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EXHIBIT NUMBER: VIR-003
File Name: Hog Review
Date: April 16, 2007
Received by: [Signature]
(Commission Secretary)

SHARE YOUR VIEWS:

CLEAN ENVIRONMENT COMMISSION MEETING
VIRDEN, MANITOBA. APRIL 16th. 2007.

.....

OPENING STATEMENT:

PRESENTATION INTRODUCTION:

IT'S ALL ABOUT INTENSIVE HOG OPERATIONS:

WHEN GOVERNMENTS ...FAIL...THE PUBLIC PAYS:

- (A) THE PLANNING ACT AND CONDITIONAL USE ORDERS: EXHIBIT "A"
- (B) IT SHOULD NEVER HAVE HAPPENED: EXHIBIT "B"
- (C) WHEN HOPE BECOMES HOPELESS: EXHIBIT "C"
- (D) ARE THERE TWO SETS OF LAWS IN MANITOBA: EXHIBIT "D"

WATER, OUR MOST PRECIOUS RESOURCE AND CONCLUSION:

OPENING STATEMENT AND COMMITMENT

AS A NATION AND AS A PEOPLE, WE MUST, EVEN AS ONE INDIVIDUAL BELIEVE IN OUR OWN ABILITY. THE ABILITY TO RECOGNIZE AND DEFEND THE RESOURCES THAT ARE THE LIFE BLOOD OF OUR BEING AND ALL THE LAND.

AS RESPONSIBLE INDIVIDUALS, WE MUST ALSO RECOGNIZE THAT FOR EVIL TO TRIUMPH, THE ONLY THING NECESSARY, IS FOR GOOD PEOPLE TO DO NOTHING.

NOBODY MADE A GREATER MISTAKE THAN HE WHO DID NOTHING BECAUSE HE COULD DO ONLY A LITTLE.

WE RESPECT AND UPHOLD THE ABSOLUTE NEED FOR CLEAN AIR, WATER AND SOIL.

WE SEE THAT ECONOMIC ACTIVITIES THAT BENEFIT THE FEW WHILE SHRINKING THE INHERITANCE OF MANY IS WRONG.

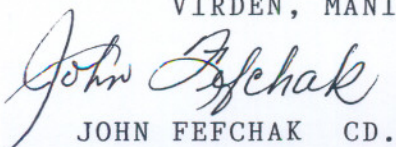
AND SINCE ENVIRONMENTAL DEGRADATION ERODES BIOLOGICAL CAPITAL FOREVER,...FULL ECOLOGICAL AND SOCIAL COST MUST ENTER ALL EQUATIONS OF DEVELOPMENT.

WE ARE ONE BRIEF GENERATION IN THE LONG MARCH OF TIME; THE FUTURE...IS NOT OURS TO ERASE.

SO WHERE KNOWLEDGE IS LIMITED, WE WILL REMEMBER ALL THOSE WHO WILL WALK AFTER US,....AND ERR ON THE SIDE OF CAUTION.

Re: SHARE YOUR VIEWS....CLEAN ENVIRONMENT COMMISSION MEETING.

VIRDEN, MANITOBA. APRIL 16, 2007.


JOHN FEFCHAK CD.

PRESENTATION....by JOHN FEFCHAK CD.

I am a first generation Canadian, born and raised on a Manitoba family farm in the early 1930's and until 1948, when along with my sister and our parents moved to reside in the town of Virden.

I did not take up farming as my livelihood, however I did learn to recognize that farm life can be extremely rewarding in so many different ways.

I also learned to appreciate and realize that water and nature, our environment were to be treated with the utmost respect and courtesy and with a humble sense of dignity.

Now retired, I, along with so many, have become very concerned and worried, how those, once so valued principles have deteriorated and crumbled.

Corporations and their investors have taken over, interested only in benefiting from the current unsustainable economic activity. Huge hog producing factories and massive feedlots threaten our health, our water and the environment.

Part of the problem is that our economy, our governments and our society does not account for the social and environmental consequences that are being experienced and inflicted upon the people, the communities and our precious water sources.

The rivers of yesterday, in Manitoba, provided a means of transportation, a source of food and clean, useable water. To-day the rivers are regarded, for the most part, as handy and inexpensive open air sewers. Some place to dump the left-overs and the trash of industry processing. Many of our water sources are already, or will become affected with pollution. Lake Winnipeg, the 10th largest fresh water lake on this planet has become a huge sewage lagoon and is dying. A shameful legacy for our grandchildren to witness.

Now, the rural people of Manitoba have a sense of common purpose that brings them to-gether to face a shared adversary and the malignant forces of the expansionism of Corporations and Industries. For "the people" now, have come to the realization that the future of our generations are at stake and the risks, can no longer be tolerated,

I support and agree with a competitive and profitable agriculture industry; but "NEVER" at the expense of human suffering and related health complications, nor at the expense of our water, air and environment.

Feeding the world with pork and destroying and exploiting our resources in the process is NOT ACCEPTABLE. In fact; as well as being unsustainable, it is also very irresponsible, ignorant and immoral. And while you may ask; without growth of industry and expansion of economy there is little advancement for the future. My reply...IS, without cleanwater, clean air and an unpolluted environment...THERE IS NO FUTURE!"

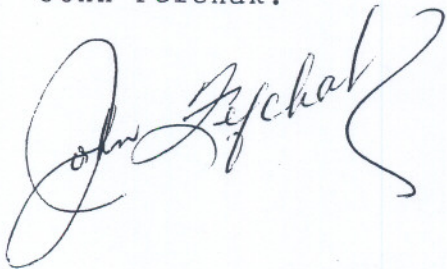
We are biological creatures. If we don't have clean water and clean air, our health will continue to suffer and we will not survive.

If we don't respond to what affects our lives, we are in deep trouble. How can we continue to put economy above the reality that we are living in. How can we continue to literally skew the very resources on which we utterly depend on for our existence and survival.

