

THE LEGISLATIVE ASSEMBLY OF MANITOBA  
8 p.m., Thursday, May 20, 1976

SUPPLY - MINES AND RESOURCES

MR. CHAIRMAN: Page 40 of your Estimates Book. Resolution 85(c) Manitoba Water Commission: (1) Salaries and Wages, \$25,700--pass - the Honourable Member for Brandon West.

MR. MCGILL: Mr. Chairman, I know that most of the problems that I have to present to the Minister will be under the Water Control item, but since the Minister has invited some comments on this Manitoba Water Commission - and I was pleased to hear his explanations of why he had risen. I think they're very acceptable. Because I was vigorously denying to my colleagues that the Minister was in any way attempting to extend the filibuster on his own Estimates. I'm sure that we were pleased to hear that what he had in mind was to make some comment on the activities of this Commission. I think that was very good. We've had an opportunity since to develop a number of other items related thereto.

Mr. Chairman, there is a term that has been used in some of the comments by his department in relation to water control measures that interest me and it refers to municipal waterways. I wonder if the Minister could define municipal waterways. That almost indicates that there may be in fact provincial waterways or even federal waterways. Or it may be that the Minister meant that any waterways within a municipality would be considered to be municipal waterways. I would like very much to have some definition of this term "municipal waterways", as they relate to the problems in Manitoba and the possible claims which municipalities might have for assistance with the province.

MR. CHAIRMAN: The Honourable Minister of Mines and Resources.

MR. GREEN: Mr. Chairman, the best definition that I can think of is a municipal waterway is one for which the financial responsibility lies with the municipality. I'm trying to go back into history a little bit, although I wasn't involved at the time, but at one time the province did, I think, its sharing of drainage programs on an ad hoc basis and with some provincial sharing. The administration some years before 1969, decided that they would accept full responsibility for a provincial waterway. A provincial waterway is defined, I believe, as a third order drain --(Interjection)-- third order drain. Thank you. I am indebted to the former Minister of Agriculture who probably had to deal with this question. Maybe he devised the program. They decided that they would deal with third order drains which would be accepted as 100 percent provincial responsibility.

But there is always a snag in every such program. The fact that you do pay 100 percent doesn't mean that you pay anything. It means that you designate that certain drains when two other drains fall into a third drain and it becomes a drain that is carrying two other drains, that's a second order drain, when it carries three drains it's a third order drain and is considered large enough on a objective basis - and I'm surprised to find that they are fairly objective about it, that there is usually not that much argument as to whether or not it is a third order drain. If it's a third order drain, it's a provincial waterway, and we are responsible for 100 percent of the cost of dealing with that drain.

But we are restrained by budgetary provisions to the number of such drains that will be dealt with. In other words the province doesn't reconstruct or develop every provincial waterway just as a municipality will not construct or develop every municipal waterway. The municipal waterways on the other hand are the second or single drains and they are expected to be dealt with by the municipalities. Of tradition there has been a difficulty because the province is expected to do certain things and when they do it they are sometimes not satisfied that the municipalities have done their share so that the drainage basin is not planned on a integrated basis. And again, some time in the previous administration's time, they developed a better concept, a concept of watersheds which we will be coming to in the Estimates.

If a number of municipalities get sufficient support to constitute a watershed like the Whitemud watershed of the Member for Gladstone, then there is a new ball game. The province participates in a planned integrated drainage program which means it might

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(MR. GREEN (cont'd) . . . . not be a third order drain or a second order drain or a first order drain, they will share in the entire program. It is not the solution to all problems but it makes some sense in that the program takes place on a co-ordinated basis rather than the province waiting for the municipality or the municipality waiting for the province and you probably have a better end result. I think I can go further than that. I am advised that we are more generous in the watershed concept than we are in regard to isolated drainage programs.

There are only two watersheds in the province: the Whitemud Watershed and the Turtle Watershed. I take some pride in the fact that the watersheds were created during this administration, that there were none created - although the legislation was there between 1960 and 1969. I think the reason being, and you can judge it as you will, that the previous administration did not really wish to move unless there was unanimity. Unanimity is very difficult to achieve. The municipalities that are in the higher reaches of a watershed that don't need the drainage programs, their water is going to the ones in the lower area so it's very difficult to get them --(Interjection)-- I suppose that one could define a Duck Mountain Watershed too. Mr. Chairman, I'm not trying to precipitate an argument.

If those people want to get into a watershed then the higher regions will have to pay for the lower regions. What happens is that the municipalities that are upstream are not very anxious to be in a watershed because they don't get what they feel is the benefit of the program. When the Whitemud Watershed District was formed, we had a meeting and some of the municipalities indicated that they don't need it. The water runs off their property on to somebody else's. I indicated, well maybe the other people should build a dam and keep the water on your property. Hearing that, they thought that maybe there is some validity to having this type of program.

I am not saying that it is a solution to all problems. As a matter of fact in the Whitemud Watershed I frequently receive calls from some municipalities who feel that the watershed is treating other parts of it better than the part from which I receive the complaints. But then that is the art of government. When would we ever have a government where some people feel that their constituency is not being treated equally to others. That's what we argue about in the House all the time and it is the same with the watershed concept.

You're asking whether there are federal drains. We have waterways where we attempt to obtain federal financing, there is no designation of a federal drain, but we have been successful as you know in getting federal contribution to certainly a lot of operations under the FRED-ARDA program, and some of our major dams have been given considerable federal contribution, the Red River Floodway, the Portage Diversion, the Patterson Dam, the Shellmouth Dam, all of these, the Fairford Dam, all of them have been built with federal contribution and the Member for Pembina will no doubt soon be reminding me that we should be proceeding with the Pemblier Dam and get the federal contribution for that as well.

MR. CHAIRMAN: The Honourable Member for Brandon West.

MR. GREEN: The Member for Arthur tells me that there is no Patterson Dam.

MR. CHAIRMAN: The Honourable Member for Brandon West

MR. MCGILL: Mr. Chairman, the Minister has enlightened us on the definition of a provincial, or at least a municipal waterway, I'm wondering now is there any relationship between those waterways that are classed as navigable in respect to their designation as either provincial or federal. I presume that a municipal waterway would be of such a class that it would not be considered as a navigable waterway under federal legislation, but I'm not sure about that. Can I relate in any way the term navigable waterway to the designations that are applied to these?

MR. GREEN: Navigable is a navigable stream, and those are streams which I believe, and now I'm being vague, that the Federal Government has designated as navigable streams because of their depth, their availability for navigation and the places that they go to. I hardly think that it's practical to think in terms of a municipal drain, or municipal waterway ever being designated as a navigable stream. I believe that the Red

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(MR. GREEN (cont'd) . . . . River is navigable stream; I believe that the Lake Winnipeg is a navigable waterway; I believe that the Churchill River is a navigable waterway, the reason I say that is I know that when we're talking about the dam on Missi Falls we had to have certain authorities from the Federal Government. I think that the Deputy Minister indicates to me that it also may relate to the fact as to whether they are inter-provincial in their character. I doubt whether a municipal drain could ever fall into the category of a navigable stream, because if we're talking about municipal waterway it can only be a single drain or a second order drain and the Red River, for instance, we can't think of it in terms of third order drains, thousands of streams drain into the Red River.

MR. MCGILL: Mr. Chairman, finally. Would the Minister classify the Assiniboine River, the Assiniboine River is that a provincial waterway under his definition?

MR. GREEN: No, Mr. Chairman. Not because it couldn't be classified as a third order drain, but the waterway designation that he is referring to really refers to drainage streams and the Assiniboine River is a river, and I do not think that we regard it as a waterway within the context in which the honourable member is talking.

MR. MCGILL: Mr. Chairman, then waterways are not rivers, they are streams or less, is that correct?

MR. GREEN: Mr. Chairman, if you looked up the definition of waterway in the dictionary you might find that rivers are mentioned. I have tried to indicate that that designation that we use for waterways, the definitions that he is referring to of municipal waterways or provincial waterways refer to a drainage program, and I ask him to accept the term waterway only within that context. I assume that Lake Winnipeg is a waterway, but not for the purposes of us discussing drainage program.

MR. CHAIRMAN: The Honourable Member for Morris.

MR. JORGENSEN: Mr. Chairman, something in excess of 24 hours ago this item was just about to pass until the Minister deliberately, or otherwise, stood up and said well if nobody else is going to talk on the Water Commission, then I'm going to. The discussion, and I find this rather unusual about the Minister who is usually so meticulous about staying to the item, and the discussion that has been taking place has nothing to do with the Water Commission whatsoever.

MR. GREEN: Mr. Chairman, on a point of order, the honourable member, I wish he were here at about 4:45 today because I explained my predicament, I had merely wanted to acknowledge the services of Dr. Saunderson and the members of his Commission, and I agree entirely, I said that this doesn't come under Water Commission, you people can get it in, if we're going to talk to it now, I hope you won't repeat it later, but I agree with the honourable member entirely, and if he can figure out some way of us getting off the item, I will be indebted to him.

MR. JORGENSEN: I will try to do that Mr. Chairman, because I got the impression that when the Minister rose that he was attempting to lasso a number of us into the discussion. I can't conceive the Minister wanting to prolong the discussion in his own Estimates, but that's the impression I got. When he drew my name into the discussion about the comments that I'd made very early in my time in this Legislature I felt that I should respond, but I'm going to take the Ministers suggestion, I'm going to take the Ministers suggestion, I'm going to try and figure out a way to get off this item too, so that when we discuss proper water problems we discuss them under the proper item, and I'll defer my comments, - I'll probably forget them about that time though, - which he made in respect to comments that I had made several years ago. I still think that I am right, but I'll save that until we get to the proper item, which is the last item of the Ministers Estimates.

MR. CHAIRMAN: Resolution 85(c)(1) Salaries and Wages under the Manitoba Water Commission. The Honourable Member for Arthur.

MR. WATT: I just want to follow up the Member for Brandon on the set up of waterways as they're termed first, second and third waterways. I wonder if the Minister could indicate then if the Assiniboine, or I assume then he would consider that the Souris is not a third order waterway, I wonder if he could give us an example of

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(MR. WATT cont'd) . . . . what then in the province is a third order waterway?

MR. CHAIRMAN: I think the honourable member will get his answer under the Water Resources. Water Management. Order please. I think if we're going --(Interjection)-- Order please.

MR. GREEN: The Cloverdale Road drain is a provincial waterway.

MR. CHAIRMAN: Resolution 85(c)(1) Salaries and Wages--pass. The Honourable Member for St. James.

MR. MINAKER: Mr. Chairman, I'll be very brief, just to make one comment relating to what the Honourable Minister said this afternoon, and I hope he'll correct me if I'm wrong, that he had indicated the government had erred, whether it was provincial or municipal, in allowing the properties along the two rivers that bisect our city to be sold to private people. I would like to remind the Honourable Minister that the major portion of the river lot properties were owned by Metis people prior to the formation of our province, and was part of the cause of the Riel Rebellion when the land surveyors came into start to try and lay it out in a grid system, so that I think that he would be incorrect to state that the government erred in selling the property to the people because it was already privately claimed by native or Metis people that were in this area.

MR. CHAIRMAN: The Honourable Minister of Mines and Resources.

MR. GREEN: I thank my honourable friend for what I'm sure is correct history; it doesn't change anything that I'm saying. The Metis people obviously sold it to private people. At that time or even before I believe that the government should have done everything possible to keep that line in the public domain, and if the mistake was different from originally selling it or having it owned by Metis people or letting it be sold by them to private people, it's still in principle the same thing. I think that Winnipeggers are much less fortunate than people in Saskatoon, when you go at Saskatoon and see what they have done with their riverbanks, I think you feel that Winnipeg really has lost something by having that property cluttered by riverbanks, you know, cluttered by what is there. Winnipeg is the junction of the Red and the Assiniboine. How do I know that? I read it in a geography book. It is very difficult for Winnipeggers to see the junction of the Red and the Assiniboine. --(Interjection)-- St. Boniface Hospital is the place.

