



**Presentation to the Standing Committee on Legislative Affairs
Re: Bill 7 – the Sustainable Watersheds Act**

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Introduction

At the centre of Canada, Lake Winnipeg is the world’s 10th largest freshwater lake, with a watershed that spans two countries, four provinces, four states and over 100 Indigenous nations.

Lake Winnipeg supports a \$25 million fishery and a \$100 million tourism industry. Property values around the lake’s south basin alone are worth \$2.5 billion and collectively generate approximately \$40 million in annual tax revenues, supporting vibrant communities and businesses on the lake’s shores.

This is a lake that matters to Manitoba families – it defines our province’s geography, shapes our cultures, supports our biodiversity and drives our economy.

Yet our great lake is in trouble, increasingly plagued by potentially harmful algae blooms. Last summer many Manitobans were horrified by what they saw when they visited the lake: beaches coated in soupy green, water that was unsafe for their kids to swim in. Water that could potentially cause serious harm.

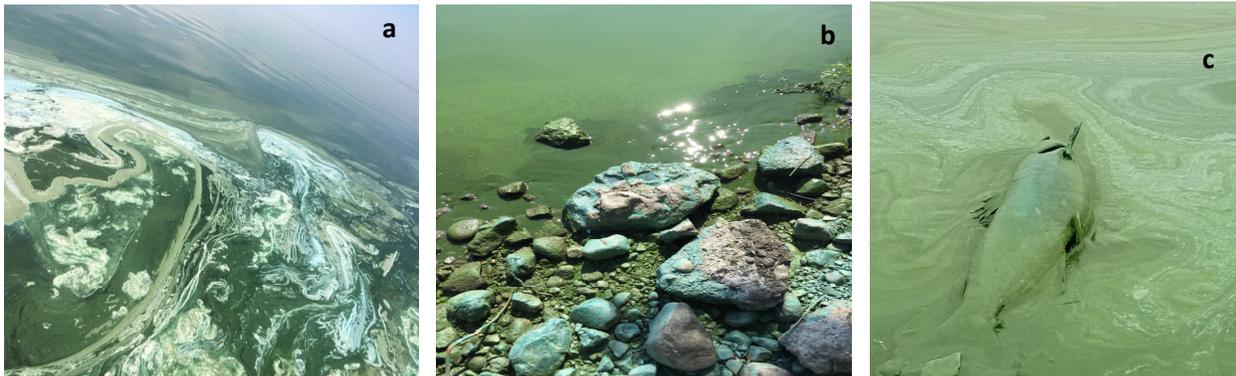


Figure 1. Algae on Lake Winnipeg in 2017 at Victoria Beach (a & b; July 27 and Aug. 18, respectively) and at Gimli (c; Sept. 19).

Manitobans are concerned. Manitobans expect evidence-based action. LWF is pleased to provide support for Bill 7, which represents an important step in the right direction.

Science tells us that the answer to Lake Winnipeg's health lies in its vast watershed – an area that is 40 times larger than the lake itself. Decades of research have established that phosphorus loading from across this watershed is responsible for the algae blooms we see on Lake Winnipeg. All human activities have the potential to contribute phosphorus to our waterways – and we are all responsible for phosphorus reduction.

Part 4 – Amendments to the Water Rights Act

Part 4 of Bill 7 proposes amendments to the Water Rights Act, guided by the principle of *no net loss of wetland benefits*. LWF commends Manitoba's government for adopting this important guiding principle, and looks forward to working with government to ensure this principle is achieved in practice across Lake Winnipeg's watershed.

Bill 7 is the result of collaboration among a diverse group of stakeholders, including broad public consultation. Proposed amendments to the Water Rights Act lay the groundwork to ensure that the shared provincial goals of flood and drought mitigation, water quality protection and regulatory efficiency can be realized.

The passage of Bill 7 will enable the development of new drainage regulations designed to increase administrative efficiency, improve enforcement and protect more of Manitoba's threatened wetlands in order to protect Lake Winnipeg. These drainage regulations will demonstrate Manitoba's leadership in taking action to improve sustainable water management across the province. Manitoba's leadership will demonstrate to our neighbours the need to follow suit in their own jurisdictions.

Part 3 – Amendments to the Water Protection Act

Part 3 of Bill 7 proposes amendments to the Water Protection Act that further reinforce Manitoba's leadership and commitment to improving provincial water quality.