It seems to me that nature is actually screaming about the impact that we are putting on her; yet we think wistfully of what has been lost and dismiss it as "the price of progress".

It's about time we started to put moral ethics back into our present day society. Also, it's about time that we started to redefine "progress".

John Fefchak.

A handwritten signature in black ink, appearing to read "John Fefchak", with a large, sweeping flourish extending to the right.

BRUCE MB

The following is an extract of a column titled "Hog Industry on Shakey Ground". It was printed in weekly and daily newspapers, and appeared..15 Feb. 01

Most of the assumptions that drove this industry's rapid expansion over the past decade....an expansion that was whole heartedly promoted by the two political parties dominating Manitoba's political scene....were just plain wrong!!!.

Instead of creating an environment that fostered sustainable growth, Manitoba's hog policy was simply...growth. Growth based on assumptions and rules, which were based on research conducted elsewhere.

It is one thing for industry to lobby. It is another for governments to buy into the rhetoric. UNQUOTE.

In 2000, 7 years ago; this was the message from the Manitoba government regarding the dramatic change in the livestock sector.

"The Manitoba government has a responsibility to guide this development and ensure that industry growth does not occur at the expense of the environment or our quality of life".

Signed by Ministers of Conservation, Agriculture and food, and Intergovernmental Affairs; it is now so very obvious , this commitment and serious pledge to Manitobans, was nothing more than "political grandstanding"!

" IF YOU HAVE INTEGRITY, NOTHING ELSE MATTERS: IF YOU DON'T HAVE INTEGRITY.....NOTHING ELSE MATTERS."

And to further support my presentation, the following evidence is also provided.

LIVESTOCK STUDY RINGS HEALTH @ ENVIRONMENTAL ALARM BELLS:

Livestock producers, especially hog farmers, like to claim their industries are highly regulated and therefore environmentally sound.

But a major, two year scientific study says....Intensive Livestock Operations pose environmental and health risks because they aren't regulated enough.

Manitoba hog farmers, along with pork producers, say they follow strict manure management regulations which minimize environmental risks to soil, air water and human health. Again the study ...disagrees.

Released in 2006, the study originated from a 2004 Iowa workshop of American, Canadian and European environmental scientists. The six reports comprising the study were released in November, 2006, coincidentally appearing around the time the Manitoba government banned construction of new and expanded hog barns, pending a Provincial Clean Environment Commission Review of the Hog Industry.

The study paints a sobering picture of the potential risks posed by Concentrated Animal Feeding Operations to human health as well as air and water quality."The industrialization of livestock production over the past decades has not been accompanied by commensurate modernization of regulations to protect the health of the public, the study summerizes. Major concerns exist over the role of intensive livestock production in influenza outbreaks and the emergence of anti-biotic resistant organisms.

The research Team Leader, Peter Thorne, a toxicology professor, rejects Industry claims that livestock producers are already heavily regulated and it's unfair to blame them for environmental problems.

In a point of fact, we don't see that there is sufficient regulation to control the hazards that are arising from these operations.

North America has tried using set-backs to protect the public from air emissions. But they haven't been effective because it's hard to set operations back, far enough, to protect people in the vicinity..he said.

What we have now, in the current regulatory framework, was fine in the days of local communities, small family farms and the right to farm legislation. But the industry has moved far past that model and regulations aren't keeping up.....said Thorne.

The six reports, making up the complete study, were published in Nov./2000 in ENVIRONMENTAL HEALTH PERSPECTIVES, the scientific journal of the U.S. National Institute of Environmental Health Sciences.

.....

More and Additonal Evidence is Provided:

"The Negative Social Impacts of Manitoba's Hog Industry and the Implications of Social Sustainability".

Under the Manitoba Legislative Internship Program, this 2002-2003 report was compiled and presented by Theresa Vandean.

AT THE FEDERAL LEVEL: RE: Farmers Independent Weekly..13 Oct. 2005. "Commissioner of Environment", Johanne Gelinas, Zero's in on Impacts of Hog ILO's.

"The federal goverment isn't doing enough to ensure Canada's rapidly growing hog sector doesn't harm the environment".

" Not enough is known about the impact of hog manure. The commitment of monitoring and reducing the negative impacts have failed".

"Environment Canada cannot demonstrate that its compliance promotion and enforcement efforts at hog barns are effective".

"The Roundtable's Strategy for Canads Pork Industry dated May,2005 identifies environmental issues as a MAJOR concern".

"Yet, only one of the 57 specific actions identified by the Roundtable, addresses environmental matters, the Commissioners report says",

The Manitoba Pork Council, on behalf of the producers that they represent have made public statements, in newspapers, that "odour control problems" from the hog industry are over-stated, and the risk of hog production to public health is exaggerated, (Manitoba Co-operator newspaper, 07 Mar. 2007) I would argue the opposite and present the following, as evidence, in support of my rebut.

Afew weeks ago, while doing some research on the Internet; I entered.... HOG ILO's ODOUR. A large selection of information was provided. I will submit two examples. There were several others to choose from.

EXAMPLE ONE: Health Affects from breathing air near CAFO's. (Concentrated Animal Feeding Operations)

written by: Susanna G. Van Essen MD. MPH.

and Brent W. Auvermann PHD.

EXAMPLE TWO: Air and Water; Fredricton/ Moncton, New Brunswick.(April 16, 2004
Pollution Evidence Mounts against factory hog operation.

Premier of New Brunswick orders an expert committee to study the people's complaint.

"Consultants report" what we already know/odour levels were high, as far as 9 kilometers away.

.....

Unfortunately, here in Manitoba, the government regulations for minimum separation distances from a family single residence to a earthen manure storage facility or to the animal housing facility falls far short of providing respiratory and odour protection, for the occupants residing in that dwelling.

