

**Changes to *The Environment Act* and the Livestock Manure and Mortalities Management
Regulation
Questions & Answers**

Provided by the Departments of Sustainable Development and Agriculture
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Environment Act – Red Tape Reduction Bill

Q1: This bill takes out the section in The Environment Act that requires anaerobic digestion or other similar treatment before any new or expanding pig operations can be approved. How are these changes going to continue to save Lake Winnipeg? How can you eliminate manure treatment through anaerobic digestion and still protect the lake?

A1: Manitoba is committed to protecting water quality and Lake Winnipeg. The proposed changes support the regulation of manure through manure storage permitting requirements and annual, approved manure management plans which are required for large livestock operations. Requirements for manure application are based on nutrients which will be used by the crop. Regulation will apply to all livestock manure, not just pigs. It will help address the environmental concerns associated with unintended nutrient drainage into the Lake Winnipeg watershed.

The environmental objective of managing livestock manure is to limit the potential for excessive nutrients in the soil that can potentially run off into Lake Winnipeg. Safe manure storage, combined with environmentally-sound land application practices, will help protect Lake Winnipeg from the potential of excessive nutrient run off from livestock operations.

Current science suggests the best approach to managing the nutrients in manure is to recycle them as a fertilizer for crop production, as opposed to prescribing elaborate treatment technologies, some of which have little to no environmental benefit. Therefore, implementing manure management practices that include safe manure storage combined with environmentally-sustainable land application practices is the best option for meeting the environmental outcomes desired.

Q2: Why don't we treat livestock manure the same way we treat human waste?

A2: Municipal waste water is relatively low in nutrient content. Before discharge, it is treated to further reduce the nutrient content to meet discharge limits. On the contrary, livestock manure is high in nutrient content. As a result, it is considered a valuable resource as a fertilizer and soil conditioner. Nutrients from livestock manure applications are regulated through annual manure management plans which ensure livestock manure is only applied to suitable soils at appropriate rates to minimize the risk of excess nutrient drainage off site. There is also a prohibition on spreading manure when soils are frozen. This is another way to reduce nutrients draining offsite.

Q3: Algae blooms are already a problem and yet it seems you are changing the regulation to reduce the level of environmental protection. Can you explain the reasoning behind that?

A3: Algae blooms in Lake Winnipeg are a result of nutrient enrichment from a variety of sources, including municipal wastewater, fertilizer, manure, wildlife and plant residues. There is no one solution that will reduce nutrient loading to our lakes; all Manitobans must do their part to reduce nutrient loads to Lake Winnipeg. The Livestock Manure and Mortalities Management Regulation (LMMMR) outlines requirements the livestock industry must follow for implementing environmentally-acceptable manure management practices.

The removal of The Environment Act section that pertains to expanding pig operations does not eliminate the regulatory requirements set out in the LMMMR. Pig operations are regulated under the LMMMR, as are all other livestock operations. This regulatory oversight of the industry will continue.

Q4: How is government protecting sensitive areas and areas of regional nutrient imbalances?

A4: Current legislation contains a number of provisions to protect sensitive areas. There are specific guidelines that outline where, when and how manure can be applied to soils, including specific setbacks and buffer zones for waterways and municipal drains. Livestock producers must demonstrate they have enough land available to handle the nutrients from their manure applications. They must also manage and monitor nutrient levels in their soil and submit manure management plans to government on an annual basis.

Regulatory Amendments

Q5: Why are you making these changes? How is this reducing red tape? Are you reducing the environmental protection by making these changes?

A5: The current regulations require pig operations to seek additional approvals and meet different regulatory standards than the rest of the livestock industry. These additional requirements have been determined to be both unnecessary and very costly for pig operations. operations will now be subject to the same robust legislation as other livestock sectors. Additional changes to the Livestock Manure and Mortalities Management Regulation will streamline approval processes and provide improved clarity and transparency, while at the same time maintaining the regulatory requirements and environmental protection measures for livestock operations.

Q6: How will government ensure ground water and drinking water is protected if analysis of livestock drinking water is no longer required?

A6: Livestock drinking water analysis is already adequately covered by other industry programs. Under the LMMMR, the government will be focussing its efforts on reviewing the analyses from the monitoring wells installed around manure storage facilities. This approach will eliminate regulatory duplication and will continue to monitor environmental protection requirements.

Q7: How will government ensure nutrients are not over applied to land throughout the growing season?