MR. CHAIRMAN: The Honourable Member for St. James.

MR. MINAKER: Mr. Chairman, I thank the Honourable Minister for his comments. I know we could get into a very good debate about the Riel Rebellion with those remarks, but I won't at this time.

MR. CHAIRMAN: Resolution 85(c)(1)--pass; (2) Other Expenditures--pass. Clean Environment Commission, Salaries and Wages. The Honourable Member for St. James.

MR. MINAKER: Yes, Mr. Chairman. I wonder if the Honourable Minister would advise us now that the government is not proceeding, or the Milk Control Board is not proceeding with the Crocus Food Plants, I wonder if the Minister could advise us what the policy of the government and Clean Environment Commission is with regard to the disposal of whey on agricultural land, because this was one of the major points presented by the Honourable Minister of Agriculture, the reasons for having a Crocus food plant was because of the pollution problems. We have read in papers and we've read reports that the spraying of the whey waste on agriculture land seems to be a good fertilizer and I think that the government has indicated today, that they acknowledge and recognize organic fertilizers, because as I walked up to the Legislature today I noticed there was a fairly good quantity of organic fertilizer spread on the lawns of the Legislature, so that I wonder if the Honourable Minister could advise, what is the policy of the Clean Environment Commission with regard to spraying whey waste from cheese plants on agricultural land because I know I think in the case of the Dauphin plant, they required something like seven acres of agricultural land to dispose of their whey of last years production, and I wonder if the Minister could give us a straightforward answer on this particular question?

MR. CHAIRMAN: Order please, I'm going to have to rule that the honourable member is going to have to get his answers in the next item under Environmental

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(MR. CHAIRMAN cont'd) . . . . Management. There's Environmental Control, there's Waste Management. This is the Clean Environment Commission and the Salaries dealing with the Clean Environment Commission.

MR. MINAKER: Mr. Chairman, in all due respect, it was my understanding that it's the Clean Environment Commission that makes the decision on this matter, is it not, that issues the licence to whether or not this waste can be distributed on land. If I'm wrong, I hope the Minister will correct me.

MR. CHAIRMAN: The Honourable Minister of Mines.

MR. GREEN: Well, I think the honourable member can be very partly right. There is in existence orders relative to municipal foods disposal systems receiving whey, but even those orders would come under Environmental Management. I think the Chairman is indicating that we are discussing the Salaries of the Clean Environment Commission. I'd be very happy to answer that question except that I'm worried that we're going to wind up where we were on the Manitoba Water Commission. If the Honourable Member will just look at the next page he'll find Environmental Management and all of the matters related to it come under that.

MR. CHAIRMAN: Resolution 85(b) Clean Environment Commission - Salaries and Wages.

MR. MINAKER: Mr. Chairman, again the Minister might correct me on where I should raise the question but in the Annual Report of the Department of Mines, Resources and Environmental Management there is a comment made with regard to - A research contract was awarded to the Manitoba Environmental Research Committee to study livestock waste and odour, and it goes on to what the study involved. And it says, the survey represents the branches first step in the study of odour problems, hopefully for providing for control by legislation. I wonder if the Honourable Minister could advise if a policy or legislation has been recommended and adopted by the government that would be governed by the Environmental Commission.

MR. GREEN: Mr. Speaker, the honourable member will find that under either Environmental Studies or Research or Environmental Control, there have been regulations with regard to the disposal of waste in relation to hog ranches but they don't fall under the salary and wages of the Clean Environment Commission. The Clean Environment Commission did deal with odours relating to hog ranches and as a result of that a policy did develop. There was a considerable difficulty, and it's not ended yet. In the meantime there were regulations set up with regard to hog ranches, which I believe are much more sound than the attempted ad hoc orders that were made by the Clean Environment Commission. That study did take place and those regulations are now in place and we believe that we are in a much better position vis-a-vis the hog ranches. Some of the people who live near the hog ranches might be a little annoyed with the fact that they can't go to the Clean Environment Commission, but we believe that we have taken them into consideration.

MR. CHAIRMAN: Resolution 85(d)(1). The Honourable Member for Lakeside.

MR. ENNS: Mr. Chairman, we're dealing, I appreciate, on the Administration of the Clean Environment Commission, but I'm concerned with how the Administration of the Clean Environment Commission will deal with what some of us on this side of the House seem to feel is a kind of double standard being exercised as a result of legislation passed just during this session of the House. I'm referring to the fact that the Clean Environment Commission administratively has a great deal of capacity and authority in terms of determining whether an individual hog farmer, or beef feedlot, or whoever, or any other individual in Manitoba has to the extent that he creates an environmental problem, a pollution problem of one kind or another, and he is dealt with harshly, and perhaps correctly, with the full weight of law, but on the other hand this Minister has himself piloted and put forward, successfully put forward legislation that says that a municipality can be the master of its own environmental problems and can pollute or can contaminate through chemical means in such things as the control of spray of mosquitoes, and not be answerable to this same Environment Commission whose administration costs we are now passing. Would the Minister care to indicate how he rationalizes that kind

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(MR. ENNS cont'd) . . . . of division of responsibility with respect to, and I say specifically a hog farmer living in East St. Paul that may find himself at odds with the Clean Environment Commission for presenting an odour problem or an environmental problem and he has to deal with the Clean Environment Commission, and yet the same Municipality of St. Paul if they decide to spray their whole damn municipality with chemicals to get rid of mosquitoes, this very Minister has said to us, and as I said successfully piloted through a bill that has said, that's all right we will not hold the Clean Environment Commission responsible for that kind of action.

MR. CHAIRMAN: The Honourable Minister of Mines and Resources.

MR. GREEN: Mr. Chairman, I deny that the hog ranchers, farmers, have been dealt with in a harsh way by the Clean Environment Commission to start with - the honourable member is joshing me. I believe, Mr. Chairman, that it is essential to have a Clean Environment Commission to govern the emission of contaminants into the atmosphere, the land or the air, which either are being done by private concerns not answerable to the public or which are being done by municipalities as they affect anything beyond their municipality. I regard the ultimate decision of the municipal councillors with regard to something within their own municipality as a satisfactory method of dealing with the problem because they are answerable to their citizens with regards to this. The honourable member disagrees with that. I can't change his mind about that or many other things. But he understands what the issue is; he understands what the answer is and I repeat it in as brief a way as I think I can get away with.

MR. CHAIRMAN: The Honourable Member for St. James.

MR. MINAKER: Mr. Chairman, on the same subject. I would like to ask the Honourable Minister what would the Clean Environment Commission do in the instance where a hog rancher has applied to the Clean Environment Commission, he has his licence, he's operating in the East St. Paul area as the Honourable Member from Lakeside has indicated and a complaint comes in from one or two citizens within the municipality that they are concerned about odour, etc.; whereas in the same community or municipality a similar complaint comes in with the regards to the way that the land fill site is being handled, there's odour or they're burning and so forth, but they're operating within the original guidelines set down by the Clean Environment Commission that said, okay, if you operate under these guidelines, that's your business as long as you don't pollute outside your municipality boundaries. How will the Clean Environment Commission handle these two complaints? One where you're dealing with the councillor or reeve and council of the area and one where you are dealing with an individual in the same municipality and there are two complaints come in on the two subjects.

MR. GREEN: Mr. Chairman, with respect to the first one, the hog rancher doesn't go to the Clean Environment Commission because there are regulations enacted by the department which govern, and when there are regulations they don't have to apply for permission to the Clean Environment Commission. But I don't wish to dodge the question. Let's take something else. Let's take a meat packing plant that is going to be spewing into the atmosphere. They will have to come to the Clean Environment Commission and they will have to get limits established by the Clean Environment Commission and they will have to keep themselves within those limits. The citizens who complain will come to the Clean Environment Commission and there will be a hearing and there will be a decision. With regards to the other, the Clean Environment Commission will say that if you have a problem you will have to deal with that problem through your municipal council. They are in charge.

MR. CHAIRMAN: Resolution 85(d)(1)-- pass. Order please. I know we are dealing with the Clean Environment Commission but we are not dealing with garbage right now. Other Expenditures--pass; (e) Lake Winnipeg and Churchill and Nelson River Study Board: (1)--pass; (2)--pass; Resolution 86. Order please. I know a certain amount of levity is a good thing for the souls and the nerves of the members but it's very difficult for the Chair to call the question when everybody's talking at one time. 86(a) Administration: (1) Salaries and Wages, \$283,700 - the Honourable Member for St. James.

MR. MINAKER: Thank you, Mr. Chairman. I would like to raise a question in the year-end report of the Minister's department, under Environmental Management

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(MR. MINAKER cont'd) . . . . Division. There is a general brief discussion in the opening remarks with regard to noise pollution and a fairly extensive comment on it yet no recommendations on what the department would recommend. I'm wondering if the Minister would advise who actually sets the regulations and the policies for noise pollution which has become a problem in industry as well as in our general way of life in urban areas. We have heard about and read about the various surveys that have been done and we're wondering what the Provincial Government has done in this regard in setting up some criteria or regulations on this matter.

MR. GREEN: Mr. Chairman, first of all, when there are no limits set we have a sort of an open situation and anybody who has a complaint can go to the Clean Environment Commission to set limits. I do not think that there have been any limits set regarding noise. I don't remember any Clean Environment Commission Orders for noise so what we do know at least is that there has been no activity started by complainants or otherwise to the Clean Environment Commission. Now that doesn't end it.

The studies that you are talking about would come under 12(2)(c) and I'm going to deal with them. I'm just indicating that the moneys that we are dealing with in determining decibels and the limits at which they can cause problems and the acceptable standards would be under either Research or Environmental Studies.

The honourable member asked who has set the regulations. We have not thus far set any regulations with regard to noise. I understand that it is being researched; I believe it was also being researched in conjunction with staff at the Workers Compensation Board and that there has been considerable work done in this area. I am not able to report that any regulations have been set but they will be. On the other hand, I do tell the honourable member that the delay at least has not resulted in any applications that I am aware of to the Clean Environment Commission with regard to noise limits.

MR. CHAIRMAN: Resolution 86(a)(1) - the Honourable Member for St. James.

MR. MINAKER: Mr. Chairman, I wonder if I could ask the Honourable Minister if the discussion and questions on the Garrison Diversion would come under this section or better come under the Water Management Section.

MR. GREEN: It's best under Water Programs. I believe that there may be some work being done in Environmental Studies, but in either of those two places.

MR. CHAIRMAN: 86(a)(1)--pass; 86(a)(2) Other Expenditures--pass; 86(b)(1) Salaries and Wages under Environmental Control - the Honourable Member for St. James.

MR. MINAKER: Thank you, Mr. Chairman. I wonder if I could ask the Honourable Minister how this particular department co-ordinates its operations with the other government agencies who are operating in the same general area of responsibility. I'm thinking in particular - the Federal Government has an Environmental Canada I believe it is and also the City of Winnipeg has a fairly extensive department controlling the waste within their boundaries. Also we have I guess to some degree duplication in other departments that are provincially operated. I'm thinking of the Health Department. I wonder if the Honourable Minister could comment on how this type of co-ordination is handled with regards to responsibilities and the enforcement of the laws of the province.

Again under this section, I guess if one looks at the Annual Report under Environmental Control Branch one sees that the noise pollution, soil pollution, food protection and industrial hygiene all come under this division and one thinks that there must be considerable duplication of enforcement and costs and red tape that the individual or industry is faced with in many cases. I wonder if the Minister would like to comment on this particular problem and his views.