Designated Areas (playgrounds, schools, a cluster of homes, etc:) do receive a greater separation distance; but that too, is below an atmosphere, considered, as a healthy living environment.

ONE EXAMPLE: ACCORDING TO THE MANITOBA REGULATIONS

OPERATION: 10,000 sow..farrow to finsh. (12,250 Animal units)

MINIMUM SEPARATION DISTANCE

Single Residence: 900 meters to Earthen Manure Storage Facility.

450 meters to Animal Housing Facility.

Designated Area: 3600 meters to Earthen Manure Storage Facility.

2400 meters to Animal Housing Facility.

The one example that I have provided, and the others in the regulation, bring up a very serious matter of importance: That is DISCRIMINATION!.

Discrimination: re: those occupants who happen to be residing in a single residence in the vicinity of an Intensive Livestock Operation; (in the example shown; as a hog ILO).

WHY, I ask, is their own health, the health of their children and their quality of life any less important than the health and quality of living ~~of~~ of those individuals who happen to be closely grouped in a different boundary of safety??.

I submit that the Clean Environment Commission has a very important role, to address and resolve this "injustice of humanity" that now prevails, "The Charter of Rights" will be your foundation.

Informative Information re: Health and Air Emmission can also be retrieved from: National Ag Safety Data .

[HTTP://www.cdc.gov/nasd/docs/d001701-d001800/d001764/d001764.HTML](http://www.cdc.gov/nasd/docs/d001701-d001800/d001764/d001764.HTML).

Protect Manitoba's Water and Save Money: (Advertisement) BSun.10 Mar. 2007.

The message from the Manitoba Conservation department concerns holding tanks for waste water, to help protect the environment. At first, I couldn't believe what I had read, for I find it ambiguous and contradictory, which I will attempt to explain.

Admittedly, the Conservation department is concerned about waste water and have recognized that holding tanks would be a solution to protect the environment. But on the other hand, Conservation will approve and condone the "digging" of a huge hole, which I call a cesspool, and allow it to be filled with millions of gallons of hog feces, urine and water. Then at the appropriate time, will be pumped out and spread (or injected) on fields, as raw, untreated liquid slurry.

And while the issue of wastewater needs to be addressed, the bigger problem now, is the hundreds of hog cesspools, that are scattered throughout the province and "their impact" on the environment.

I make reference to Brandon Sun newspaper, 22 Sep, 2005, with headlines: "Water experts find more tainted wells".

After a 3 year battle getting the test results on groundwater monitoring wells, Science professor, biologist, Dr. Bill Paton and environmentalist Glen Koroluk have found evidence, what they believe is seepage from liquid manure ponds and poses a threat to drinking water. unquote.

Re: Manitoba Co-operator Newspaper. 27 Apr. 2006.

Article by Ron Friesen:- Ante Olywest meeting focuses on economics,
welfare, environment.

The following is an excerpt from that report.

"Karl Kynoch, Manitoba Pork Council Chairman, acknowledged some city residents fear Olywest will pollute air and water in its vicinity. But he said people are confusing processing plants with hog barns." unquote.

Is this not credible evidence by the Pork Council Chairman, as he implies, although indirectly, that hog barns pollute air and water in rural communities? That is what the rural folks have been concerned with and saying for years.

.....

Recently, while preparing my 2006, personal Income Tax return, I came upon something, quite different in the Manitoba Tax Credit. It was a tax credit allowance for "Odour Control". So, while the Manitoba Pork Council can claim that the Odour Control Problem is overstated, it is obvious that our Provincial government has recognized, that there is a problem and assistance will be provided, to control odours, in the form of credits. (Form T4164). Of course, as always, this cost will be borne by the taxpayers of Manitoba.

(eg: straw cannons, sewage lagoon covers and seals, biofiltering units, storage tanks or containers, spraying equipment for aerobic or anaerobic treatment of organic waste, soil injectors attached to a manure spreader.)

MANITOBA

WHEN GOVERNMENTS FAIL TO ENFORCE THEIR OWN LAWS, THERE ARE
CONSEQUENCES, AND THE PUBLIC PAYS:

Over the past few years and in attempting to communicate to resolve
indifferences with local and provincial government officials, along with
the bureaucrats, I have come to the only conclusion and realization possible:
There are two sets of laws in this province. One for the developer(s), which
can be ignored, and One for everyone else, which must be obeyed.

It is my experience when the average Manitoba citizen attempts to ~~confront~~
confront and address an irresponsible action/ or the governments/ disregard
and lack of concern for regulation enforcement, with the authoritative body,
the citizens efforts will most often result in exasperated failure.

Justice Horace Krever, the presiding Judge, during the "tainted blood
scandle inquiry" expresses the following as a solemn warning.

"The relationship between a regulator and the regulated must never
become one in which the "regulator" loses sight of the principle
that it "regulates only" in the public interest and "Not" in the
interest of the regulated"

THAT MEMORY IS STILL WITH US, AND FOR SOME, THE REST OF THEIR LIVES:

RM of Wallace Council approves new hog barn for developer in Kola area. (26 Feb.2003). Developer says, conditions that Council imposed could drive future development to other RM's.

After a dormant 2 year period, which included the one year extension, . I wrote a letter to the RM of Wallace Council (29 Apr.2005) briefly pointing out that, as no permits had been requested or issued, development opportunities had now expired. Any development now would contravene and transgress the Planning Act. I asked Council to inform all parties accordingl

On May 02/05, I visited Travis Parsons of Conservation, in Brandon. I asked questions about permits and my general concerns. This was passed on to Terry Pearce of (IAT) , Intergovernmental Affairs and Trade. In the context of his answer, he indicated that John Fefchak was in a position to take "legal action". (My question: Why should I or any other citizen have to resort to legal action, to prevent a possible violation?)

Council responded to my letter (20 May/05) stating they did not share the views that I presented.

