



ASSOCIATION OF MANITOBA MUNICIPALITIES

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February 2, 2007

Terry Sargeant
Clean Environment Commission Chair
305-155 Carlton Street
Winnipeg, Manitoba R3C 3H8

Dear Mr. Sargeant:

Public consultations are a vital mechanism for ensuring that people have an opportunity to voice support and concerns in relation to a plan. The Clean Environment Commission (CEC) has provided stakeholders an opportunity to provide an overview of specific concerns to assist in the development of the Hog Production Industry Review. The Association of Manitoba Municipalities (AMM) is submitting comments regarding municipal concerns for the CEC to use in focusing the scope of the inquiry.

The CEC, as a part of its investigation will review the current environmental protection measures now in place relating to hog production in Manitoba in order to determine their effectiveness for the purpose of managing hog production in an environmentally sustainable manner. The AMM understands that environmental protection is vital to a healthy economy and is directly linked to healthy communities. Concerns for the AMM Board are directly related to municipal planning issues and equitable consultation processes.

The recent review and modification of The Planning Act has had a tremendous impact on municipalities province-wide. New regulations have required municipalities and/or Planning Districts to create development plans and zoning bylaws to encourage sustainable planning and development within the province. A Livestock Operation Policy must be included as part of the development plan with section 42(2) in The Planning Act laying out the requirements. Municipalities are required to have this work completed by January 1, 2008 and while many have already been completed, there are still some forthcoming.

The work of the CEC will have an impact on municipal planning therefore the AMM is requesting that the CEC complete the review promptly to ensure that municipalities are able to complete the planning process. The review of The Planning Act resulted in municipalities spending the last year adapting to a new planning system. The CEC's recommendations have the potential to have major implications for The Planning Act, however these should ensure that the Act's general principles are not altered.

*Representing
Manitoba's
Municipalities*

Municipalities and key stakeholders have previously participated in a protracted consultation process to renew this important legislation and it would be unfair for municipal councils to have to work with a constantly changing set of planning rules. We believe that the current Act, while not exactly what any single stakeholder advocated for, is the best available solution and as such, its general principles should remain unchanged.

One of the key attributes of the current process is that the Province is responsible for environmental issues while municipalities are accountable for land use. The Provincial Government has the expertise and capacity in regard to environmental concerns and should be held responsible for the information they produce. The Province of Manitoba needs to be accountable for environmental decisions and technical information should not be left to be defended by municipal councils during the public hearings as required by The Planning Act. This is why the AMM believes that the Technical Review Committee (TRC) should be required to attend all municipal public hearings for which they have provided information. Currently this is not required in The Planning Act.

It is important to the transparency of the planning process to verify all technical information received from the TRC, and allowing a public inquiry of the science-based information would assist the public in accepting this as being true. The AMM also believes that there should be public involvement on the TRC. This would allow local knowledge to be incorporated and cross checked with technical information. The TRC process needs to be examined to ensure that the information presented is precise. Municipalities will defend their own political decisions, however should not be required to defend the technical decisions made by the Province. There is adequate opportunity for this public process to occur at municipal public hearings.

The environmental licencing and approval process also needs to be examined. Currently the process allows for public hearings to be held at the discretion of the Minister of Conservation. These public hearings should be mandatory, not simply based on how politically controversial an issue is. This would increase the transparency of the licencing and approval process while allowing for public acceptance and understanding of the technical and environmental information being reviewed. The AMM believes that increasing the opportunity for public involvement would increase support for the science-based research and evaluation completed by the Province.

The development of future regulations has the potential to increase the responsibility of municipalities in the planning process. Municipal budgets are already over-extended and municipal governments are not in the position to take on additional costs and responsibilities. Considerable capacity is required to make the current regulations a reality. The capacity of municipalities to increase their responsibilities to meet proposed recommendations should be kept in mind throughout the Hog Production Industry Review.

The AMM believes it is critical that all Manitobans be made aware of the overall, long-term provincial environmental strategy for the hog production industry. The AMM Board would like to ensure that the CEC continues to be attentive to the need of municipalities in this review in order to assist in making recommendations viable. It is also important that this review be completed within the context of the positive work that has previously been completed in Manitoba. If you have any additional questions or concerns, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Bell". The signature is written in a cursive style with a large initial "R" and "B".

Ron Bell
President