

THE MYTHOLOGY OF THE HOG INDUSTRY IN MANITOBA

Over the last decade, a certain mythology has developed around the Manitoba hog industry. This mythology has been developed by the industry, primarily through the efforts of its special interest lobby organization (the Manitoba Pork Council), in order to influence public opinion and public policy. The Clean Environment Hearings have provided the industry with its most recent venue.

MYTHS ABOUT THE HOG INDUSTRY

- ***Manure application has occurred in a responsible manner and that the P regulation is adequate to protect the environment;***
- ***The industry is heavily regulated and scrupulously operates in compliance with these regulations in a responsible manner;***
- ***The industry knows best how to regulate itself.***
- ***The hog industry practices environmental stewardship.***
- ***The industry presents no threat to human health re: antibiotic resistant bacteria, because the industry has been responsible in its use of antibiotics.***
- ***That liquid hog manure is a fertilizer rather than a toxic waste product.***
- ***Earthen manure storages are environmentally safe.***
- ***Industrial hog production, like all other types of hog production in Manitoba, is agriculture. (All producers are lumped together big or small, liquid or solid manure systems)***
- ***What is described in the Farm Practices Guidelines is normal farm practice.***
- ***Odour is merely an intermittent nuisance, whose significance is a matter of perception. It does not pose a risk to human health.***

- ***The industry is responsibly capturing and disposing of N as a fertilizer, so that the issue of N volatilization need not appear in the environmental equation***
- ***The decision-making process (conditional use) infringes upon the inherent rights of farmers to farm.***
- ***ILO operators are farmers.***
- ***Separation distances in Development Plans and the PLUP are sufficient to protect communities, individual residences and sensitive areas from the negative effects of the hog industry.***
- ***The hog industry builds community.***
- ***Pigs and people mix well.***
- ***Working in pig barns is healthy and represents a good career choice for young people.***
- ***The Hog industry is a minor contributor to Lake Winnipeg's pollution problem.***
- ***Corporate/industry rights supercede the public right.***
- ***The public is a 'stakeholder', having the same status in the decision-making process as the hog industry, also a stakeholder.***
- ***People do not have the right to decide whether or not the industry locates in their communities.***
- ***The Hog industry has right to expand into any Municipality it desires that has available land zoned agricultural.***
- ***Hogs are treated humanely in ILOs and in transport to slaughter and processing facilities.***
- ***The Hog Industry is not a major source of pollution.***
- ***Hogs are better off in ILOs than in traditional pig production systems.***
- ***The industry has the right to appeal decisions that negatively affect them, while the public does not.***

- ***The TRC review is sufficient to protect the environment.***
- ***TRC recommendations are grounded in science and are based on the principle of prevention.***
- ***The TRCs are independent bodies.***
- ***It is unnecessary for the industry to be subject to public scrutiny.***
- ***The protection of our water is a public good, therefore the industry has a right to be subsidized to protect water.***
- ***The industry has a right to free and unfettered access to public water resources in amounts that they need, regardless of the impacts on the hydrogeological cycle, ecosystem needs and other community needs. (First in time, first in right)***
- ***The public has no right to information about permitted and licensed ILO operations, enforcement activity and the storage, transportation and application of manure***
- ***Industry produced and approved 'science' is credible and should form the basis of public policy and regulatory decisions.***
- ***Science produced in other jurisdictions is irrelevant to Manitoba.***
- ***The hog industry is economically viable, and its expansion merits universal support.***
- ***Opposition to the industry involves only a small group of well-organized and sophisticated individuals.***
- ***The hog industry pays the full cost of production.***
- ***Where the Industry may require subsidization, for example to meet the cost of enhanced regulation, increased input prices, and/or changes to the value of the dollar, this is warranted because of all the benefits the industry provides to the province.***
- ***The hog industry has sufficient environmental indicators and***
- ***The hog industry is environmentally sustainable.***

- ***The hog industry is the economic engine of the agricultural sector and rural communities and therefore, a certain degree of environmental degradation is justified.***

Each one of these claims is false. Yet, the Industry is asking the Clean Environment Commission to use these myths as the basis of its findings in this review.

Rather than base a review on mythology, the CEC should be guided by a set of principles that are compatible with those underlying the Sustainable Development Act.