Once again, I responded to council (7 Jun/05) in a more detailed letter explaining once more, that Council has the responsibility to stand by the laws, as enacted by Legislation and their own Conditional Use Permit.

03 Nov. 2005. Letter from Council. Council does not totally agree with my position. They will monitor the issue and site development to determine where the proposed development is going. (Council it seemed was prepared to abandon their responsibility to the Planning Act and their Conditional Use Permit).

On 16 Nov. ⁰⁵ I compiled all my correspondence and with a covering letter, forwarded it to 3 Government Ministers. Governmental Affairs @ Trade, Conservation and the Minister of Justice @ Attorney General.

All ministers acknowledged receipt of my report. I recognized that the IAT Minister seemed to have the mandate to address the concerns that I was expressing. The Planning Act and the enforcement of the act. Correspondence continued back and forth, with a great deal of rhetoric and stone-walling, on the governments side. But they would not step up to the plate and back up my concerns and observations to the events that were unfolding. A typical response being: "As I have previously indicated to you, the Planning Act provides Planning districts and municipalities with the tools to regulate development within the area under their jurisdiction and the authority to enforce any by-laws, permits or approvals made under the Act. unqi

This continued for 12 more months, when on 15 Nov. 2006, 21 months after the Conditional Use Permit had technically expired, a letter from the Minister of IAT informed me that development may not take place.

From the beginning, my concern was that the RM of Wallace (possibly in ignorance) and having advised me in their correspondence that they will monitor the issue and site development, was that seemingly innocent statement, could lead to influencing a contravention of the Planning Act; if work development was in fact, carried out.

All along, I was attempting to avoid Council getting in trouble with Inappropriate Proceedings.

It has been resolved....But What a Hassle! of "gobblede-gook!"

IT SHOULD NEVER HAVE HAPPENED! WHO IS RESPONSIBLE?

EXHIBIT "B"

Sometimes I wonder, Why do we have regulations for Intensive Hog Operations, and those operations that are regulated under Municipal Zoning By-laws, when there are operators, who just do not bother paying attention to them.? Why is it when the regulations are disregarded, no one, it seems wants to take or initiate action regarding the violation to the appropriate authority for follow -up investigation that could prevent future occurrences.

Such were the two reported items before the RM of Wallace Council on 18 Nov. 2003. Both items concerned the spreading of liquid hog manure on frozen land, and in one case, after the regulated cut-off date. Council was made aware of one case, reported in a letter, by a resident of the RM. The resident complained about liquid manure being spread on frozen ground and the associated offensive odour that she was experiencing, making her, stay inside, a prisoner in her own home. It was during this discussion, that Council was also made aware of another operation, where liquid manure spreading, also on frozen ground had been carried out.

In both occurrences, the Conditional Orders were disregarded. The Manitoba Environmental Act may have been breached in one occurrence. ..Minutes of a Meeting, RM of Wallace, 18 Nov. 2003 refers. Adopted as correct 9 Dec./03

- (1)....72 hour advance notice was not given to residents, living within one mile (1600 meters) of the spread site.
- (2)....reporting to the Rm within 24 hrs. after becoming aware of health and environment situations was not carried out.
- (3)....Liquid manure spreading was not allowed. Only injection into the soil was authorized and permitted.
- (4) ...Manure application not permitted after 10 Nov. to 10 Apr. the following year. In extreme cases, a Conservation Director may authorize spreading

NOTE: Conservation Livestock Program manager, Al Beck, in a news release stated..."no offence has occurred and the complaint of late manure spreading are not justified.

cont....The hog operation that was permitted for 1200 sows, farrow to weanling, is not considered an Intensive Operation, as it is under the 400 Animal Units units. (this category accounts for 375 A.U.s.

"There is no restriction on timing of manure application for operators under 400 animal units". (The amended Planning Act now indicates 300 AUs as Intensive Livestock Operations.)

On the 24 Feb. 2004, a Conservation representative advised me that his office had not been contacted or made aware of the events that I presented nor had he been requested to look into the matter as an investigation.

On 22 Mar/2004, the same officer told me there was nothing more he was able to do, when I raised concerns of manure pollution dangers, as the warm weather and melting, causing water run-off would eventually find its way into ditches and streams, ending into Boss Hill Creek.

Considering the statement provided by Mr. Al Beck "(there is no ~~manu~~^t restriction on timing of manure application for operators, not classified in the ILO category) I initiated correspondence with the Conservation Minister. Again, I outlined my concerns about manure pollution and made a recommendation that "anytime the ground is frozen, or near frozen, then the mandatory set-back distances are to be applied. It is not uncommon, in Manitoba to have hard frost situations in October or as early as the latter part of September.

Our correspondence continued until Oct. 2004. My attempts to have the Livestock Manure and Moralities Regulation amended, to include mandatory set-backs at times, other than just the 10 Nov.....10 April, of the following year were not successful. It was regrettable, for I consider, the biggest loser during all this, was the water sources and the environment. Spreading manure on frozen ground and going through sloughs (minutes of the meeting) is not an example of being a good and caring steward!.

FARM PRACTICES BOARD: I met and spoke with the resident who initially lodged her complaint to the RM Council. When asked, she was not aware of the Farm Practices Board and the requirements of initiating an odour complaint. I suggest that 95% of rural Manitobans aren't either. And as for the few who are knowledgeable of the routine and procedure to register a formal complaint don't expect an investigator to be there within two or three days. I called the office that looks into odour complaints, and the person there, told me 5 to 7 working days to respond. As I spoke with him, I was reminded of the MayTAG repair man, who used to be on TV commercials.

Why couldn't rural people in Manitoba have a quick, available number to call when there is an odour situation that they wish to report. There are controls for stubble burning and enforcement, because of health and air emission concerns. Why not for odours.....also???

The number I propose is # 4357.....HELP.

