2015 (with the exception of Sections 8-16, and 30). This new Act moved the administration of the peat industry from *The Mines and Minerals Act* to the department and created new environmental protections.
- The department continues to work collaboratively with industry on the implementation of the new Act. The current focus is the establishment of the Peatlands Practices Committee (PPC) which will lead the development of guidelines for Peatland Management and Peatland Recovery Plans.

CRITICAL BACKGROUND:

- The new act and regulations ensure strict new rules to govern peat harvesting to better protect the environment, and requires comprehensive Peatland Management and Peatland Recovery Plans.

NEXT STEPS:

- All former peat quarry leases held by industry were transitioned to new Peat Harvesting Licences under the new Act. The new Act requires the industry post security by June 15, 2016 ensuring the satisfactory recovery of harvested sites.
- The department is working to build a wetlands inventory to improve knowledge of Manitoba's wetlands including peatlands as well as to initiate a traditional ecological knowledge project
- Manitoba has entered into a two-year agreement with the University of Laval to fund research on Manitoba peatlands and best practices for recovery strategies. This project is part of a broader partnership between governments, industry, academics and non-government organizations.
- An industry-based peatlands practices committee is required under the act and authorization of the membership is required as soon as possible.

Contact : Bruce Gray, ADM, Water Stewardship and Biodiversity Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Pineland Forest Nursery

ISSUE:

- Pineland Forest Nursery is a special operating agency that has been structured to operate on a break-even basis. The Nursery has been experiencing annual financial losses over a number of years.

CRITICAL BACKGROUND:

- Pineland is the only forest nursery in Manitoba that offers seedling production and other related services for reforestation programs. It has a staff complement of over 100 seasonal employees, or 27 full-time equivalents. The Nursery is one of the largest employers in the Hadashville area and has been in operation for over 60 years.
- Pineland competes in the reforestation market with nurseries from other provinces, including areas like British Columbia where natural growing seasons are more favourable. It produces approximately 11 million seedlings per year. In comparison, PRT, Canada's largest nursery with facilities in multiple provinces, produces over 160 million seedlings.
- Pineland's preliminary financial result for 2015/16 is a loss of \$(490) in 2015/16 that will result in an accumulated net deficit or negative retained earnings of \$3.2 million and net debt of \$5.2 million. A further loss of over \$(500) is projected for 2016/17.
- Maintenance costs continue to grow due to aging infrastructure. Consideration has been given to expanding the modern greenhouse in order to replace about 20% of the Nursery's greenhouses that are no longer functional and also meet growing industry demand for larger seedling stock. However, this initiative requires a capital investment of \$800.0 at a time when markets are, at best, in the early stages of recovery.
- While the amount of private sector orders at Pineland has increased as a percentage of total, based on purchase intentions expressed by larger clients, these forest company orders are expected to remain flat or decline in the short term while the forest industry continues to struggle.
- Pineland has taken steps to improve the viability of the nursery, including improvements to greenhouse facilities in 2009 that resulted in 50% more energy efficiency, reduced staffing requirements and the flexibility to grow a wider variety of high-quality seedling types. This biomass heating system is currently being studied for the potential for cogeneration of electricity to further reduce greenhouse operating costs.

- Provincial climate change mitigation initiatives begun in 2008 have included tree planting as offsets to greenhouse gas emissions that have helped increase Pineland's seedling production and other entities have expressed an interest in carbon offset planting.
- The Nursery has been increasingly involved in supplying seedlings for reclamation work for mining and hydro sites and, in consultation with Conservation Districts, the Manitoba Forestry Association and Keystone Agriculture Producers, has been exploring the viability of a fee-for-service replacement to the former federal Prairie Farm Rehabilitation Administration (PFRA) shelterbelt program.

NEXT STEPS:

-

S. 19(1)

Contact : Bruce Gray, ADM, Water Stewardship and Biodiversity Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Proposed Polar Bear Provincial Park and Churchill Wildlife Management Area Tourism Carrying Capacity Review

ISSUE:

- A 29,000 km² study area along Hudson Bay is being examined for designation as a provincial park. The study area includes areas of significant ecological value, areas of economic value and areas slated for developments.

CRITICAL BACKGROUND:

- The department received direction to proceed with consultations and designation on a portion of the study area which includes the proposed *Isotelus rex* Provincial Park and the Churchill and Tyrell Units of the proposed Polar Bear Provincial Park. However, there continue to be difficulties in engaging First Nations in the process.
- Parks staff are currently reviewing and analyzing all comments received and developing a final park proposal (Phase 3 planning). This final park proposal will be consulted on during Phase 3 of engagement.
- The proposed *Isotelus rex* Provincial Park, located along the coastline just east of Churchill, is approximately 5 ha and would protect the site where the fossil of the largest known species of trilobite was found.
- The proposed Polar Bear Provincial Park is divided into the Churchill Unit (~490,000 ha) and the Tyrell Unit (~110,000 ha), which would collectively protect polar bear denning habitat, extensive peat deposits, and caribou habitat.
- The results of a tourism carrying capacity review found that stakeholders do not want the number of permitted off-road-tundra vehicles to increase, and support the number of permitted vehicles staying the same as it is today as off-road tundra vehicles have a negative effect on polar bears.
- The department will review other recommendations from the report that will promote a positive tourist experience and protect the local environment as well as provide clarity and stability to the industry.