A7: As per the regulation, livestock operators must monitor the nutrient levels in their soils and ensure they are kept within the prescribed limits and thresholds. Any risk of over-application of nutrients will be

managed and monitored through the livestock operator's annual manure management plan which must be provided to, and approved by, the government.

Q8: How will government ensure manure that is applied during an extended spreading season does not impact surface water?

A8: In Manitoba, manure application is prohibited between November 10th and April 10th. This restriction is based on an assumption that the soil will be frozen or snow covered during this time and recognizes that the application of nutrients onto frozen or snow-covered soils results in an increased risk of nutrient runoff. However, when weather conditions are favourable, soils may remain unfrozen and without snow cover past November 10th. In these cases, the province can extend the application season as long as favourable conditions exist. When the application season is extended, additional setbacks from surface water are not required because conditions are still conducive for environmentally-sound manure application. The regular application setbacks are still enforced for the duration of the extended spreading period and the spreading of manure during the winter months will still be prohibited.

Q9: How will government ensure the fields closer to the livestock operation are not being over used for manure application compared to fields that are furtherer away?

A9: The distance a producer can afford to transport manure is influenced by a number of factors. Regardless of the distance, the producer must comply with all of the regulations pertaining to manure storage and application, including nutrient limits and thresholds.

Q10: How will government ensure nutrient limits will be enforced?

A10: Soil nutrient limits are based on soil samples taken from numerous locations in the field, as opposed to any single point in the field. The regulation wording is being revised to provide clarity to producers and the public, and to reflect current practices.

Existing Regulatory Requirements

Q11: How is existing legislation protecting the environment and what reassurances can you provide?

A11: The livestock industry in Manitoba is regulated under several provincial acts to ensure the industry is operating in an environmentally-sustainable way. The approval of livestock operations are subject to land use planning legislation. In addition, industry operations are regulated by way of manure storage facility permits, application limits and annual manure management plans, all administered, reviewed and approved by Manitoba Sustainable Development.

Q12: What is the science to support this change and eliminate the need for anaerobic digestion treatment for pig manure?

A12: Current science suggests that the best approach to managing the nutrients in manure is to recycle them as a fertilizer for crop production as opposed to prescribing elaborate treatment technologies, some of which have little to no environmental benefit. Therefore, implementing manure management practices which include safe manure storage combined with environmentally-sustainable land application practices is the best option for meeting the environmental outcomes desired.

Manitoba Pig Industry

Q13: Are there measures in place to stop the growth of the industry?

A13: Government will continue to balance the importance of environmental protection and the need for economical and sustainable business growth across all sectors for future generations. The construction or expansion of any large livestock operation requires conditional use from the municipality. The operation must also receive approval for construction of their manure storage facility, obtain a water rights licence and submit annual manure management plans to the province.

Q14: Why have there been proposals for expansion before this bill was introduced/what's the difference between this change versus the pig pilot?

A14: The current legislation allows for the set up or expansion of a pig operation only if the resulting manure is to be treated by anaerobic digestion or an alternative “environmentally-sound treatment”. In consultation with industry partners, the pig pilot project was put in place, to provide clarity on what types of alternative manure treatments would be considered “environmentally sound” for approval.

However, it has since been determined these additional manure treatment requirements are excessive, expensive and create an unlevel playing field for the pig industry. The existing regulatory requirements under the Livestock Manure and Mortalities Management Regulation contain appropriate provisions to ensure manure is managed in an environmentally-sound way.

Q15: How does this level the playing field for the pig industry?

A15: As the legislation currently stands, additional approvals and regulatory oversight are required for pig operators which are over and above what is required for other livestock sectors. The increased requirements are not reflective of a concomitant increase in environmental risk. All livestock manure must be managed in accordance with Manure Management Plans and planning, combined with safe storage of manure, addresses necessary protection required.

The cost burden of these additional, unnecessary requirements has limited the growth of Manitoba's pig industry. The pig industry will now be subject to the same robust legislation as other livestock sectors. All livestock operations will continue to be regulated by way of manure storage facility permits, application limits and annual manure management plans.

Economic Importance of the Pig Industry

- Manitoba is the largest pig producing province in Canada, with 29 per cent of the nation's pig production, or just over eight million pigs marketed annually.
- The estimated value of the pigs produced in Manitoba is more than \$1 billion annually.
- The pig industry is also an important employer in Manitoba. It employs approximately 13,000 people through direct and indirect jobs, such as barn workers, veterinarians, truck drivers, nutritionists and equipment manufacturers.