One year ago past, on 24 Jan/06, the RM of Wallace Council approved an application, authorizing a 1200 sow increase, farrow to finish category; an expansion of 300% to an existing Intensive Operation...bringing the total of animal units to 2,246.

The hearing was held on 12 Jan/06 and reportedly, with a small attendance t opposing the expansion. Later, when I questioned a neighbour, who resided near the siteWHY??I was told, "what's the use", they (meaning the council haven't listened to us in the past", there is no cause for HOPE. Hope had become Hopeless!.

HOPE had become HOPELESS.....They haven't listened to us in the Past. Sad and Mournful words, yet repeated throughout so many rural communities, with the invasion of the Intensive Hog Factories.

NO HOPE.....WHAT'S THE USE.

My review of the Technical Report that was prepared for the Wallace RM and dated Nov. 2005, brought out several important points, which needed to be addressed and clarified. This was forwarded, by hand, to the RM office on 22 Jan./06.

Generally, I questioned Council that acreages situated in the adjoining province of Saskatchewan, and to be used for manure application, was not verified for use by the Technical Review Team, as they had no jurisdiction. Therefore I could not support, or remotely understand how Council might approve this expansion, being 800 plus acres short of the required and necessary spreadlands. I suggested, this had to be an authorization, in conjunction with the RM of Maryfield, in the province of Saskatchewan.

I also addressed the very often repeated question. "Who is responsible to verify the spread acres?" It is a requirement the Technical Review Team Report makes reference to; yet no one does it. Who has the final responsibility to ensure that sufficient and appropriate acres are available for manure application?

I brought to Councils attention, that since a new manure storage facility was being provided to support the expansion, what action would be taken to ensure the previous facility was appropriately de-commissioned. There was no mention of this in the Technical Review Report, whose role as I understand, is to review the technical aspects of proposals, identify the regulatory requirements and PROVIDE technical information to councils, so councils in turn can evaluate all of the information to establish their decision(s).

My report of comments and concerns were also, personally handed to the Water Stewardship Minister (Ashton) and Director, Dwight Williamson, while attending a meeting at the Manitoba Legislative, on 21 Feb. 2006.

Minister Ashton agreed with my observations and comments, basically stating, that a system had to be established and set in place,....when "out of province, real estate and water issues are at the forefront".

A full comprehensive report of my concerns and observations are included in the evidence, provided and identified as EXHIBIT "C".

As a matter of interest, this was the same hog operation, which was spreading liquid manure on frozen ground in Nov./2003 (contrary to the RM of Wallace, Conditional Use Order), and reported by a resident who lived nearby, as the stench and noxious odour had become unbearable. (EXHIBIT "B" refers)

Upon reading the Conditional Use Order for this approved expansion,..... Please Take Note; as it specifies....that "construction cannot begin, until all required approvals, permits and licenses have been obtained". unquote.

THAT, in itself is quite a statement and conditional requirement; yet

previously, THIS was the very same contentious issue that both, the provincial Minister and the Wallace Council were so very reluctant to address and agree to; when it was repeatedly brought to their attention on another proposal.
(EXHIBIT "A" refers)

All of my efforts and the concerns that I have expressed and presented here, though may seem as criticism, are provided in the best interests of water, clean air, environment, PEOPLEand THE RULE of LAW.

ARE THERE TWO SETS OF LAWS IN MANITOBA ??

EXHIBIT "D"

Re: Article in the Rivers Banner Weekly Newspaper...11 Nov. 2006.

Rural Municipality of Daly,.. Minutes of a Regular Council Meeting,
10 Oct. 2006.

Resolution No. 06-276

Unfortunately, the failure of a Municipal Council to enforce "their" Conditional Use Order, and the Manitoba Planning Act is not confined to just the RM of Wallace.

Consider yet another clear and ambiguous example, when the RM of Daly explicitly chose to disregard and dishonour their responsibilities to enforce the Legislation of our Province and their own Conditional Use Order # CU 05-03.

While it was clearly pointed out in the resolution (#06-276) that the proponents of a hog expansion were carrying on with construction development illegally, (no approvals, permits or licenses), the vote by Council majority defeated the resolution to revoke the Conditional Use Order. Some might say...."that is Democracy in action". I call it by another name.....Tyranny,...for it is unjustly administered and it shamefully mocks the very foundation of observing and complying with "The Rule of Law"!.

I wrote to the Minister of Conservation on this matter on Nov.14,2006, asking that he direct his appropriate department, not to issue any permits for the offending development; based on the verified events, and that the degradation and indifference to the Law will not be accepted, nor will it be tolerated.

The Minister replied on Feb.13 of this year, but failed to direct the department, not to issue any permits or licenses for the project, as I had requested.

Instead, he has merely undertaken to apply the regulations to the operation, as if the Law had not been broken.

How does this ..I ask, work to restore public confidence in the Industry and in the Provincial government's regulation of the Industry, which the Minister of Conservation identifies in this very letter,.....AS THE PURPOSE of the Clean Environment Commission of the Hog Industry ??.

I am still waiting a response to my follow up letter of Feb.19, 2007, on this matter.

Are there Two Sets of Laws in Manitoba???

That is a Question,.....Still waiting for an answer.

In view of why this Clean Environment Commission has been assembled, I consider the following, as most appropriate in concluding my presentation.

Taken from the book titled, WATER-The fate of our most precious resource: by Marc De Villiers. and I quote:

"Water is not a renewable resource. It only seems renewable because it keeps falling from the sky. But that is an ecologically primitive way of looking at things. It may be common sense, but, as so often happens, common sense can be so uncommonly ignorant.

Renewable resources can reproduce themselves, that is, living things such as trees, cows and people. WATER cannot reproduce itself.

Water is recycled by means of the hydrological cycle; evaporation plus transpiration by plants, to cloud formations, to rain and snow, back to plants, rivers and ground water, to the oceans and cycling around again by means of evaporation, transpiration and precipitation.