Principles to Guide the CEC

- ***Sustainability means in perpetuity, not short or intermediate timeframes.***
- ***While livestock producers may have the common law right to do what they like with their operations and production systems, they can do so only as long as they do not create risk harm the public and to public interests.***
- ***Therefore, any activities that pose a risk to public resources (such as water) or to individual and public health, ecosystems or the enjoyment of others' properties must be prevented, or (if possible) regulated to prevent harm.***
- ***It must be recognized and legislatively supported that the needs, desires and rights of existing residents in rural Manitoba take precedence over the needs of an industrialized food production system applicant.***
- ***The public interest must supercede the corporate interest.***
- ***The public right must supercede the corporate right. This principle must be enshrined in legislation and regulation.***
- ***The administration and interpretation of legislation and regulation must ensure that the public interest is paramount.***
- ***Members of the public who work on behalf of the public's interest in the environment, like those engaged in the industry, are not stakeholders, nor do they collectively form a stakeholder group.***

- *The environment is something all Manitobans share in common and a healthy environment is needed by society.*
- *The fundamental distinction between special interest, motivated by short run economic gain, and the public interest is critical to understand. Its acceptance is essential in order to replace the emerging "stakeholder democracy" process with a genuine public participatory decision-making and policy/legislative/regulatory process.*
- *Modern hog production systems are not agriculture. They are an industrialized food production system. These systems fail to provide for the species-specific needs of animals beyond the basic needs of food, water and shelter.*
- *Agricultural systems that meet the species-specific needs of animals must be supported and encouraged through government, trade and market, agriculture and other policies. Legislative and regulatory changes that provide incentives for this type of production must be enacted and disincentives provided for industrial systems.*
- *The ability of the industry to make an application to establish, expand, convert or modify an intensive livestock operation is a privilege, not a right.*
- *Communities have the right to determine whether or not the establishment of an industry in their community is desirable and, if it is not, they have the right to say no. This is the essence of the objective of "upfront planning" in this context.*
- *The industry does not have the right to expect certainty and predictability in the planning process. Their presence on the landscape is a privilege that comes with responsibility and accountability.*
- *Intensive livestock production is an industrial activity and must be evaluated and regulated as an industry under the Environment Act, subject to environmental assessment that must include a public hearing component in order to benefit from local knowledge about the proposed site.*
- *This means, among other things that the Technical Review Committee must be abandoned and replaced with an authentic environmental review.*

- ***Persons involved in the environmental assessment must be independent and not be in a position to assume the multiple role as promoter, assessor and regulator, as is the current practice.***
- ***The burden of proof must be on the industry to demonstrate conclusively that it is compatible with the community, and will not pose a risk to the environment, health or the use and enjoyment of neighboring properties.***
- ***Mitigation is not an appropriate environmental protection principle or tool.***
- ***Eliminating (not 'minimizing') risk is an appropriate environmental protection principle from which all policy and regulatory systems must be designed.***
- ***The preventative principle must be applied to the anticipated impacts of hog production on both the environment (land, water and air) and people.***
- ***The needs of the environment must take precedence over all other considerations. It is only through this that sustainability can be achieved.***
- ***The public must have complete, timely, unfettered and free access to information that is necessary and required for public hearing, decision-making, regulatory and enforcement actions as well as for policy development activities.***
- ***Open, transparent and accountable decision-making processes must be established and enforced.***
- ***The public interest can be protected by ensuring that the structural means exist to ensure decision-makers are accountable, without requiring an application to the Court of Queen's Bench.***
- ***Public resources must be directed to protecting the environment and diverted from providing subsidization to polluting production practices and enterprises.***
- ***Financial barriers must be removed from people, acting in the public interest, who attempt to ensure that decision-makers are accountable.***

- ***Conflicts of interest are unacceptable and must be eliminated in the structure of decision-making.***
- ***Applications for the establishment, expansion, conversion and/or modification of industrial livestock production operations are rightfully subject to public scrutiny and this is a wholly legitimate exercise that should be expected by the industry.***
- ***The public has a legitimate interest in the proposed type, size, and method of production to be conditionally permitted as well as their proximity to public resources, water sources, historical sites, cemeteries, public places and personal residences.***
- ***The very nature and structure of the concentrated production process of industrial pork production facilities produces waste that must be properly handled.***
- ***If manure is to be utilized as a fertilizer, sufficient spread acres exist and must be permanently associated by means of operator ownership or land caveat with the operation.***
- ***Liquid manure systems contain waste that contains toxic substances and must be regulated the same as human septage.***

A variety of legislative changes are required to provide substance and legal force to these principles.

The CEC should seriously consider recommending to the government Legislative Assembly establish an advisory council, comprised of members of the public who have expertise in environmental matters, to provide advice how to achieve authentic sustainable agriculture in Manitoba. Like the Provincial Auditor, this body would report to the Legislature, not the Government, and consist of people, selected by and from the public. It would be provided with sufficient funding and adequate staff to support its work.