MR. GREEN: Mr. Chairman, the honourable member first relates to how we integrate within the various government departments and I suppose I could say that we try to co-operate with one another, which is a stock answer. We have done something more in that we have now prepared this Environmental Impact Assessment Program whereby there is an Impact Assessment Board composed of inter-departmental people from various departments and any provincial agency having a project which could release contaminants into the environment has to proceed through this agency. That has just been set up. I can't give you an example of a project that has proceeded but that would

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(MR. GREEN cont'd) . . . . probably be the highest level of inter-departmental organization.

With regard to Environment Canada, I think that the ground rules are going to be established to a great extent by what sort of comes to be accepted. The Federal Government, theoretically, if they wanted to and I don't think that they do, could probably assume jurisdiction for all environmental control in Canada. Although several of my counterparts in the other provinces would just be horrified to hear that kind of a statement because they regard provincial administration of the environment very possessively, as they do with regard to other areas of provincial jurisdiction. But the Federal Government, under its criminal law authority, under various other means of jurisdiction, could if it wanted to push, I think, do quite a bit to enforce environmental standards throughout the country. They have not done that.

There has been relatively frequent meetings since 1972 between Environment Canada and the Provincial Ministers, culminating this year in Nova Scotia in the signing of an Environmental Accord between the Government of Manitoba and Environment Canada in which we indicate that we will try to set standards which are uniform throughout the country, that the standards will try to be adopted uniformly, that the province would administer those standards, that if the province didn't administer that the Federal Government would come in and do so. In any event there is very little, as I can see it, controversy between the Federal and Provincial Governments with regard to environmental controls.

The one area where the germ of a problem could appear is that when we have something being considered by the Clean Environment Commission, Federal Government environmentalists appear, have appeared. They've appeared for instance in Flin Flon, they've appeared in Thompson and from time to time they have urged standards which are higher than perhaps have been urged by our own department. Now that sounds as if they are more meticulous than us and perhaps trying harder to safeguard the environment, but it is easy for them to do because they are not involved with the industry that is located in Manitoba and which will ultimately be affected by whatever order is being made. However I don't raise that as a serious problem. I think that the co-operation has been really quite good.

How we get along with regard to the Health Department for instance, most of those services which relate to health from an environmental point of view including food inspection, etc., all of what you knew as the health inspectors are in the Environmental Control Branch in our department, they are not in the Health Department. They were transferred over to our department.

With regard to the City of Winnipeg I think that there again the only real serious controversy that has resulted is where the City of Winnipeg felt itself obliged to go to the Clean Environment Commission although they had never done so under the original Act that was passed by the very courageous Buck Witney. For years they didn't apply under his Act and he never complained because it was never intended to apply to them. But a couple of years back they decided that it might be useful to them to apply to the Clean Environment Commission because this would be a way of dealing with the problem. They then took the very righteous position that somehow they were being stopped by the Clean Environment Commission, although they had never been. That is probably the only serious-not serious, but the only high profile problem that I can recall as between environmental control in the Province of Manitoba as it affects the city.

We have had the cities applying. In this case the cities have had to apply and the procedure appears to be working well. Not everybody likes what is being said but they've applied for sewage disposal works, for instance, and will continue to have to apply for sewage disposal works. There is an application from Minnedosa which was recently allowed by the Clean Environment Commission with certain limits being set, which is now being appealed and the appeal will be decided in due course. As you know, the ultimate appeal comes to the Minister of Environmental Control.

MR. MINAKER: Mr. Chairman, I would like to ask the Honourable Minister particularly relating to Environment Canada, where does their jurisdiction start and end and where does the province's jurisdiction start and end?



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(MR. MINAKER cont'd)

It's my understanding that in regards to ManFor Industries and I think Manitoba Abitibi that Environment Canada controls the quality of their effluent into the rivers. If I am wrong I hope the Minister will correct me. Yet these very rivers, particularly I'm thinking of the Winnipeg River, will empty into Lake Winnipeg. Yet this seventh largest freshwater lake in the world, which is part of our resources, could be polluted by the paper mill and I'm not suggesting that it would be but this is an instance where the Federal Government controls the quality of the effluent coming from a paper plant yet the very effect that that effluent will have on our own resources within the province, the province doesn't seem to have the control of this. I'm wondering if the Minister can comment how this is co-ordinated and what effort the Minister is making in this regard to try and get some say to the province who by the BNA Act presumably controls its own resources.

MR. GREEN: Mr. Chairman, I did try to indicate that I didn't think that there was such a simple answer as appears in the BNA Act. Nor do I accept the suggestion that the province is the only one that has exclusive jurisdiction relative to resources. Although again I know that the provinces particularly of Alberta and Saskatchewan would be very annoyed to hear that, but interestingly enough the Province of Ontario which has always been a tremendous provincial rights province, always stood up for provincial rights, has suddenly said that the problem of the price of oil and gas is a national problem and the National Government has to come in and deal with it even though these are provincial resources. So I don't know, I can't imagine what would have caused that change. Could it be the fact that Ontario purchases the oil and Alberta sells it or is there some more obvious reason than that? I really couldn't say. In any event I tried to say that Environment Canada could probably, if it wished to push its way, usurp all areas of jurisdiction. It has not done so. In the area of the pulp and paper I believe that they have set standards and that we have pushed those standards. We have accepted those standards. I can't think of any area where they have set standards that we have not accepted them, and they claim the right to the setting of the standards by virtue of their jurisdiction over fisheries and interprovincial streams. Even they, Mr. Chairman - I'm sorry, the Member for Fort Rouge is not here - recognize that something, sometimes for practical purposes, even if not for theoretically splitting hairs - how many angels can stand on the head of a needle purposes - that are within boundaries. Technically I suppose that nobody can say, or one would not say that the Assiniboine River is located within the boundaries of the Province of Manitoba. And yet if you follow the Assiniboine River right through to the Red River, to the Churchill, some of that water might get into Ontario or into James Bay. The member for Fort Rouge would say, you see, you can't control the environment as it affects Manitoba because some of it's going to be in Quebec and then even out into the St. Lawrence River perhaps.

The fact is that they tend to try to get the provinces to agree. The main reason we have been a fan of this, we have been an advocate of federal participation is that we do not think that provinces should be vying with one another for industrial expansion by having less satisfactory contaminant standards. Therefore there has been attempts to involve the Federal Government but it has had nothing to do with the BNA Act. It has had to do with what is practical for Canada under the circumstances. For the most part we have been controlling our own environment. There has been one exception which I think is now before the courts and therefore I will restrain what I'm going to say about it, although I feel very strongly about it, where the National Energy Board felt that in an application as to whether or not Manitoba should be able to transfer power - I have always understood that in such an application the Energy Board really is supposed to see whether we are losing the resource and we are protecting Canada, making sure that there is no exports - that the Board saw fit to include in its order its requirements with respect to how the line would proceed for environmental purposes. The right of that board to have made that statement is being challenged by Manitoba Hydro.

MR. CHAIRMAN: The Honourable Member for St. James.

MR. MINAKER: Thank you, Mr. Chairman, I wonder if the Honourable Minister

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(MR. MINAKER cont'd) . . . . could advise the House that where there's a DREE grant involved with the industry that may have pollutants going out into the atmosphere, does the Environmental Canada have the jurisdiction over this, because it's my understanding where a DREE grant is involved that the industry that is receiving the grant has to make application to Environmental Canada with regard to its pollutants or possible pollutants. Could the Honourable Minister advise the House who has the governing jurisdiction in this event? Is it the Environmental Canada or is it the Clean Environment Commission?

MR. GREEN: Mr. Chairman, when somebody gives you or grants money they are able to put on terms and conditions which may have nothing to do with their jurisdiction, they may just decide they want to do it, and I understand that DREE in various areas, that DREE, the Department of Regional Economic Expansion may use their granting authority to obtain something which is not really within their jurisdiction. I do not know whether that has ever been a problem. I'm advised that they have been prepared to accept our Clean Environment Commission authority where they have given money to an industry, that they will have to comply with our authority, which they have to comply with in any event. They've also requested, I think, environmental impact assessments but they've again accepted our procedure for that assessment which goes to the Clean Environment Commission. I don't think it has been a problem in that case with regard to environmental control. I can tell the honourable member that in areas outside these Estimates, which I don't intend to filibuster, they have been a problem.

MR. CHAIRMAN: The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Chairman, can the Minister indicate aside from having impact studies on different industries, and so on, by the Environment Commission, what about doing some monitoring in different areas. For instance, in the 60s we had a pretty successful fishing industry in this province where the catch used to be in the Winnipeg River in, I believe, over half a billion tons, and all of a sudden over a few years it started to trickle down and came almost down to nothing, and who does the assessment or who does some monitoring and why. Nobody did anything and they said well I guess the fishermen are catching the fish out and it's depleting stock, which wasn't the case at all. We discovered that there was mercury poisoning to such an extent that we had to stop all fishing, and here I think it's the most important resource, that something should have been done, and nothing was done during that period in the 60s to find out why every year there was a decrease in the tonnage taken out of the Winnipeg River, and all of a sudden we find out. Does the Commission do any other - you know, how far does it extend into areas like that? Can the Minister indicate?

MR. GREEN: Yes. Mr. Chairman, that work is done in this department. There are air quality tests taken, there are water quality tests taken. I'm not able to say that the water quality tests have had a direct relation to finding out what is the depletion of fishery insofar as the environmental studies are concerned. I do know that extensive work in the area of fisheries research was conducted under this department, is now under the Department of Renewable Resources. The mercury monitoring, as I said, the environmental quality, air quality is still done under this department, but fisheries research like where they tag them and try to follow them and find out which one lived and which one died, and reasons for that, I believe is now done under Renewable Resources.

But the type of work, the tests for air quality, for water quality and for problems associated with ground water, and pollution in the land, are done by our Environmental Control Branch, and usually the demonstration of money expended is not a satisfactory answer to the volume of what is being done, but it is a fact that you will see the 1976-77 request at roughly \$4 million, and most of that money going into areas such as Environmental Control \$2,587,000 of the \$4 million is environmental control, which would include things such as you have just mentioned, that that has probably gone up - and now I'm really guessing - I would say that the figure has gone up from 1 million to 4 million in the last five years.

MR. PATRICK: Mr. Chairman, can the Minister indicate what kind of monitoring and how extensive? The reason I'm saying that, I haven't got the chart with me.

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(MR. PATRICK cont'd) . . . . I did have a chart that I looked at the other day, and over a period of years it was almost frightening the tonnage of fish we used to take out of the Winnipeg River and it decreased, and then that's when we had the mercury poisoning, and that was what brought it on and we had to stop fishing for awhile. So the thing is, just as you know, we were at one time dumping straight pollution out of the Churchill Forest Industries right to I guess north of Saskatchewan when it first opened, because when we went for inspection that's what was taking place. My concern is, is it on request when we discover something is going wrong, when you see dead fish, or does it do any voluntary monitoring itself, or I mean the Commission does.

MR. GREEN: Mr. Chairman, it's not merely a response mechanism, there are periodic water policy standards taken in various streams in the Province of Manitoba and I will have to give the honourable member a more definitive answer, but it'll take me some time to get it, but there are water quality standards taken, there are air quality standards taken, they are taken on an attempt to cover those areas of concern. They are also taken where there are complaints and they are taken as responses, but they are taken in both directions. I do not think that I can accept the impression that the fish were killed off due to mercury pollution. I really believe that in Lake Winnipeg - I'm not sure about the Winnipeg River - that it was a factor of fishing, perhaps deterioration of water quality of other kinds. The mercury pollution we found was in living fish, and the fish they perhaps, I'm not able to say definitely but I don't know whether that was a significant feature in the diminution of the fish, I haven't heard it put that way.