The hydrological cycle is an ecosystem service; a self support system for all living things, including humans.

By removing water from one basin to the next, the basin being the hydrological cycles re-cycling unit; you are tampering with this life supporting system, with uncertain consequences.

Humans consume water, discard it, poison it and waste it, heedless to the change to the hydrological cycles; indifferent to the consequences.

There are, not one, but two overlapping water crises. The crisis of supply and the crisis of quality. Or put another way, there is a sufficiency of ~~at~~ water on the planet if we manage the resources correctly. The real problem is providing consumers with water that is fit to drink. The solution we use; is to divert the water from another place and steal the water from someone else.

Water is an issue that no one municipality, no one province, or even one country can solve in isolation. The issues with water have to be solved transnationally. We have to build institutions that transcend National governments!" end of quote.

Word Meanings:

Transcend:.....to go beyond the limits and powers of.

Transnational: to extend beyond national frontiers.

Diversion and Stealing of WATER: My comments.

Oil recovery (lake waters receding)

Ethanol production in Manitoba: Trillions of gallons to sustain: (Little Saskatchewan River system)

Potatoe Growers: (irrigation impacts, Carberry area)

Transfer of water: Sandilands area. (on hold, further study)

Huge consumers of water: Industry, Intensive Livestock and Hog Operations. (some who have to rely on water piped and delivered from other areas) With a reported Manitoba inventory of near 9 million hogs, their daily water needs will be the equivalent of 72 Pan Am pools. To fill the Pan Am pool in the city of Wpg. requires 1 million gallons of water!. (72 MILLION GALLONS. EVERY DAY!)

Eventually, and even now, especially in Alberta the consequences of hydrocycling are beginning to be recognized.

Will Things Change for the better?? I doubt it? Once Lake Wpg. collapses; Again, as now, there will a lot of "finger pointing" and accusations. But that is too late! It is only during time of crises and upheaval that "people" are willing to change their habits. Otherwise, don't expect people to alter their ways. THE LAKE WILL BE THE FINAL JUDGE.

WE ARE ALL DOWNSTREAM OF SOMEBODY and SOMEBODY IS DOWNSTREAM OF US.

How ironic and foolish our civilization has become. In to-days modern technology, our creeks and rivers have become nothing more than convenient sources to carry away pollution. Waste created by Industry, Municipalities and Agribusiness; all to arrive at the appropriate destination; The Lake (s).

And each town and city en:route, who have a need to utilize the river for their potable water requirements will build huge treatment plants at great cost, and in turn, make their own contribution to the already polluted waters, flowing further on to the next community, who in turn will add their portion and so it continues.

The province of Manitoba has been blessed and recognized for having many many lakes. 100,000 Lakes is advertised on vehicle licence plates of years ago.

We know how to pollute them; We just don't know how to take care of them. and that is the most insulting contribution of "economic development".

In the 1970's, while living in Eastern Ontario, I recall seeing a televised commercial, advertising how "the Stewardship of the civilized society of to-day is mistreating and discarding their waste, neglectfully, into the once clean and pure water sources. The scene showed a First Nations Chief, sad and with tears streaming down his face; indicating that "The Creator" did not want this to happen. It, ~~to me~~, was a very powerful message, simple and so true. Through the years, I have tried to retrieve this film, so I could share it with others. To now, I have had no success, and can, only speculate that Industry and Business Corporations were opposed to the commercial, and with their influence, made it disappear.

AND APPROPRIATE ENDING: by Chief Seattle.

THE EARTH DOES NOT BELONG TO MAN.

MAN BELONGS TO THE EARTH.

ALL THINGS ARE CONNECTED

LIKE THE BLOOD THAT UNITES US ALL.

MAN DID NOT WEAVE THE WEB OF LIFE, HE IS BUT A STRAND IN IT.

WHATEVER HE DOES TO THE WEB, HE DOES...TO HIMSELF.

John Fefchak CD.

BSun
Feb 15/07

Matt
C. Rance

Hog industry on shaky ground

Hog industry lobbyists are wasting no opportunity at public forums these days to warn that the government's decision to put a temporary hold on further developments is threatening their industry.

Pork producers are arguing vociferously that the newly launched Clean Environment Commission's review of the industry's sustainability should focus only on a narrow interpretation of the environment.

But if the CEC doesn't undertake a broad review, someone else should.

This is an industry struggling with such a complex web of structural issues you have to question whether a complete overhaul is in order.

Al Mussell, an economist with the George Morris Centre at the University of Guelph, spelled it out rather succinctly at the recent Manitoba Swine Seminar.

The hog industry here has no competitive feedgrain advantage.

"This is rather surprising, particularly given that much of the development of the Western Canadian hog industry was developed precisely on an anticipated advantage in hog feeding," he says.

As well, in a job market in which anyone with enough pulse to show up at the door can find a job, the hog industry can't or won't pay wages high enough to attract and keep the labour it needs for both the production and processing.

The processing sector's inefficiencies have been exposed by a stronger loonie and Canada's competitors on the export market — where 50 per cent of Canada's pork is sold — are picking up its market share.

To make matters worse, a newly released study puts the annual cost of complying to the province's new phosphorus regulation once maximum thresholds are reached at nearly \$30 million — about one-third of the industry's net returns.

In short, most of the assumptions that drove this industry's rapid expansion over the past decade — an expansion that was wholeheartedly promoted

by the two political parties dominating Manitoba's political scene — were just plain wrong.

Instead of creating an environment that fostered sustainable growth, Manitoba's hog policy was simply growth, based on assumptions and rules based on research conducted elsewhere.

It is one thing for industry to lobby. It is another for governments to buy into the rhetoric.