NEXT STEPS:

- Continue efforts to engage First Nations in the park planning process through the development of a First Nation Working Group.
- Incorporate results of the tourism carrying capacity review into draft Management Guidelines for the proposed Polar Bear Park and circulate for internal review.

- Continue to develop final park proposals for the proposed *Isotelus rex* Provincial Park and the proposed Polar Bear Provincial Park.

Contact : Bruce Bremner, ADM, Parks and Regional Services Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Recycling and Waste Reduction Strategy

ISSUE:

- Manitoba has one of the highest levels of waste per capita in Canada. A new recycling and waste reduction strategy was developed in collaboration with Manitobans, and is pending release.

CRITICAL BACKGROUND:

- Discussions were held with key stakeholders on proposed strategic actions and a Recycling and Waste Reduction discussion paper was released in December 2014. An on-line consultation was held and ran to March 20, 2015 to solicit feedback from the public and industry stakeholders. An advertising campaign using bus ads, newsprint and digital media ads was used to engage Manitobans in this process. Comments were received from individuals, industry, Producer Responsibility Organizations, non-government organizations and municipalities.
- Over 180 respondents provided over 260 comments. The final strategy includes modifications to reflect feedback received during the consultation process and actions are consistent with approved Canadian Council for Ministers of the Environment Canada-wide Action Plan on Extended Producer Responsibility. The strategy also supports environmental goals and existing departmental policies and legislation, and will reaffirm government's commitment to protecting the environment.
- The goal of the strategy is to, by 2020: cut per capita waste sent to landfill in half, from 840 kg/capita to 420 kg/capita, setting a path forward to become a zero waste society; create ~450 green jobs; and cut greenhouse gas emissions by 340 kilo tonnes of carbon dioxide equivalent.
- To achieve these goals, the strategy identifies targets to increase recycling and waste reduction efforts and identifies areas for action and investment, including: landfill disposal bans, recycling for non-residential and construction sectors, material recovery targets, establishing programs for other materials, organic waste diversion, plastic bags and other hard to recycle materials, improved programming in northern and remote areas, and greening government – reducing our own ecological footprint

NEXT STEPS:

- Briefing for the Minister on the public consultation that led to the preparation of the draft strategy and feedback from the Minister on draft (including format and style); then approval from cabinet prior to release of strategy.

Contact : Jocelyn Baker, ADM, Environmental Stewardship Division

Date : May 2, 2016

BRIEFING MATERIALS

Sustainable Development

SUBJECT: Surface Water Management

ISSUE:

- A surface water management strategy and related drainage consultation document was developed with input from a number of stakeholders with the objective of achieving what is referred to as the “triple dividend” of flood protection, drought resiliency and reduction in excess nutrients being transferred through surface water.
- The review included proposed actions to streamline routine drainage approvals and focus on reducing loss of wetlands as land features that mitigate flooding, store water in times of drought and filter water of excess nutrients.

CRITICAL BACKGROUND:

- The environmental attributes of wetlands can be assessed in terms of Environmental Goods and Services that must be balanced against the positive economic return of using land for agriculture production or other land development.
- Organizations such as Ducks Unlimited Canada (DUC) and Lake Winnipeg Foundation (LWF) have consistently called for protection against further loss of wetlands. Public estimates from DUC, suggest that approximately 70% of wetlands have been drained or lost due to agricultural and municipal land development and, in southwest Manitoba alone, approximately 5,000 acres are drained or lost each year.
- In order to assess the effects of drainage, a consultation document entitled “Towards Sustainable Drainage - A Proposed New Regulatory Approach” was developed. This new approach would allow certain types of routine works as long as they were registered with the department and following standard practices, while extensive projects would require detailed plans and undergo rigorous review and approval processes to ensure overall benefit was attained.
- *The Surface Water Management Act* was introduced in the fall session of 2015. The act proposed amendments to modernize, strengthen and develop regulations for five existing water-related acts, including:
 - a new provincial drainage regulatory regime that enables requirement for drainage proponents to carry out drainage of wetlands in exchange for compensation for the loss of wetland benefits;
 - enabling the establishment of water quality targets for nutrients in waterways and related reporting requirements;
 - enhancing drainage inspection and enforcement tools including enhanced offence and penalty provisions;
 - enable drainage and stormwater management planning in municipal land use polices as well as regional strategies; and,

- updating the Conservation Districts Act to strengthen integrated watershed management planning and implementation, including ability to enter into agreements with First Nations and Northern affairs communities.
- The new legislation passed first and second reading as well as standing committee however was not proclaimed. The five acts subject to amendments by *The Surface Water Management Act* will continue to be administered and enforced as they have been previously.
- While the proposed legislation contemplated regulatory measures, investments such as flood control works, water retention projects and incentives that result in environmental goods and services can be complementary in achieving surface water management benefits.

NEXT STEPS:

- Surface water management policy, related legislative and regulatory frameworks and programs will be revisited with greater focus on landowner incentives and options will be advanced for Cabinet consideration.

Contact : Bruce Gray, ADM, Water Stewardship and Biodiversity Division

Date : May 2, 2016