MR. PATRICK: I have no argument with the Minister with his answers, the only thing is he says it wasn't mercury pollution. My concern would be then, why wasn't some work done in that area, say, 15 years ago when this was taking place, when on a chart, when you look from something - I forget the statistics - from 750 tons to almost a trickle to 50 tons or something a year, that's how it depleted over a period of years, so surely there should have been a proper research. Was it scavenger fish killed the other fish? On a big lake like that it shouldn't have been the case, so something happened, something was happening.

MR. GREEN: Mr. Chairman, it is true that something happened and I can remember the Member for Ste. Rose, and he didn't talk about the Winnipeg River, he talked about Lake Winnipeg, and he took the poundage in 19, blank, and carried it forward and there was a drastic reduction. I really do not believe that that had to do essentially with water quality, we did not have very good fishing regulations at that time. I can tell you that fishing regulations now on Lake Winnipeg are much more stringent; they are now managed by the Minister for Renewable Resources. I can tell you that I had to stand up there and have virtually tomatoes thrown at me by fishermen saying that they wanted the poundage raised and the licences expanded. We limited the number of licences and we limited the number of fish that could be taken by each fisherman, and we've changed the nets too, they are much more stringent. We find that fishermen are not making as much as they want to but they are catching their limits, and if we can bring the lake along we will increase the limits. But the most significant feature of the fish decline, and you ask why it wasn't done 15 years ago - that's 1962, it's about the time I was getting into politics. I think that we were just too easy in our fishing regulations but I don't think it had to do with the quality of the water. There is now reservations, more than reservations, there are limnological studies being done on the eutrophication of Lake Winnipeg, which are real problems, and these studies are being done by this division. Lake Winnipeg is a problem. Lake Winnipeg is a problem that we created. I hope that it's not going to deteriorate further, but for years there was a city of 400,000 people where a good part of the raw sewage was going into the Red River and that eventually winds up in Lake Winnipeg, and there were not serious measures taken to prevent that from happening, but I don't think that it relates to the problem that the member is raising.

The member is raising a problem with regard to the decline of fish which I think was due to bad fisheries management and not to environmental control. And when I say that I hope that that is not taken to be a criticism of anybody, I just think that none of us,

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(MR. GREEN cont'd) . . . . governments in power or otherwise, really were prepared to stand up to the immediate sort of demands of the people who were immediately fishing, rather than worrying about the future generations. Now we've had to fight with fishermen. I can tell you that going into the new policy was not easy, we had to say no to fishermen, and we were called names, but if you're going to be in government you can expect that. I think in the last analysis they know that we are doing the right thing.

MR. PATRICK: I won't argue that it wasn't some form of water or pollution in the water that depleted the stock but the Minister must know only - what? three or four years ago when we had a potato plant or something in North Dakota that put something in the Red and we had dead fish along the Red last year, and not only a few fish, it was strange the press did a pretty good job on it because all along the river they found spots and they found dead fish, so it doesn't take much, and I hope that the Minister is really giving serious consideration as far as our lakes are concerned and polluting our lakes.

MR. CHAIRMAN: Resolution 86(b)(1). The Honourable Member for St. James.

MR. MINAKER: Mr. Chairman, the Honourable Minister has raised a question in my mind with regard to a statement he made that there was some 400,000 people that had been dumping raw sewage into the river and thus ending up in Lake Winnipeg, and I wonder that efforts through the times hadn't been maybe made to the same degree as they are today about cleaning up any effluent that might pollute Lake Winnipeg or any other lake or river. I wonder if the Honourable Minister could advise who has the jurisdiction that makes the decision on extending the length of time that raw sewage can be dumped into, or untreated sewage can be dumped into the river, and I'm thinking particularly, is it the Clean Environment Commission, or is it the Environmental Management that makes this basic decision, and in particular I'm thinking of one city to the north of us who's had extensions, and we can understand the reasons why they're getting extensions, but who makes this decision?

MR. GREEN: Ultimately we do, ultimately the Chamber does. But I'll go through the steps as I understand them. The Environmental Control Branch can initiate, or the Clean Environment Commission can initiate a complaint against somebody who is dumping raw sewage into the river. We could theoretically pass the regulation prohibiting it without going to the Clean Environment Commission, because the Lieutenant-Governor-in-Council could pass a regulation which says that nobody shall dump raw sewage into the river, which would make it immediately unlawful, which would mean you would be theoretically in a position to prosecute somebody who is doing it. That is not done. What happens is that the municipality that is affected goes to the Clean Environment Commission, or the complaint is directed to the Clean Environment Commission, and the Clean Environment Commission conducts a hearing where it hears everybody who is interested in the dispute, including our Environmental Protection Branch. Our Environmental Protection Branch goes there as a professional branch.

Members should understand this because it's rather germane to what ultimately happens. Our branch is told to go there and give their professional opinion, there is no government position, for instance, on what happens to the Selkirk Sewage disposal plant. They do not go there and say the position of the Government of Manitoba is as follows. It would be an impossible situation for them to do that, and I'll get to it in a moment. They go there and say: My professional position as an engineer is that this is the amount of time that can reasonably be allotted; this is the way the plant should be constructed; these plans that they have presented are defective in this respect; they are proper in this respect, they make their position as a controlled branch of the environment. The Clean Environment Commission then makes a decision setting limits, which could include the length of time by which a municipality is given to get to these limits. We have that situation with Minnedosa right now, and I can tell you that with Minnedosa we have complaints from people downstream from Minnedosa as to the order of the Clean Environment Commission, they feel it should be tighter, it wasn't tough enough. We have that with regard to Thompson right now. The Clean Environment Commission has set limits, the City of Thompson says that the effluent from the treatment is going into the Burntwood River, the Burntwood River is going to be carrying 35,000 cubic feet per second, and

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(MR. GREEN cont'd) . . . . the assimilative qualities of water are so strong that this is not a problem and they have appealed the order of the Clean Environment Commission. Then it comes to the Minister.

The reason that I said before that there is no government position, it would be ridiculous if there was an appeal from the Clean Environment Commission where a government position has been created and they come back to me and we make a government position. So I'm going to tell my honourable friend how we do it. When the appeal comes in it goes to the department and the department prepares a summary of the case as it was presented, they say what they said, they say what the municipality said, if I feel that not enough information has been made available I can refer it to the Municipal Board and ask them to get me some more information, and then we make a decision. Then I go to the Member for St. James and ask him to vote me my salary. That's where we are now. So that's the way it is decided.

MR. CHAIRMAN: The Honourable Member for La Verendrye.

MR. BANMAN: Thank you, Mr. Chairman. I'd just like to touch on a few things at this time. One of the concerns about the urbanization trend that's happening within the 40-mile radius of Winnipeg is that of the farmers that are in the particular area of that radius or in that radius, what is happening and what is of concern to a lot of these farmers is that we are having people coming out and maybe the neighbour to a farmer is selling a couple of five-acre pieces of land. Now these people are moving out to possibly have a couple of horses there and benefit from the rural life, from the fresh air and from all the amenities of life that we folks in rural Manitoba have.

The only problem is, and this has arisen when I was on town council, is that we have some of these people move out and then as soon as one of the nearby farmers wants to go ahead and build a farm or build a barn, whether it be a hog barn or dairy barn, what happens then is that these people who have moved out there say, no we don't want that particular farm building built there because it's going to cause us an odour problem. Now the predicament of the farmer is if he can't farm on his own farmland, where is he going to farm? I see this is becoming a real problem and it is causing a lot of animosities and concern among the farmers in my area. We're not talking just about the good agricultural land, it's happening in the marginal land areas too. We do have a lot of the hog operations and the poultry as well as the dairy operations being undertaken on marginal land. It's not necessarily agricultural land that we are talking about.

So this is a concern to the people in the area and of course in the last couple of months one of the things that has cropped up and probably has received more attention than many of the other things is the feedlot at East Selkirk where there is some concern about a small satellite city being built right in close to a feedlot. I would ask the Minister to briefly comment on that because it is a concern.

Maybe these people that are building these houses out there should be told that if you're going to live in the country you're going to have to put up with that smell of liquid gold and that is one of the problems that you'll face. This is one of the prices you pay for living out there. But the farmers in the area, and again it sort of overlaps into the Municipal Affairs Department because it deals with the Planning Act, but it is a real problem and the people are concerned about that in my particular riding.

Another problem that was raised last year and I'm wondering if any progress has been made with regards to the river lots. We had certain problems where we have river lots, especially along the Seine River, where people were wanting to build different types of barns but because of the distance that you have to be from your lot line they were running into problems. I think that you have to be 200 feet from your lot line and many of these river lots are about 500 feet wide and they go for a couple of miles so that caused the problem.

Also in the Annual Report there is mention that the department has been monitoring Falcon Lake itself as far as the water pollutants in that particular lake. I wonder if the Minister could tell us what kind of results have been achieved by that particular monitoring or investigation of that lake and also if this particular section of the department is the one that goes out, when somebody is selling a lot or planning to subdivide a

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(MR. BANMAN cont'd) . . . . certain lot, are they the ones that go out and check that particular soil condition as to the amount of land needed for a disposal field or a septic field, the kind of condition that the soil is in in that particular area. So I wonder if the Minister could just elaborate on those few points.

MR. GREEN: On the last question first so I won't forget it. I believe that the municipal people are the ones that issue the building permits which includes location, etc., of the septic field. But our Environmental Control people do advise the municipality and the Municipal Board as to the amount of land that is required, the spacing, etc., and the type of facility that is required. That's on the last question.

On the first question, and the Member for Morris, I think, will be interested in this particular area, forgive me, with regard to hog ranches and farmers. Again I go back to a speech that the Member for Morris made with regards to Springfield Hog Ranch. This was a perfect example of the kind of case that the honourable member is referring to with one exception. The hog ranch and the urban development were probably either simultaneous or the hog ranch was established after some of the urban communities had been there rather than before, as indicated. But it was built on agricultural land. It was definitely agricultural land and the environmental precautions, the environmental methods that were used by the hog ranch were proper environmental methods. You cannot make a hog ranch smell like a rose garden apparently. You people who are in the agricultural business would know better than I. The land was zoned for a hog ranch; it was agricultural land; it was a permitted use and the man was doing those things which were necessary for operating a hog ranch properly.

There was a complaint to the Clean Environment Commission, it went to the Commission. The Commission said that this hog ranch smells very badly. That was a finding that they made, and that this hog ranch had to be reduced to have only 200 hogs. The number may be wrong but it was only a certain number. It was readily acknowledged that a hog ranch couldn't exist with that number of hogs, it could not be profitable. There was an appeal to the Municipal Board and they confirmed the decision of the Clean Environment Commission which would have finished this hog ranch.

Now we looked at it and we said, the man is on property which he is entitled to be on; he is operating a business which he is entitled to operate; he is using environmental methods which are good and sufficient methods and the Act was changed and there was a provision at that time, when the Act was changed, for an appeal to the Minister on any order that had been made by the Clean Environment Commission and it came to us, it came to the Minister. I think around that time the Member for Morris had raised this question in the House as to why this man was being dealt with in this way.

At that time the government adopted a new policy. First of all the appeal was allowed and the man was permitted to operate the hog ranch on the understanding that he did not violate any health standards, did not violate any building restriction standards, that his environmental practices were okay, and we then said that where there is a conflicting use - and we passed legislation - where there is a conflicting use that a municipality could apply to have it declared as a conflicting use, move the hog ranch to an area which was less residential and the net cost of having made this move would be shared fifty-fifty by the province. That was called a pollution abatement program. We now have two such programs so the concept has worked out.