RURAL REVIVAL

Laura Rance

The Manitoba government bought wholesale into the frenzied expansion that nearly tripled hog production over a decade. It was called the Manitoba Pork Advantage, complete with posh receptions and glossy literature promoting 16 per cent annual returns on investment. It was the Manitoba government that eliminated the single-desk selling system, essentially converting the province's industry over to a single-desk buyer. The action was designed to stop the flow of weanlings out of the province to U.S. feeder barns. The volume of weanling exports has quadrupled since.

It was the government that decided to regulate manure applications on land on the basis of its nitrogen content, assuming that phosphorus, which is taken up by growing plants in much lower proportions, wouldn't be a problem.

The industry abided by those regulations.

Again, the policy was in error. Phosphorus — and it is important to note it is not just the phosphorus com-

ing from pigs — is the single biggest environmental issue facing the province right now. We simply didn't know enough about how it interacts with the environment.

Calling a moratorium now, which some say will effectively be in place for a couple of years, exposes yet another vulnerability for the sector. If U.S. corn prices continue to rise and the U.S. feeding barns that take in more than five million baby pigs stop buying, or if the border closes due to a disease outbreak — those baby pigs have nowhere to go. It would be disastrous.

The sad part about all this is that Manitoba needs a livestock sector to recycle nutrients that are exported from the land every year when crops are harvested. Some will say that a livestock-crop rotation is the most energy efficient way for agriculture to go.

Most Manitoba farmers must buy phosphorus every year to help crops grow. Nearly three-quarters of Manitoba's cropland is considered phosphorus-deficient.

The problem is connecting the supply with the demand. It simply costs too much to transport liquid manure. Once again, the problem suffers from lack of research and forward planning.

There has been literally millions of industry dollars poured into attempts at fixing the problems of liquid manure systems — the odour, the application, the contaminants, the variability in nutrient concentrations. Relatively little progress has been achieved yet the prevailing wisdom continues to be that this is the only way for the industry to go. Very little has been invested in exploring alternative systems.

Perhaps the greatest risk to the industry's growth isn't the government-imposed pause itself, but that sober second thought will prevail. It may also be its greatest chance at a viable future.

Laura Rance is editor of the Manitoba Co-operator. She can be reached at 792-4382 or by e-mail: laura@fbcpublishing.com

Message from the Manitoba Government

The agricultural economy and the face of rural Manitoba are changing rapidly. The pace of change is particularly dramatic in the livestock sector, as producers respond to new market forces and economic opportunities.

The Manitoba government has a responsibility to guide this development, and ensure that industry growth does not occur at the expense of the environment or our quality of life. To develop a plan for growth that is both viable and sustainable, we must consider the issues from all perspectives – economic, environmental and social. It is a trust and a challenge we take very seriously.

Over the next several months, we will be consulting with Manitobans as we examine ways to meet this challenge. We look forward to receiving your input through written submissions and the public meetings that will soon be held throughout the province. The consultation process will help our government determine what needs to be done to ensure the industry grows in a sustainable way.

This document is the starting point for the public discussions. It summarizes Manitobans' foremost concerns surrounding livestock industry expansion – specifically, environmental protection, land use planning, quality of life and the vibrancy of the rural economy. It also discusses trends influencing the industry, the regulatory environment and experiences in other livestock-producing areas. The objective is to raise awareness, stimulate thought and focus public discussion.

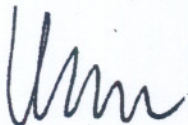
Expansion of this sector raises many other issues, including labour standards, training needs and research activities. Our government will consider all of these factors as the industry expands.

We hope you will find this information useful as you prepare to share your views, concerns and ideas. Thank you for your attention to this important matter.

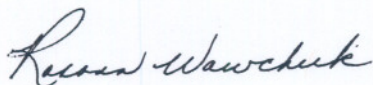
This discussion paper is the starting point for public consultations on the future of our livestock industry.

Your input will help the Manitoba government determine how the industry should grow in an environmentally sustainable way.

Please see page 39 for information on how you can make a written submission or public presentation.



Oscar Lathlin
Minister of
Conservation



Rosann Wowchuk
Minister of Agriculture
and Food



Jean Friesen
Minister of
Intergovernmental Affairs

Livestock Stewardship 2000 (June) A Public Discussion Paper;

Livestock study rings health and environmental alarm bells

BY RON FRIESEN

Livestock producers, especially hog farmers, like to claim their industries are highly regulated and therefore environmentally sound.

But a major new scientific study says intensive livestock operations pose environmental and human health risks because they aren't regulated enough.

"The industrialization of livestock production over the past three decades has not been accompanied by commensurate modernization of regulations to protect the health of the public or natural public trust resources, particularly in the U.S.," says a summary report of the study by an international group of environmental scientists.

The study, consisting of six scientific research reports, paints a sobering picture of the potential risks posed by CAFOs (concentrated animal feeding operations) to human health, as well as air and water quality.

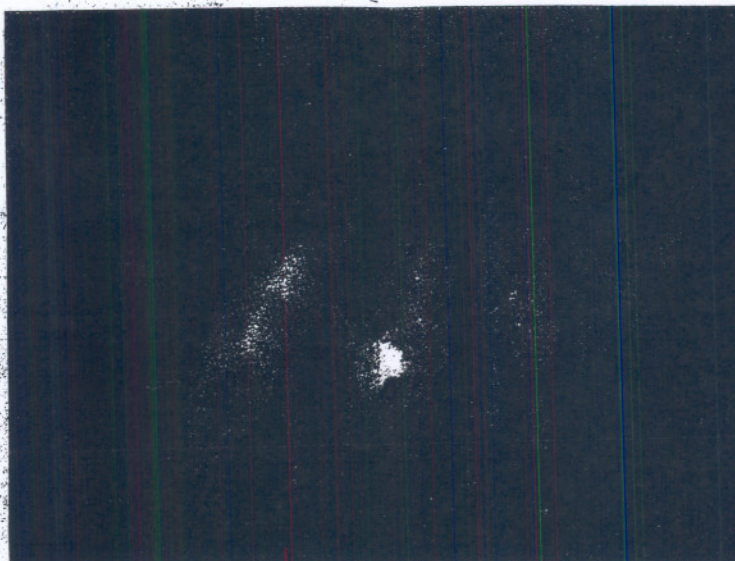
The main dangers described by the scientists are a worldwide pandemic resulting from zoonotic disease (transmitted from livestock to humans) and antibiotic-resistant bacteria stemming from the overuse of veterinary drugs.

