

Introduction

K. William Kapp (1971) defined social costs as direct and indirect costs suffered by third parties resulting from private economic activities. Social costs include damage to health, property values and natural landscapes. The impacts of the industrialization of swine production on the environment, health and make-up of Manitoba's rural community fit Kapp's definition of social costs.

Manitoba's legislators were not insensitive to the concept of social costs when they wrote The Environment Act. In fact, its very first section describes the intent of the Act to "ensure that the environment is maintained in such a manner as to sustain a high quality of life, including social and economic development" (emphasis added). So, the factory pig industry will be judged, not only on its economic performance, but also on its social performance. This paper will show that it has failed miserably.

Furthermore, The Sustainable Development Act speaks clearly to the issues of "health". It holistically defines health as being "sound in body, mind and spirit" (emphasis added). The Canadian Public Health Association (2000), the Canadian Medical Association (2002) and the American Public Health Association (2004) have all adopted resolutions expressing concern about health issues and industrialized hog operations. This paper will show why the mental health of Manitobans is at risk.

There are many routes that this discussion could take, but a focus on "Land Use Planning and Approval" will best highlight how the porcine industry and its confederates in the Civil Service have taken square aim at the social development and mental health of rural Manitobans.

Democracy yes, Participatory Democracy no

The abuse of rural Manitoba by sunless hog factories has its genesis in the Lisoway v. Springfield Hog Ranch Ltd. It was this court defeat of the hog industry in 1974 that caused the NDP government in 1976 to strip rural Manitobans of the ancient English Common Law right to sue for Nuisance.

For 31 years the industry has been favoured by the courts, forcing its opponents to marshal widespread opposition during the Land Use Planning and Approval Process.

Typically, petitions are produced that clearly show massive public opposition. They are dismissed because, apparently, democracy ends at the ballot box and we are not allowed to participate in the intervening four years. There is no shortage of examples including my municipality, Springfield.

When large numbers of citizens assemble with the protection of their communities in mind, the Civil Service from urban Manitoba descends to convince them of their errors. In 2001, representatives of the government told the people of Shellmouth-Bolton that they had no legal right to oppose a new hog factory. That is, they had no right to protect their current way of life. Social costs be damned. The Environment Act be damned.

But the hog industry can participate. In 2000 an operator tried to win the approval for a new factory by offering \$100,000 to sponsor the region's bid for the Manitoba Winter Games. All that the municipality had to do was stop blocking the company's expansion plans. To its everlasting credit Bifrost said get lost.

Conflicts of Interest

The sorry history of the intensive hog industry in Manitoba is replete with examples of conflict of interest. Individuals are allowed to sit on Technical Review Committees while relatives apply for factory approvals. Municipal staff offers advice to relatives on how to avoid the spirit of the rules. Councillors do not absent themselves from debate concerning individuals with whom they have business dealings. Councillors compromise their integrity by approaching applicants during Public Hearings.

But the best, or worst, examples include senior public servants who made the rules and guidelines for the hog industry. I remember them well. They would utterly ignore the public upon showing up at Council meetings where they would, with clinical precision,

support a new factory proposal. They were, and are, "hog industry servants", not "public servants". Too bad that the pigs cannot pay their salaries and pensions.

Some senior public servants have graduated beyond supporting the industry while being paid by the public. Now they are in the employ of the industry and get to benefit from the work of their earlier careers when they made the regulations and guidelines under which they now operate. They also get to interact on an informed basis with the current crop of public servants, an advantage that no rural citizens enjoy.

Technical Review Committees

Speaking of the Public Service, it enjoys a virtual monopoly over membership on TRCs. They set the rules in their offices, then they analyze a proponent's application. The "analytical" work is usually done in the cozy confines of those same offices. It is then forwarded to rural municipalities who, in their wisdom, confer "environmental assessment" status on this junk.

In the RM of Strathclair and in the RM of Turtle Mountain TRCs missed the presence of water bodies that were crucial to the assessment of hog factories. In a classic example of carelessness a TRC failed to pick up glaring errors in a proposal that went before the RM of Portage la Prairie. In these examples it was citizens who took the trouble to analyze the work of the TRCs. How many more bungled TRC reports have been relied upon by municipalities in the absence of citizens who volunteer their time and costs to check on the work of the TRCs?

None of this is surprising. It is disgusting, but it is not surprising since the Public Service is squarely in the corner of the porcine industry. The "work" of the TRCs is illegitimate and unprofessional. There is no requirement of a TRC to visit the field, to consult with experts or to gather local knowledge. The result of the TRC process is to diminish the spirit and intent of The Environment Act and The Sustainable Development Act. The environment is given short shrift and the social costs mount.

Enforcement

"Land Use Planning and Approval" is irrelevant in Manitoba because that is the way the industry and the Public Service wish it to be. The proof is in the pursuit of offenders.

In the RM of Hillsburg a lagoon was built in flagrant disregard to the regulations. A video taken by a neighbour proved that it could not handle a subsequent rainfall. It was porous and all the rain, every cupful, leaked right through.

Four million litres of pig manure spilled near Morden in 2000. The public was told 3 years later. Hog slurry is about 100 times more toxic than raw human sewage.

In 2002 a steel manure storage tank near MacGregor exploded its way into infamy. It dumped 4 million litres of hog slurry in a heartbeat, contaminating local wells.

Near Cypress River in 2005 a lagoon failed poisoning the surrounding area with more millions of litres of the hog industry's curse upon us.

These tragic events were understated by the Department of Conservation. No meaningful penalty was assessed by the Department, much less paid by the operators who did not even seem to be embarrassed!

Government oversight is ineffectual. Bill 33, the new Planning Act, appears to have been written to make straight the path of the hog industry. The Farm Practices Protection Act, which replaced the infamous Nuisance Act of 1976, makes provision for a Farm Practices Protection Board. Unfortunately, the FPPB is regularly scorned by operators who apparently need multiple notifications and warnings before they acknowledge their social responsibilities as embodied in The Environment Act and The Sustainable Development Act.

What is the point of a speed limit if there are no traffic cops? Indeed, if there is no traffic enforcement at all why issue Driver Licenses? The factory hog equivalent of a Drivers

License is "Land Use Planning and Approval". In fact, such planning and approval is about as meaningful as a Drivers License in Baghdad.

Conclusion

The industrialized porcine business has run roughshod over this province. It has stained the rural countryside with its presence by introducing foul odours, heavy metals, noxious gases and residual antibiotics. All the while it abuses dumb animals in factory enclosures.

The industry has caused social costs that it can never hope to repay even if it felt the obligation to do so.

The CEC should bring down the hammer on this industry and recommend a permanent closure on its expansion. In doing so it will invoke the Precautionary Principle which ensures that future harm will not be done by taking precautionary actions to prevent a threat to human and environmental health.

This can only be done if you believe that 9 million pigs are enough.

Addendum

There are numerous scientific studies on the hog industry. I have provided copies of many, conveniently bound, for you. Since you have accepted the appointment to this tribunal I know that you will read them. Some are from Manitoba, some are from the US and one is from France (which proves that pig manure has a chemically identifiable fingerprint). The hog industry will object to the use of non-Manitoba studies, but the last time I looked H₂O was water everywhere.