The end of the story is that after the man was permitted to operate the Springfield Hog Ranch, suit was started in the Court of Queen's Bench; the man was sued; Mr. Justice Wilson who claimed that there was ministerial interference in this order, found damages against the operator of that hog ranch in the sum of \$10,000. The judge who happens to be a neighbour and a long-standing friend of mine feels that we involved ourselves in this, which I think we should have. I believe that he should not have involved himself in it, that that is like judicial interference. If he wants to talk about ministerial interference I'm going to talk about judicial interference. We do not believe that a person who is on property, obeying all the laws, using the best environmental qualities should be found guilty in damages for \$10,000 because somebody doesn't like what he is doing and is in his vicinity. I hope that we will have the last say on this question. We intend to

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(MR. GREEN cont'd) . . . . .bring in laws which will protect citizens from further judicial interference of that kind.

MR. CHAIRMAN: The Honourable Member for Portage la Prairie.

MR. G. JOHNSTON: Mr. Chairman, a few more questions for the Minister. There was reference made to whether or not the Clean Environment Commission is checking on the purity or the lack of purity at Falcon Lake. I'd like to ask the Minister if coliform counts are taken in all lakes which the populace of the province have access to. In other words is there an ongoing watch to see whether or not a lake has gone past the stage of dying. In other words, does this Commission protect ahead of the fact rather than come in after the fact or when there is a pending lawsuit or a complaint?

Also I'd like to know what the outcome has been of the lawsuit that has been ongoing now for some years with respect to the fertilizer plant at Brandon that was alleged to have been dumping mercury pollutants, I believe, into the Assiniboine River. There was some danger a few years ago, when the Minister was prevailed upon by myself and others in the Portage area, when we asked the Minister to open the Portage Diversion which was sitting completed but completely unused. He himself expressed the fear that he was taking a calculated risk because there was pollutants in the Assiniboine River at that time. Could the Minister inform the Committee what has happened in this particular case and also what is the Commission doing to safeguard the purity of the lakes, especially in the parks and the recreational areas of the province.

MR. GREEN: Mr. Speaker, the Member for Assiniboia had asked me about what kind of periodic tests are made and I indicated to him that I would have to get him a more detailed answer. There are certain frequencies in important lakes, the areas, it depends on where it is, etc. But I will get a more detailed response to that and give it to both my honourable friends when it's available.

With regard to the lawsuit. I think the honourable member is referring to the lawsuit that we started which we believe was caused by Inter-Provincial Co-op in Saskatchewan relative to the mercury poisoning and the Dryden Paper Mill in Ontario with regard to mercury in Lake Winnipeg. I don't think that we ever really ascertained the source of the mercury in the Assiniboine which the honourable member correctly recalls which caused me a great deal of consternation as to whether I could use the Portage Diversion the first year it was ready for operation and sometimes these things work out all right. We used it a little bit and apparently we didn't pollute Lake Manitoba. At least that was our assessment at the time. The lawsuit was lost at the Supreme Court of Canada on a motion declaring part of our law to be ultra vires. It is still continuing. It was lost on what we call a preliminary motion but the suit is continuing. I don't know how long it will continue but it was a very close decision. Five - four, I believe. The judges split five - four on whether or not the Act that we passed was ultra vires. So honourable members can see that there was no unanimity of opinion but we are still persevering and the suit is now being continued or recommenced in order to overcome the objections on which it was dismissed. It was not dismissed on the merits.

MR. CHAIRMAN: The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Chairman, I thank the Minister for taking the questions and he said he will bring the information in. But perhaps I can add one more. I believe it was just a few years ago when we had to destroy quite a bit of fish because of high mercury pollutant. Can the Minister indicate are there any lakes - I know at that time Cedar Lake could not be fished in and quite a few other lakes - are there any lakes today that mercury is at the point where it may not be safe to catch the fish on a commercial basis and where tourists are not allowed to fish, like in some lakes in Ontario. I would like the Minister to indicate, is there any lakes that the mercury is at the point where it may be dangerous?

I believe the Fisheries Research Board of Canada just a couple of years ago indicated that the Assiniboine River was contaminated to the extent that there was some concern by the fishermen of Manitoba that the water should not be diverted to Lake Manitoba, and the year like we had this year with the high waters, you know, the water had to be diverted into - the Portage Diversion had to be used and the water had to go into

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(MR. PATRICK cont'd) . . . . Lake Manitoba, but again, I'd be interested to know what kind of monitoring takes place on Assiniboine River to make sure that we know how safe it is or how dangerous it is.

MR. CHAIRMAN: The Honourable Minister of Mines and Resources.

MR. GREEN: Well, I'll get the answer on the monitoring, Mr. Chairman. I do not believe that at any time there are any lakes closed to fishing in Manitoba by virtue of mercury content. I do not believe so. If I'm wrong I'll correct my answer the next time we meet.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. ARNOLD BROWN (Rhineland): Thank you, Mr. Chairman. I wonder if the Minister could tell me whether this particular department is trying to determine a better way of treating sewage than the present lagoon system. I understand that the lagoon system originated in the southern states where your water is open all year round, but in Canada the lagoons are frozen for five months of the year and this makes it very difficult for the lagoons to operate properly. Now, almost all towns in rural Manitoba have a sewage treatment problem, and I wonder if this department is trying to find a better way of treating sewage than lagoon system?

MR. CHAIRMAN: The Honourable Minister of Mines.

MR. GREEN: Well, Mr. Speaker, I think that it is generally accepted that treatment plants are better ways of treating sewage than sewage lagoons, but they are much more expensive, and I am able to attest to this because when I was on Metro Council there was a very big debate as to whether we should build the sewage lagoons in Charleswood or build a treatment plant, and we opted for sewage lagoons, and at the time they were considered a quite satisfactory method of dealing with sewage. I still think that they are accepted, but there is continuing research into methods of dealing with sewage, but sewage lagoons are still an accepted method. I think that there was a question in the House raised as to whether there was some problem with the sewage lagoons that we have in Winnipeg. I don't believe that there is anything that indicates that they are a source of danger.

MR. CHAIRMAN: The Honourable Member for La Verendrye.

MR. BANMAN: Thank you, Mr. Chairman, I'd just like to very briefly get back to the problem I mentioned before, the urbanization trend into rural Manitoba. I'm wondering, the Minister made comments that the government would be bringing in legislation to protect the farmers from certain court action, and I'm wondering if the Minister is planning to bring in that legislation in this session.

MR. CHAIRMAN: The Honourable Minister of Mines.

MR. GREEN: I believe so, Mr. Speaker. It won't be my legislation. It's being legislation brought in by the Honourable the Attorney-General. I believe it's called The Nuisance Act, and really it is to make sure that where a person is obeying all the laws, is adopting satisfactory environmental practices, is doing what he is entitled to do by virtue of the land use, that he cannot be found liable in damages and nuisance because he constitutes a discomfort to somebody else, provided he is obeying all the laws. However, that will be more clearly defined when the legislation is brought forth, if it is brought forth. I believe it will be.

MR. CHAIRMAN: Resolution 86(b)(1)--pass; (b)(2) Other Expenditures--pass.  
The Honourable Member for St. James.

MR. MINAKER: Yes. Mr. Chairman, I wonder in the Public Accounts of last year there's a section called Environmental Protection, and I presume that that basically is the same department now but renamed Environmental Control. Under Other Expenditures is a sum for Wages and Other Assistance a sum close to \$30,000, and then Other Fees close to \$77,000, I wonder if the Minister could explain what these particular items cover, and if in fact they cover contractual employees and what amounts are in the Other Expenditures for this year's budget for these particular subjects and how many would be under contractual employment.

MR. CHAIRMAN: The Honourable Minister of Mines.

MR. GREEN: That's sort of taking the subject from a different form of



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(MR. GREEN cont'd) . . . . accounting, and I will just have to ask the honourable member to wait and I will get him the answer to the question. But you are not dealing with sort of the books as we have them set up, you're now dealing with the payment of a cheque, and I'd have to ask the Administration to relate the two things. I will get the answer but it will take some time.

MR. MINAKER: Well, I wonder if the Honourable Minister could advise us, or his Deputy Minister could advise, do they have before them in their budget under Other Expenditures, the details of the allotment of expenditures for the coming year, and in particular what amounts do they have for Other Fees and Wages and Other Assistance, and hopefully the Deputy Minister would be able to advise the Minister what the generality of those descriptions cover.

MR. GREEN: I can get that for the honourable member. I can get that for him right away. You will see under 12-2.(b) Other Expenditures, we have \$1,001,700, that's the figure you want. Professional Fees, \$33,000, that is anticipated professional fees, that could be lawyers, it could be consultants. Services Purchased, \$93,000, Real Estate Rental \$6,100, Furniture and Furnishing \$9,800, Printing and Stationery, \$69,000, Postage and Telephone \$38,000, Building Maintenance .5, Equipment other than medical \$163,000, Equipment, Medical, \$80,000, Medical Supplies, \$142,000, Automobiles \$166,900, Advertising and Exhibits \$2,900, Publications \$11,200, Freight \$19,200, Travel \$97,500, Miscellaneous \$48,400, Clothing \$6,100, Educational Assistance \$9,700, Grants \$3,000, Total \$1,001,000. So I do not see any Salaries or contract employment in that figure. The major items are Equipment, \$163,000, Medical Supplies \$142,000, Automobiles \$166,900.

MR. CHAIRMAN (Mr. Walding): The Honourable Member for St. James.

MR. MINAKER: Yes, Mr. Chairman, through you to the Honourable Minister, what would be the reason or the need for medical supplies of \$142,000, and what would they be used by his department for?

MR. GREEN: Mr. Chairman, I think that every term has to have sort of a registered program and this is programmed under Medical Supplies. I believe it's chemicals and things of that nature that are used in environmental control. I believe that the term Medical Supplies is probably used because that's something that goes into some computer.

Mr. Chairman, to the honourable member, Public Health would use that term as Medical Supplies. As I indicated previously, the Public Health employees are now in this department.

MR. MINAKER: Mr. Chairman, there was also I think a total of \$80,000 relating to medical, was there not or something similar? I wonder if the Minister can elaborate on that, I didn't catch it to write it down. I wonder if the Minister could elaborate on the Medical Equipment.

MR. GREEN: If the honourable member has asked me what Medical Supplies is, and I indicated that it could be a chemical. If you now ask me what medical equipment, then I'm going to guess and say that it's the can that sprays the chemical or something like that. It would have to do with the use of that medical equipment, of those supplies, \$80,000.

MR. MINAKER: I wonder if the Honourable Minister could find out what is involved in that. The other question relates to Services Purchased, \$93,000. Would they be contractual employees, under the terms Services Purchased, or what would that be for?

MR. GREEN: I think that the contractual employees, Mr. Speaker, would come under the Staff Man Years, would not come under this figure, they would come under Salaries and Wages. We have considerable contractual employees, as the honourable member will see when it comes out in the Order for Returns that is being answered to the Member for Morris, so this must relate to a different form of service purchased. It could be transportation services, it could be any type of service, and if the honourable member really wants that figure then I'm just going to have to get it for him. I've broken it down to the penny, but I'd have to find out for him what those services are, and I will, I'll get it and bring it back.

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MR. CHAIRMAN: The Honourable Member for Portage la Prairie.

MR. G. JOHNSTON: Well, Mr. Chairman, a few moments ago I don't think I received an answer when I asked the Minister, what was the procedure by this Commission in taking coliform counts in the lakes? --(Interjection)-- Well if you did answer I don't think it was explained properly and if I can be allowed to finish. We're not under the item Environmental Control, and I'll pursue that matter further because coliform counts refer of course to human sewage and animal sewage which pollutes lakes and streams. Does this Commission have any program to meter the damage that is done to lakes by motor boats, and I'm talking about small lakes where towards the end of the season the oil and discharge from outboard motors is such that the lake has been seriously damaged, and I can name to the Minister many many small lakes in the Whiteshell, for example La Riveria, south of Winnipeg, they are very small lakes where there are 150 horse-powered ski boats tearing up and down all summer long, and towards the end of the season people who go there for swimming and fishing and boating and what not, find that the lake has deteriorated to the stage that swimming is not enjoyable, fishing has been damaged.