"Major concerns exist over the role of intensive livestock production in influenza outbreaks and the emergence of antibiotic-resistant organisms," the study said.

Besides disease and antibiotic resistance, the study raises concerns about other health-related matters surrounding CAFOs: manure, water and air quality, emissions and social issues.

It makes sweeping recommendations aimed at preventing health risks. Those include: banning the use of antibiotics as growth promotants in livestock feed, not locating swine and poultry barns close together, using solid storage tanks and waste treatment facilities for manure and requiring producers to post bonds for manure storage reservoirs.

The study originated from a 2004 Iowa workshop of American, Canadian and European environmental scientists. The six reports were published last month in *Environmental Health Perspectives*, the on-line scientific journal of the U.S.



A new environmental study offers a grim risk assessment of intensive livestock operations in terms of the risk posed to people by zoonotic diseases and antibiotic resistance. — Dave Bedard photo

National Institute of Environmental Health Sciences.

Coincidentally, the study appeared around the time the Manitoba government banned construction of new and expanded hog barns, pending a provincial Clean Environment Commission industry review.

Manitoba hog farmers, along with most pork producers, say they follow strict manure management regulations which minimize environmental risks to soil, air, water and human health.

But the study disagrees.

"Based on available data, generally accepted livestock waste management practices do not adequately or effectively protect water resources from contamination with excessive nutrients, microbial pathogens and pharmaceuticals present in the waste," it said.

Research team leader Peter Thorne, director of the University of Iowa's Environmental Health Sciences Research Center, called the study a "dispassionate" scientific assessment of CAFOs and their impacts.

(In Canada, CAFOs are often called intensive livestock operations, or ILOs.)

Thorne, a toxicology professor, rejected industry claims that livestock producers are already heavily regulated and it's unfair to blame them for environmental problems.

"I don't believe the data would bear that out that they're the most heavily regulated," said Thorne, reached by phone in the Netherlands.

"In point of fact, we don't see that there is sufficient regulation to control hazards that are arising from these operations.

"If you compare the amount of manure that's coming from the livestock industry to municipalities and the permitting and waste treatment plants and requirements for municipalities, agriculture's nowhere close to that regulatory burden."

Health risks from CAFOs aren't just a North American or western European problem, Thorne added. He said large CAFOs are expanding into central and eastern Europe and South America without heeding lessons learned from health and environmental problems elsewhere.

"I think it's a world problem."

Thorne said the most pressing danger is

that virulent strains of influenza are emerging from swine and poultry living close together. Pigs can act as "reservoirs" for diseases which jump the barrier from one species to another. Avian influenza could mutate through pigs into a disease affecting humans. The widespread use of non-therapeutic antibiotics as growth promotants for pigs intensifies the risk that such a disease might be drug resistant.

Feeding one species with the waste of another only adds to the risk, Thorne said.

"This is a practice that we really need to be concerned about because the new strains of influenza that are arising have the characteristics of the influenza strain that caused the pandemic in the world in (1918-19)," he said. "This would be a catastrophic event."

The study urges a phasing-out of the use of antimicrobial growth promotants for livestock and fish production. It also recommends regulations to keep swine and poultry CAFOs well apart.

Thorne agreed environmental regulations for CAFOs exist, but said they aren't working.

North America has tried using setbacks to protect the public from air emissions. But they haven't been effective because it's hard to set operations back far enough to protect people in the vicinity, he said.

The enforcement of manure management plans and land applications isn't very effective either, because authorities don't commit enough resources to do a proper job, Thorne added.

He said CAFO regulators are in a losing battle to control the industry because it's changing so rapidly.

The current regulatory framework was fine in the days of local communities, small family farms and right to farm legislation. But the industry has moved past that model and regulations aren't keeping up, said Thorne.

"That paradigm is disappearing. So we need to take a look at how we treat this industry, how we regulate it and how we can allow it to continue prosperously — because we certainly need it, but in a way that's safe for the workers and safe for the public."

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Protect Manitoba's Water and Save Money

Find out about the advantages of using a holding tank to manage your wastewater

Water is Manitoba's most precious natural resource. Our province's lakes, rivers and streams provide us with drinking water, offer unlimited recreational opportunities and help generate the power we need for our homes and businesses.

A wastewater holding tank may be the best solution for your new home, cottage, or business or for upgrading or replacing your present wastewater system.

What is a Holding Tank?

Holding tanks are large, single compartment, watertight vessels, usually constructed of concrete, fiberglass or polyethylene built to CSA standards. They provide short-term storage of untreated wastewater and are an ideal alternative to septic systems. They are simple to install and can even be installed above ground. They are mandatory in some areas.

Protecting Manitoba's Water Supply

Holding tanks are an ideal alternative to septic fields because they prevent wastewater from draining into the soil. This is especially true in areas with thin or shallow soil, sand, bedrock, clay, sloping and restricted lot sizes. Used properly, pump-out systems like holding tanks provide the highest level of environmental protection.

Saving You Money

Holding tanks will also save you money because installation and maintenance is much less costly compared to septic systems, disposal fields and treatment systems.

For More Information

To learn more about holding tanks, please contact Manitoba Conservation at 204-945-2970 or visit us at www.gov.mb.ca/conservation/envprograms/wastewater/index.html



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