LWF commends the government on amendments that enable evidence-based nutrient targets to be set throughout Manitoba, and that require regular public reporting on progress in achieving those targets (Section 58). This will ensure transparency and accountability, and enable us to collectively and objectively evaluate our success in reducing phosphorus to protect water quality across the province.

Transparency and accountability could be increased by sharing raw data annually, in the intervening years between public reports. Annual data sharing will encourage further research by partner agencies and institutions, and accelerate our ability to develop and implement strategic, cost-effective solutions.

Additional recommendations

LWF has identified additional opportunities to strengthen Bill 7 and improve water quality in Manitoba. We are pleased to provide the following recommendations in alignment with whole-of-government priorities to improve efficiency, demonstrate value for money, and maintain focus on outcomes and results.

Repeal of Sections 4.2(2)2 and 4.2(2)3 of the Water Protection Act

LWF recommends that Bill 7 be amended to repeal sections 4.2(2)2 and 4.2(2)3 of the Water Protection Act. These clauses prescribe *how* upgrades to the North End Water Pollution Control Centre must be undertaken, but they have done so at the expense of the upgrades themselves, and in a manner that is inefficient and inconsistent with the best available science.

Currently, these prescriptive clauses in the Water Protection Act represent unnecessary red tape that has prevented us from efficiently achieving results for the health of our lakes and rivers. Removing such prescriptions from legislation will enable the City of Winnipeg to employ the most efficient and cost-effective means available to immediately and aggressively reduce phosphorus loading from the North End treatment plant. Repealing these prescriptions will ensure Manitoba's government is taking an evidence-based, results-focused approach by addressing the root cause of harmful algae blooms on Lake Winnipeg – phosphorus.

The repeal of Sections 4.2(2)2 and 4.2(2)3 of the Water Protection Act will allow this government to deliver on what has not been achieved in the past two decades – ensuring the City of Winnipeg is doing its part for the lake that bears its name.

Amendment to Section 39(3) of the Water Protection Act

LWF recommends that Bill 7 be additionally amended to provide for public consultation on water monitoring regulations under Section 39(3) of the Water Protection Act.

This section of the Water Protection Act requires that public consultation be undertaken in the formation or substantive review of certain specified regulations under the act. As currently written, Bill 7 does not provide for public consultation in the development of regulations respecting the manner in which nutrients are measured, including the timing of those measurements and the persons who may take those measurements (Section 65(1) of Bill 7).

LWF recommends that Bill 7 be amended to adjust Section 39(3) of the Water Protection Act, to ensure that the development and/or review of monitoring regulations is included under the requirement for public consultation. Public engagement in the development of monitoring regulations will ensure that we can collectively build a water monitoring program that is cost-effective and collaborative, producing water data that are trusted by all stakeholders and the public.

Manitoba has a strong water science community, as well as an engaged and dedicated constituency of cottagers and lake-lovers. An inclusive approach to water monitoring leverages collaborative opportunities and additional expertise to strengthen data collection and data sharing, with full public engagement and transparency.

Citizen science data currently being collected by the Lake Winnipeg Community-Based Monitoring Network can make an important contribution to our shared knowledge of freshwater health, as can pooling data across multiple government departments and jurisdictions. Pooling credible data from multiple sources will increase trust in data from all stakeholders, improve monitoring efficiency, and ultimately ensure we can get a bigger bang for our buck in addressing water quality issues in Manitoba.

Closing

In closing, LWF congratulates the government of Manitoba and Minister Squires on putting forward a strong bill to improve water management. LWF's recommended amendments to Bill 7 further strengthen this important legislation, and support shared priorities of improved efficiency, value for money and results-focused action.

In previous iterations, the substance of this bill has enjoyed support from all three political parties and from numerous stakeholders. Today, Bill 7 provides us with an important opportunity to move beyond partisanship for the protection of our province's beautiful lakes and rivers.

The Lake Winnipeg Foundation (LWF) advocates for change and co-ordinates action to improve the health of Lake Winnipeg. Combining the expertise of our Science Advisory Council and the commitment of our members, LWF is nationally recognized for our unique capacity to link science and action. Our goal is to ensure policy and practices informed by evidence are implemented and enforced.

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