Now I know I raised this problem a year ago and I raised it to the Minister responsible for Parks, and he said he was concerned about the problem but nothing is happening. When I made my remarks a year ago, I'd received letters from the Virden area, from the Whiteshell area and Winnipeg, saying that this is true, this is true. I can tell the Minister, and I'm sure he knows that in England and the United States, to name two countries where they consider their resources quite precious, the small lakes and the areas that have been damaged environmentally by overuse in the manners that I have described, action has already been taken. Large boats, large speed boats, large motors, certain types of motors that discharge oil and gas into the water have been banned. This has already happened in other jurisdictions, and I'm wondering what the Minister is doing about the problem here. Are we going to wait until some of these areas, some of these small lakes have been damaged beyond recall, or is the Minister going to show us some leadership and say that we have studies, or has he studies that recognize the problem, or are you going to just allow it to go on? I know politically it's not a very good thing to say that the size and the method and the type of a machine that is used on the lakes should be stopped, and some people will say that this is interfering with their democratic rights. Well we have an example where the Premier, acting in his capacity as Minister of Finance, has said that cars that weigh over 4,000 pounds are using more than their share of our energies, and he's put on a tax to stop it. Now that's a different problem but I'm saying that action has been taken in another area, and I wonder if the Minister, and I admire the Minister for having a great deal of courage, when he sees a problem he's not afraid to face it, and has he spotted this problem in his departmental responsibilities, and if he has, what is he doing about it?

MR. CHAIRMAN: The Honourable Minister.

MR. GREEN: Mr. Chairman, when I said I thought I answered the question, I thought that the honourable member was asking me whether there was a periodic system of checking up on water quality on various lakes, and I did indicate that I would have to get the sort of frequency tables, etc., and the way in which we do it, and the pattern, and give it to the honourable member at a later date, because I couldn't give it to him myself, I don't know it.

He has raised another problem and has been more specific. We do I believe have a system which permits us to ban the use of motorboats. I don't think that we have ever done it. I don't think that we have ever had the kind of demand that the honourable member is making, and maybe his remarks will result in us at least looking at it again. I have never had it brought to my attention, which doesn't mean that it's not correct, that there is a danger, a significant danger to water quality as a result of the use of the boats. The honourable member has raised it; I certainly will look into it. I don't know whether the fears that he has indicated are difficult or not, and I'm prepared to look into the question and see whether anything can be done.

MR. CHAIRMAN: Resolution 86(b)(2)--pass, 86(b)--pass. Resolution 86(c), Research, (1) Salaries and Wages. The Honourable Member for St. James.

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MR. MINAKER: Yes, Mr. Chairman, through you to the Minister. Earlier I indicated the comments or the statements made in the year end report for '75 under Research Contracts, that the branch had taken its first step in the study of odour problems and hopefully providing for control by legislation, I wonder if the Honourable Minister has any comments with regard to the criteria for odour control and if legislation is forthcoming or if there is adequate legislation on the books to control this particular problem. Would he like to repeat that?

MR. GREEN: Yes.

MR. MINAKER: It's with regard to the question I raised earlier under Odour Control and the research work that had been done. I think the Minister indicated that it would be better handled under this particular section. I was wondering whether any legislation would be forthcoming, or is there adequate legislation on the books at the present time to control this, because it very clearly indicates in the statements, that I think it's on Page 44 of the Annual Report, that hopefully providing for control by legislation is the final comment after the comments with regard to the research done into this question, pertaining to livestock wastes and odours.

MR. GREEN: Well, Mr. Chairman, with regard to dealing with it under the area of Research, yes, it could be done with each or the last item, and I think it is related to the item that was raised by the member for La Verendrye. Odour Control is the one form of contaminant that we are continuing to deal with. We have dealt with it in relation to the refinery near Transcona, we have dealt with it with relation to the packing houses, we have dealt with it in relation to hog ranches. In certain cases where it involves mechanical equipment, there are lots of results that can be achieved; in other areas certain things cannot be carried on without a certain amount of odour. The department is dealing with it in relation to the hog ranchers, and the ranchers are presently required to register their operations with the Department of Environmental Control and show the methods that they are using to deal with the waste. There are certain procedures that are used for spreading the amount of waste per acre, the proximity to streams, etc., all of which are controlled by our department. The measurement of odour is an imprecise thing, although the human being measures it in a very practical and unsophisticated way. When we have definitive ways of dealing with it, of measuring, then I think that what the reference in the report says, that when you are able to do that then you can pass regulations - I don't know whether legislation is necessary - but regulations setting forth limits or limits set by the Clean Environment Commission with respect to odour can be made when one has a good way of measuring whether the limit is or is not being exceeded. That is the research which is being done. I believe that there is a contract with a group of academics at the university that is in place, or was in place with regard to measurement of odours. That apparently has not given us as good results as we would like, but there is continued research into dealing with that problem. The honourable member is correct, this is the area in which he can deal with it. I do not think that we are in a position yet to deal with regulation, to set the limits, because of the difficulty involved. That doesn't mean that we can't deal with odour because we have dealt with it by requiring the manufacturing concerns and hog ranches or feed lots to deal with them.

With regard to the \$93,000 in Purchase of Services, which I said that I would get for the honourable member, there is \$40,000 re the Federal-Provincial Meat Inspection Agreement. This is an agreement that arose, honourable members will recall, when the question was as to what meat inspection there is in the Province of Manitoba, so we would I gather be paying either \$40,000 to the Federal Government or to someone for services in connection with meat inspection of meat packing plants in the Province of Manitoba. 48,400 is a radiation protection contract. It's a contract with the Cancer Research Division where they are doing work for us, this is relative to Cancer Research, with regard to radiation, and as I recall it the light that is given off by colored television sets, etc., everything that has to do with radiation. 5,100 for legal fees. When I see that I feel that I'm getting off easy, Mr. Chairman, having seen other legal fees. The \$80,000 of medical equipment refers to new equipment for the environmental laboratory, that is the agents. The agents apparently are chemicals.

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MR. CHAIRMAN: Resolution 86(c)(1)--pass; (c)(2) Other Expenditures--pass; (c)--pass; Resolution 86, Resolved that there be granted to Her Majesty a sum not exceeding \$3,928,300 for Mines, Resources and Environmental Management--pass. Order please. The Chair was in error in calling that resolution there are apparently more on the next page. Resolution 86(d) Waste Management - (1) Salaries. The Honourable Member for St. James.

MR. MINAKER: Thank you, Mr. Chairman, for a minute there I thought we weren't going to be able to talk on Crocus Foods. I wonder, Mr. Chairman, if the Honourable Minister can advise us what the department's and the government's policy is with regard to the disposal of waste whey from cheese plants in the Province of Manitoba now that the Crocus Food Plant is not proceeding at this time, and it was one of the criteria put forward by the Honourable Minister of Agriculture for the need of such a plant. It's my understanding in information that I have read and in talking with people that the spraying of the whey waste on agricultural land provides a good form of fertilization, and I wonder if the Minister can comment on this because I mentioned earlier it's obvious that the government allows and agrees with organic fertilizer because as we came up to the Legislature today there was a good quantity of organic fertilizer spread on the lawns of the Legislature, so I presume that if this is allowed by the Minister's Department that the spraying of whey on agricultural land would also be allowed. And it's my understanding that last year the complete whey waste for the Dauphin Cheese Plant required only some seven acres of land in that area to dispose of it and that there has been requests from farmers in the general area for the use of this whey that is available, so that there seems to be a desire by the people who are in the agricultural industry to have use of this waste for fertilizer.

MR. CHAIRMAN: The Honourable Minister.

MR. GREEN: Mr. Chairman, I'm really quite happy to be able to deal with some of the confusion that has been related to this subject. It is a fact, and I do not think that anybody in the industry will deny it, the fact that whey can be a terrible pollutant, that it is an environmental problem, and it is also a fact that the Clean Environment Commission has dealt with certain orders, but they haven't been directed to cheese factories, they've been directed to municipal works who are taking whey and putting it into their systems, into the disposal works. I think that the order said that they were not permitted to take it, which would have caused a problem for the cheese factories in terms of their disposal practices, and at one time there was a question as to whether a whey processing plant would be an acceptable way of dealing with this product.

But the fact that a plant is not being built in no way takes away from the problem with regard to whey disposal, and I believe it was about two months ago, I'm almost certain it was before the decision on Crocus Foods was finally made, that the Cabinet passed a regulation dealing with acceptable means of disposal of whey. The use of it is restricted. In other words, whey is not to be disposed - and now I'm paraphrasing or summarizing the order - it can go to a whey drying plant, and one would have to know what the plant was; it can be applied to the land as a fertilizer provided it is properly applied, the length of time; it can go to municipal sewage systems which have a size capable of handling it. It cannot be taken by a system which will be ruined by the amount of the product, or it can be disposed of in a way that we don't know about but which if they show us is acceptable, will be approved by the department. In other words, we've left what we call a savings provision. If the plant comes in and says, we don't do any of these things, we can do the following, and it does deal with the environmental problem, then this is acceptable.

The Member for Lakeside can bluster as much as he wants to, before the decision on Crocus was made, were offering --(Interjection)-- No, Mr. Chairman, the honourable member just didn't start sitting in that seat five minutes ago, I take into account his entire past history when I say that, and surely, Mr. Chairman, he won't say that he has never blustered. I wouldn't say it, and I don't think he would say it. So the fact is that two months ago, and it's on the record, it will be filed in the Orders-in-Council, there was an Order-in-Council passed by our department dealing with the disposal of whey and if the plants do this, then they can deal with it in that way.

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(MR. GREEN cont'd)

Now, Mr. Chairman, having said that, I am not convinced, I am not convinced that there isn't some validity - I'm not going to make a pitch for any project at this time - but if one can take this waste product and turn it into a useful food substitute through a whey processing plant, why not? I mean, I don't think that that's a bad idea, nobody objects to that, and if one was to say, and let us assume that one was to come to the conclusion that dealing with whey as a waste is going to involve the expenditures of various peoples in the amount of \$200,000 throughout the Province of Manitoba, dealing with it as a food product will mean that you will have a plant which loses a \$100,000 a year, and I would think that we would be well advised to do that, and since a plant can't use \$100,000 a year by any private person, but that the province would have a net gain of 100 by saving the 200 that's being lost by various citizens dealing with it as a food product, that the province would be advised to build a processing plant. They didn't come to that decision, but I would preclude such a decision if it was not a project which at any time was being pursued by my department. That's not intended as suggesting that it shouldn't have been pursued by the Minister of Agriculture. When the Minister of Agriculture was dealing with it, it started off as a whey processing plant. It then looked like it would have better economic viability if it also included milk processing, and subsequently the agency that he thought wanted to handle the project didn't want to handle it and it didn't go ahead. I certainly would not close my mind to the suggestion that a whey processing plant as a means of dealing with this waste product to better advantage of society is something that I wouldn't consider. It's not in these Estimates, I am not pursuing it, but it is certainly not a bad idea if they keep talking about recycling waste, and if there are successful whey processing plants in the world. Probably it might not be economic in the Province of Manitoba as a private project because of the limited number of suppliers or the places which they are at. Furthermore you don't have any guarantee that they will give it to you, but there is under the Waste Management Estimates regulations which are going to be enforced by the department relative to the disposal of whey, and I haven't heard any complaints with regard to these regulations.

MR. CHAIRMAN: The Honourable Member for Lakeside.

MR. ENNS: Mr. Chairman, you know the remarks made by the Honourable Minister of Mines and Natural Resources and Environmental Management with respect to his thoughts and his concepts about the desirability of turning a current waste problem into a more beneficial project, food and even, if need be at an expense to the public at large in the manner in which he described them, I want to assure the Honourable Minister if that project that has raised some hours of debate in this Chamber, not only this session but other sessions, had that project been pursued in the manner that was just suggested by the Honourable Minister, why, Mr. Chairman, there would have never been a debate on the subject matter of Crocus.

Surely there is nothing that I take objection to, or my colleagues on this side of the House take objection to, the comments and the remarks just made by the Honourable Minister, and it flies in the face of reason to take objection to those kind of remarks. However, Mr. Chairman, what grieves me most is that this Honourable Minister allowed himself to be used and abused by one of his colleagues in a way that I wouldn't think was possible. You know, Mr. Chairman, from time to time we confer on this particular Minister as having some particular influence and authority in that Cabinet, of being one of the stalwarts of the present government, if there are any stalwarts to be found in the present government, but we do acknowledge that sometimes in passing, to this Honourable Minister. And for him to allow himself or an agency under his control and under his jurisdiction, and under his responsibility, to be used in the manner and the way the Clean Environment Commission was used in this instance grieves me, Mr. Chairman, strikes me to the quick. Mr. Chairman, the Minister just related to us, and while I'm speaking I would ask him with the help of his assistants, to read to me what the specific order of the Clean Environment Commission was two years ago, not two months ago, two years ago, when pretty specific instructions were given to the private sector as to the disposal of whey, and I'm sure he'll have them for me before I finish my few remarks, because, Mr. Chairman, the fact of the matter is, of course, the

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(MR. ENNS cont'd) . . . . . Minister now tells me that farmers can under controlled conditions dispose of whey on their land for fertilizers, they can under controlled conditions dispose them into lagoons, in fact, Mr. Chairman, whey no longer is an environmental problem if complied with the kind of general regulations and rules that the Minister just indicated to us. But, Mr. Chairman, the people of Manitoba, the dairy farmers of Manitoba were darn near roped into a \$9 million plant, an expansion plant and industry that is now being asked to curtail its production, just a few months ago to build a \$9 million new plant because in the first instance the problem was whey disposal, and we, Mr. Chairman, surely can't be faulted for raising the question, asking the question, now that that plant is no longer deemed economically viable, no longer deemed appropriate in view of the National Dairy Policy as announced by the Federal Government, Mr. Whelan, the Federal Minister of Agriculture. Now, all of a sudden the whey problem has to all intents and purposes disappeared and gone away. The whey problem you might say has gone away with Whelan. I admit the Honourable Minister is attempting, he has to after all, he cannot be that two-faced about it, he has to and he is responsible for this Clean Environment Commission, he has to indicate to us that whey is still a serious pollution problem, Gentlemen, and the farmers had better be careful how they spread it on their lands, and we in the communities better be careful how we dump it into our lagoons, and I'm sure we'll do that. But, it's no longer the reason to build a major plant. It's no longer the reason that closed down private industry. It's no longer the reason to ship milk and products hundreds of miles into one central collection plant, as it once was.

So, Mr. Chairman, I simply indicate to the Honourable Minister that he has allowed himself, and an agency under his jurisdiction, to be used in a manner that's not befitting to the Minister and I challenge him now, if he is at all sincere about the suggestion that he just made to us a few minutes ago, standing and speaking to this subject, when he made a suggestion which we all concur with on this side of the House, that at any time we can recycle waste into a better product, then by all means let's do it. But then surely there should be no objections to having private companies doing it. Surely if it's waste, it's waste, if the private sector can turn that into something beneficial, what's wrong with it? Or is there an ideological hang-up in this instance? Is waste only a waste when the public looks at it, or is not a concern of this government when a waste is taking place in the private sector? Can the private sector not turn waste into a meaningful food product? Then, Mr. Chairman, I suggest this Minister use some of that influence that he failed to use in the first instance, in the ill-conceived plans for Crocus, to now ease up on some of the restraints that are still being practiced, and still being exercised on the private sector to turn and recycle some of the waste into a beneficial product, and to allow the licences to be passed to some of the private companies that are acting for the recycling of this waste product.

He should do that, Mr. Chairman, not because he has a direct input or involvement in the field of agriculture as such, but he is responsible for the Clean Environment Commission, and he stands up just a few minutes ago and still indicates to us that whey still is an environmental problem, still is a pollutant problem. Then any way, Mr. Chairman, I would believe, any way that is found to lessen that problem should be acceptable to us, and he should be counselling his colleague to allow for the licencing of the private sector to proceed, to install some of the equipment that has been rusting for three years while this government refused, refused the private sector to deal with the pollution problem because they had an ideological hang-up about this. For three years, Mr. Chairman, whey drying equipment has been lying and rusting in this province, because this government would refuse to licence them to deal with it. Now, I say that's garbage and that's nonsense. That's a waste. That's not being completely candid when you suggest to us, Mr. Minister, that we should be at all times challenging ourselves, looking to ourselves, how we can recycle waste into a more beneficial product for mankind.

Mr. Chairman, one of the big problems, of course, one of the final problems that really, along with the change in the National Dairy Policy has enunciated by the Federal Government, one of the biggest problems that was always with the proposed whey plant, and the concept of a centralized whey plant, was the tremendous transportation costs of trying to centralize this into one plant at Selkirk. When you consider that whey,

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(MR. ENNS cont'd) . . . . . the product whey is 90 percent water, or more, that had to be transported at a cost of something like 15 cents per pound, you know, the dry product, and whey is selling right now for something like 6 or 9 cents a pound, some of it's 14 cents a pound, but transportation alone in hauling all that water amounted to 15 cents a pound. That's what killed the plan. That's what was wrong with the original concept. It wasn't based on sound economics, it was based on ideology, and it was false ideology to begin with. Now, Mr. Chairman, that's what killed the concept of that plan, and I just wanted to take the Minister for his word, he says he is still interested in, first of all solving the problem of whey as a pollutant and as an environmental problem. He went one step further, he said he is further interested, and he's challenged us, and he said, we should continue to be interested in recycling that waste product and trying to make that into a more worthwhile product.

Well, Mr. Chairman, that opportunity exists right now in Manitoba. It exists by allowing it to happen, not in the grandiose centralized fashion, not in one big \$9 million plant in Selkirk, it can happen by encouraging, by using his influence with the Minister of Industry and Commerce, by using his influence with the Minister of Agriculture to allow the licensing to take place, by using and allowing the private sector to build the necessary whey drying facilities whether they are in Dauphin, whether they're in New Bothwell, whether they're in Winkler, or here in Winnipeg. Now, Mr. Chairman, if the Minister wants us to accept with some degree of credibility his suggestion that he believes that there is merit to searching out ways in which this waste product can be turned into a more useful product, then I suggest that there are means available to him to see that that is done.

I reiterate simply in closing, Mr. Chairman, his remarks with respect to the problem of whey and the fact that it can and should be handled are shared by all of us on this side. We have no quarrel with the Minister of Environment in this particular instance. Absolutely none at all. I simply take some exception to the fact that he allowed himself, his office, and the agency that he's responsible for to be manipulated and to be used for different reasons, different reasons that have surfaced up to a point that they can't be refuted, to the point that they can't be refuted. Nobody in the final stages of the Crocus development talked about the viability of a whey plant anymore, and yet that's the way it was introduced onto the scene in Manitoba. The tragedy, Mr. Chairman, is that right now nobody is concerned about whey anymore, and it would appear to me, unless the Minister can indicate to me by reading to me the specific direction that the Clean Environment Commission made two years ago to the industry, to the dairy industry, read to me verbatim, the order that was made two years ago by the Clean Environment Commission, I would like to see how that compares with the order that the Clean Environment Commission issued two months ago.

MR. CHAIRMAN: The Honourable Minister.

MR. GREEN: Mr. Chairman, the honourable member has a case as to whether or not there should be a milk processing plant built in the Province of Manitoba, which he says would result in the Crown or socialism taking into itself all of the little private producers who are now independently making a nice living producing milk, and that the Minister of Agriculture intends to set up a processing plant which would be Crown owned, which would be impossible to compete with, which would take over these independent little producers to the detriment of themselves. I believe that that is his case.

Now, that's not, Mr. Chairman, such a terrible case. I may happen to disagree with it, but it's not such a terrible case, it is an argument of one position versus another position, and I believe that the people of the Province of Manitoba would be able to make a fairly sound judgment as to whether the Minister of Agriculture was correct, or the Member for Lakeside was correct.

But, the Member for Lakeside can't be satisfied with that case. That case isn't good enough. He wants to suggest the following conspiracy, that the Minister of Agriculture got together with the Minister of Mines, that the Minister of Mines brought in his staff, told them to go to the Clean Environment Commission, that the staff went to the Clean Environment Commission and that there was a conspiracy between the Minister of Agriculture, the Minister of Mines, the Clean Environment Commission, the staff of the department, that they would make some type of order against the producers of whey,

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(MR. GREEN cont'd) . . . . and that this conspiracy was designed to push an ideological position. So rather than attacking the position of the Minister of Agriculture on a question which is a legitimate argument, and which is a legitimate attack, and rather than fighting on those grounds the Member for Lakeside wants to attack Guy Moore - who I never had a word with on this question - all of the public members of the Clean Environment Commission - who I never even mentioned the word "whey" to, and who I am sure the Minister of Agriculture never mentioned the word "whey" to - all of the professionals in the Department of Mines and Natural Resources who are neither Liberal, Conservative, or New Democrat when they are talking about these things, said that they made their presentation on the question of whey to the Clean Environment Commission when it was not considering the industry at all, when I understand it was considering the Winkler Disposal Plant, which was taking whey from one of the producers, and told them that they couldn't continue to take whey from that producer. That is the only order that I am aware of with respect to whey. There is no order of the Clean Environment Commission with respect to whey against any producer.

The Clean Environment Department then told these producers that there would have to be a system of dealing with their product.

I am not aware of any cheese factory, of any producer who has come to the Clean Environment Commission, or to our department, with a proposal for dealing with whey, and has had it denied. Not a single one. Not that I am aware of. The honourable member says that this government has denied these people, this government - and I gather that he is talking about the Clean Environment Commission or the Department of Environmental Control - has denied these people the right to deal with the whey product, the cheese factories, not a single application that I am aware of, and nothing that I know of. So, the honourable member because he knows that he can't, or believes that his position is so weak on ideological grounds, and it's that Member for Lakeside who is a doctrinaire ideologue, if whey can be dealt with, if there could be a milk producing plant that would produce milk well, why is he so ideologically against the people running such a plant rather than the individual producers? Because he is the ideologue. He is the man with blinkers on. He is the guy who won't bend because he has ideological reasons and it doesn't matter what the benefits are. So when talking about ideology, it's the Member for Lakeside who is all hung-up, because if there was a possibility of producing a plant, and I venture to say that that plant was going to lose a \$100,000 a year, as I indicated earlier. As I indicated, --(Interjection)-- Let's say it was 150,000. Let's say it was 200,000. Let's say that it cost now \$300,000 to dispose of whey, and let's say that a plant could be set up, and for \$200,000 we would have to turn the whey into a useful product, so that there would be a net public gain, not to any individual, of \$200,000, the Honourable Member for Lakeside would say, give that 200 to Joe Smith, individual, and let him run around and show that he is a free enterpriser, private individual, but do not build a public whey plant. Now, talk about ideology, talk about hang-ups, why, why pay some individual \$200,000 when the public could operate the same system? And the honourable member has only one reason, because he is ideologically against it regardless how good it is.

And in order to support the position, Mr. Chairman, look how many victims he creates, look. I am sure, Mr. Chairman, that the - well I am virtually certain that the Minister of Agriculture did not get involved into thinking of a whey processing plant until he was told by the cheese companies that the Clean Environment Commission had indicated to Winkler that there was some problem in receiving the whey. Now, doesn't that make more sense, Mr. Chairman? Do we have to develop a conspiracy? Doesn't it make more sense to take the obvious answer that the Winkler sewage, the Winkler plant was before the Clean Environment Commission? That the Clean Environment Commission having received sound advice on untutored, undirected - and I tell the honourable member this, if he can show that one element of his conspiracy is correct, that either I, or the Minister of Agriculture colluded with any member or members of the Clean Environment Commission, or members of the staff of the Environmental Control, in order to get that order, in order to present a proposition for a whey factory, he has my resignation. If he shows one element of this suggested conspiracy to be correct, I state to the House



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(MR. GREEN cont'd) . . . unequivocally, I did not know what the product they was before I heard of the processing plant. I swear that I did not speak to a single member of our Environmental Protection Branch telling them to say anything to the Clean Environment Commission. I swear that I spoke to no member of the Clean Environment Commission relative to making an order for a whey plant.

So the honourable member says that there was a conspiracy, and you know the only reason that he says that is that he thinks that possibly that he can sell the public that there was a conspiracy amongst politicians, and he can't sell them on the question as to whether there is a reasonable proposition to have a whey processing plant for the disposal of whey, and that's why he dreams up this conspiracy. So, who, Mr. Chairman, who has he maligned in order to make this conspiracy fit? I don't know which engineers or which people from our Environmental Inspection Branch appeared before the Clean Environment Commission. I don't know when they appeared. I didn't know in advance that an application was pending. Unlike the Honourable Member for Lakeside, unlike the Honourable Member for Lakeside, Mr. Chairman, I did not refer the matter to the Clean Environment Commission, tell the Commission that they were to come to a certain decision, and in the middle of the hearing get up and announce, I don't care what decision they come to, this is what I'm going to do after the hearing is over. I didn't do that. I have no knowledge of what happened at the Clean Environment Commission, nor did I have any reference to the fact that after the Commission made its decision that anybody complained about it. I was of the impression that everybody was waiting for some whey disposal facility to go into operation. Mr. Chairman, I can't take it beyond that point.

I gather that the Minister of Agriculture has already explained to the House on numerous occasions that when they looked at the whey facility it was looked at as an environmental facility, that they continued to look at it and saw that it could be made viable economically as a milk processing facility, and that gradually the milk processing feature subsumed the whey processing feature, that it became a milk processing plant rather than whey. I think that the Minister of Agriculture still thinks that it's a good idea, but he had delegated it to a board and the board decided that they don't want to go ahead with it, and it's not going ahead with it, and that's all there is to it. Well the Member for Portage la Prairie is shaking his head, I want to know where I am wrong.

MR. CHAIRMAN: The Honourable Member for Portage la Prairie.

MR. G. JOHNSTON: Is the Minister aware that one or two years ago an official of Modern Dairies approached Mr. Janssen, Deputy Minister of Agriculture, and asked could his company put up a plant that would dispose of whey in a satisfactory manner; and is the Minister also aware that the Deputy Minister, Mr. Janssen, said, there's no use sending in an application because it will not be entertained?

MR. GREEN: To whom would the application go? It would not go to the Clean Environment Commission, and I did not indicate, I said from that point on after the matter was taken up by the Minister of Agriculture, as to whether they would build their facility and if at that time the Minister of Agriculture came to the conclusion, which I gave him the right to come to the conclusion, that if there is going to be a whey processing facility in the Province of Manitoba, that only one will exist and that one will be built by the public and not a private concern. I see absolutely nothing, I say, Mr. Chairman, I see absolutely nothing wrong with him having come to that conclusion, and he can go ahead and defend that conclusion to everybody that the Member for Lakeside talks to, and I have no difficulty knowing that the Minister of Agriculture would come out on top.

But that doesn't satisfy the Honourable Member for Lakeside. He wants to contrive or paint a conspiracy. There was a conspiracy and that conspiracy was participated in by the following people: The Minister of Mines, the Minister of Agriculture, the Members of the Clean Environment Commission - all citizen appointed people - the engineers and other officials in the Mines and Environmental Management Protection Branch, this group would get together, pass an order against the industry and therefore require the building of the whey facility. Mr. Chairman, that is clap-trap, it is snake oil, it is the kind of snake oil that the honourable members have been trying to sell on other issues, and I don't know why they want to sell snake oil. I happen to think that Conservative thinking is a pretty good product. I don't happen to agree with it, you know, you can look

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(MR. GREEN cont'd) . . . . . at two particular products and say I'll choose one as against the other, but it's not a bad product. It's they who malign it by selling snake oil instead of selling the product. Now, Mr. Chairman, it is just clap-trap, it is nonsense. It is an insult which I have to accept and live with because that is the way of the world, but it is an insult that should not be made without any foundation whatsoever, without any evidence whatsoever, without any means of substantiating the charge that it was participated in with the Clean Environment Commission and the members of the Environmental Protection Control Branch. But, Mr. . . . --(Interjection)-- you don't understand what the Member for Lakeside has said. He said that we got the Clean Environment Commission to make this order against Winkler in order that the Minister of Agriculture could then build a whey plant. Well, it's absolute, it's incredulous, it's incredulous, and I say that it is not necessary to the honourable member's position. The honourable member has a better position but he doesn't want to sell the better position, he thinks that the only thing he can sell is snake oil. So that's the position he deals with. This debate is relative to waste management and I got up and made a simple statement on the question of whey. There is no product, there is no plant going up. The department has passed the regulation, it passed the regulation before the plant was decided not to be proceeded with - it was in the works for several months before, even while we thought the plant may be proceeded with.

And the regulation deals with disposal of whey, that's all. But the Honourable Member for Lakeside, you know, he has a pathological position on this question. This is his Wabowden Affair, this is his knock-out punch. The Wabowden Affair, the knock-out punch of the Wabowden Affair knocked somebody out, and we know who it is. And this is his knock-out punch. Well it's not going to knock anybody out, Mr. Chairman. It's not going to knock anybody out except the Member for Lakeside.

MR. CHAIRMAN: The Honourable Member for Lakeside.

MR. ENNS: Well, Mr. Chairman, firstly let me indicate to the Honourable Minister that, yes, I have a much better position to argue on this particular matter, and I have argued it on numerous occasions, as have other members in this Chamber, with the appropriate Minister, the Minister of Agriculture, but we're dealing with questions that the Minister raised with respect to the involvement of the Clean Environment Commission, and Mr. Chairman, Mr. Minister, I'm quite prepared to withdraw that all-involving conspiracy charge that he read into my remarks and centre them and focus them directly on, and solely on the Minister, because it is of this that conspiracy thoughts arise. I know the Honourable Minister has not a great deal of love for the News Services of his own particular government, he tends to rely on his own ability to make news, as I do from time to time, but if the Minister believes, which he just indicated to us a few moments ago, that there was a minor, local whey problem in Winkler on which the Clean Environment Commission took action and gave an order with respect to the problem localized in the Winkler situation, then, Sir, he was prepared as a member of the treasury benches to sit by and allow this to be spread throughout the Province of Manitoba by his colleague, dated November 9, 1973. "Whey Co-operative to be Re-established", the news release, which begins with this sentence. "A serious pollution problem may be transformed into a source of 10,000,000 pounds of food annually as a result of the grace of a new corporation under the authority of Milk Control Board". A serious pollution problem. Further down it says, "Most cheese plants", not Winkler, "Most cheese plants in Manitoba however have been forced to discharge it as a waste since they do not possess the necessary processing facilities. This has created a serious pollution problem". Again all these on provincial terms, on global terms, not --(Interjection)-- Well, Mr. Chairman, just a moment ago, the Minister construed my remarks of being out of place, of charging the Clean Environment Commission with the conspiracy, he indicated that because the Clean Environment Commission made an order pertaining to a localized condition, a plant, he named the plant, Winkler. He named the plant, he named the plant.

MR. CHAIRMAN: The Honourable Minister.

MR. GREEN: Mr. Chairman, the order, and I don't even have it before me, and I got the information on it, was not with respect to the plant it was with respect to

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(MR. GREEN cont'd) . . . . the Winkler Sewage Disposal System, that they were not permitted to take the whey from that plant. But I repeat, that there is a whey disposal problem with regard to virtually every cheese plant in the province. There is that problem. I don't say that that is not the case, but because . . .

MR. ENNS: Well, Mr. Chairman, that doesn't change my attack at all, because Winkler had a problem with its sewage lagoon and its sewage disposal problem, he is party to and part of a general position being foisted on the dairy producers and the public of Manitoba, which indicates in global terms the serious nature of the whey disposal problem, which now, Mr. Chairman, no longer is that serious, which can be disposed of in many different ways, in fact invites us as free entrepreneurs to indicate to him and to his Clean Environment Commission to come up with any other number of ideas of how we can dispose of whey in a way that it will be acceptable to the Environmental Management that he is responsible for in this province. Well, Mr. Chairman, if there is a problem that we on this side have of seeing conspiracies where none exist, then, Mr. Chairman, we cannot be faulted for having raised those fears in our minds and our hearts because of the actions of this particular government, and of this particular Minister. And with respect further to the indications that I said to the Chamber just a few moments ago about the fact that the private sector was there and willing to move in solving this problem, as attested to by the interjection by the Honourable Member for Portage la Prairie.

Let there be no mistake about it, that is not simply a hypothetical position, the machinery is in fact there, has been there for many years. It's awaiting licence to do so, and consequential to the cancellation of the Crocus plant, now all of a sudden plants like New Bothwell have received their licences to expand and to improve their facilities. Licences for which they have asked for three years --(Interjection)-- No, Mr. Chairman, I do not accuse this Minister for these kinds of things, but simply to indicate to him that he, if not part of a conspiracy, Mr. Chairman, then he has been certainly prepared, and I prefer to say for ideological reasons, to remain silent, and to allow news releases going out through the width and breadth of this province to allow a colleague of his to use the resources of his government, and that of the taxpayers, to the tune of some 140,000's of dollars, \$140,000, to move toward the establishment of removing this monumental problem of environment, namely, the disposal of whey. Mr. Chairman, I say the Minister, this particular Minister has allowed himself to be used in this particular instance.

MR. GREEN: Mr. Chairman, it's pretty hard to terminate this kind of debate, and I don't know whether I will be able to. I do I guess have one prerogative, when I finish talking I can say that the House shall adjourn . . . I'm going to do it in such a way to try not to take the advantage of that prerogative.

I plead guilty to agreeing that there was a whey problem, was and is a whey problem in the Province of Manitoba; I plead guilty to letting the Minister of Agriculture tell the producers that there is a whey problem, tell the cheese factories there is a whey problem, because our department raised the question of whey disposal. I am personally acquainted with a man who is in the operation of a cheese factory - it doesn't happen to be Winkler - he tells me that there is a terrible - I'll withdraw the word - that there is a whey, environmental whey problem - I won't use the word monumental - it was a whey problem that should be dealt with. I would prefer, I plead guilty, to having a whey disposal plant operated by the public, I am not hung up on it. I would prefer it that way. If it doesn't happen that way, I won't lose any sleep over it but that is all that I accept of the honourable member's criticism. I move that we rise.

MR. CHAIRMAN: Committee rise. Call in the Speaker.

Mr. Speaker, your Committee of Supply has considered certain resolutions, reports progress and asks leave to sit again.

IN SESSION

MR. SPEAKER: The Honourable Member for St. Vital.

MR. D. JAMES WALDING (St. Vital): Mr. Speaker, I beg to move, seconded by the Honourable Member for Churchill that the report of the committee be received.

MOTION presented and carried.

MR. SPEAKER: The hour of adjournment having arrived, the house is adjourned and will stand adjourned until 10:00 a.m. tomorrow (Friday).