

March 20, 2013

The Honourable Gord Mackintosh  
Minister of Conservation and Water Stewardship  
Manitoba Legislature

Dear Minister Mackintosh:

**Re: Green Action Centre's response to the Green Prosperity Act proposal**

The stated purpose of your February 28 workshop was to "move beyond the online workbook and engage participants in a visioning process for sustainability in Manitoba." You indicated, "We are looking for innovative ideas on how to move forward (How do we lead in sustainability again?)." Green Action Centre greatly appreciates your personal leadership in this quest.

Our response to this challenge consists of three parts - this letter and two attachments. Attachment 1 is a set of responses to the questions posed in the Green Prosperity Act workbook. Attachment 2 is the Introduction to our *TomorrowNow* response, which extracts "lessons learned" from our analysis that speak to the question: How do we lead in sustainability again?

The remainder of this letter reflects on how best to address the need for "innovative ideas on how to move forward."

If it ain't broke, don't fix it

The consultation workbook speaks of "Manitoba's commitment to modernize The Sustainable Development Act." It then jumps into various proposals for modernization and asks questions about them. But mindful of the old adage, "if it ain't broke, don't fix it," the first step, we believe, is to identify what's broke that needs fixing. Problem solving begins with problem identification. Subsequent steps can then explore various fixes that address the problems identified. Finally we can ask what institutional measures, including new or amended legislation, might increase the likelihood or frequency or depth of the fixes. It is conceivable that there is nothing wrong with The Sustainable Development Act but only a failure of execution or implementation of its principles and guidelines. In this case the solution might lie more in governance reform than in legal reform. Or it might lie in enhancing the knowledge of decision-makers, ultimately our elected officials, regarding sustainability issues and solutions by providing topical briefings or seminars, commissioning appropriate policy research, and taking heed of them.

What's broke

Thus our first procedural recommendation is to compile a list of identified problems or shortcomings with sustainability legislation, regulation, governance and implementation in Manitoba. Submissions from the public and workshop plus government's own observations should provide plenty of material to analyse.

Here are some examples.

1. Lack of clear expression of the value of and concern for or rights of non-human living nature and ecosystems, with which we share the planet.
2. Lack of clear expression of human environmental rights to clean air and water and natural spaces.
3. Need for a more explicit linking of sustainability and social justice principles and policies.

4. Need for more effective measurement, with targets and thresholds, of sustainability parameters. Major corporations, utilities and governments increasingly are adopting challenging energy and GHG reduction targets, while creating the strategies, investments, oversight and reward systems to achieve them.
5. Need for ecological footprint analysis, which emerged after Brundtland and Manitoba's SDA, including.
  - Quantification of material and energy consumption for a particular population in terms of the area of *global* productive land and water required to *sustainably* supply that level of consumption ([http://en.wikipedia.org/wiki/Ecological\\_footprint](http://en.wikipedia.org/wiki/Ecological_footprint)). Consumption may have huge remote and global impacts even with a highly protected back yard.
  - One estimate shows "The world-average ecological footprint in 2007 was 2.7 global hectares per person" on a planet with "a world-average biocapacity of 1.8 global hectares per person" leaving "a deficit of 0.9 global hectares per person." I.e. global consumption exceeds sustainable supply by 50% ([http://en.wikipedia.org/wiki/List\\_of\\_countries\\_by\\_ecological\\_footprint](http://en.wikipedia.org/wiki/List_of_countries_by_ecological_footprint)).
  - The average Canadian ecological footprint is 7 ha., i.e. 4 times the world-average biocapacity.
6. Need for more effective full-cost accounting, including local and global dimensions and multiple human, social, and ecological values.
7. A focus on landscape and water issues to the virtual exclusion of sustainable economics. See Green Action Centre's budget submission at <http://greenactioncentre.ca/2013/greening-manitobas-budget-2013/>.
8. Need to confront and resolve tensions between sustainable economic principles and government's blanket affordability commitment. From the outside, it appears that the latter always trumps the former rather than finding a more synergistic resolution as other jurisdictions like Seattle have done. (E.g. Seattle City Light has lower basic and first block rates and higher end block rates for power than MB plus a 60% discount for low-income customers, which together promote both conservation and affordability.)
9. Need for sustainable trade, transportation and economic development guidelines and policies.
10. Failure to search out and incorporate global best practices in sustainability, despite being home to IISD, which is a repository of same. This would have to change if the commitment to make Manitoba "one of the most sustainable places to live on Earth" is genuine.
11. Need for rigorous independent research, advice and audits.
12. Governance failure. E.g. creating conditions for a greener, more efficient and just economy is not to be found among the priorities and planning goals or in the five year economic plan or in the Manitoba Advantage. Nor does the Premier's Economic Advisory Committee have a sustainability mandate.
13. Unlike jurisdictions like Seattle and British Columbia, power resource planning is conducted in a closed circle between Cabinet and Manitoba Hydro, contrary to COSDI recommendations on public participation in resource allocations and development, Only at the end and for major projects is an intimidating public formal review conducted.
14. Need to review Consultation on Sustainable Development Implementation (COSDI) Report for relevance and ideas to incorporate (<http://www.gov.mb.ca/conservation/susresmb/cosdireport.html>).
15. Need to re-engage the public sector and better engage the private sector and citizens (name change to "Green Prosperity Act" was proposed to help rebrand).
16. Better integration of policy and law to make them more effective, efficient and fair and facilitate coherent strategic planning.

### How to fix it

A commitment to be a global leader in sustainability entails a commitment to ferret out global best practices, improve upon them where possible, and adapt them to Manitoba. Moreover, as a societal commitment, various forms of public engagement, collaboration and private initiatives will be required to bring this about.

Green Action Centre is a believer in the effectiveness of research-supported, purposeful strategic working groups to identify and analyse issues and potential solutions and provide recommendations. Such groups can contain experienced and professional citizens and civil servants as well as consult with and in some cases be led by outside professionals. Recent consultations in which we have participated that fit this description are the city's OurWinnipeg process and development of related strategies such as the Garbage and Recycling Master Plan and the Transportation Management Plan as well as the province's Vehicle Standards Advisory Board and Active Transportation Advisory Committee.

Based on such experiences, we think that, once a catalogue and preliminary analysis of issues to be addressed have been compiled, they should be grouped, prioritized and assigned to one or more strategic working groups for further research, analysis, consultation and recommendations..

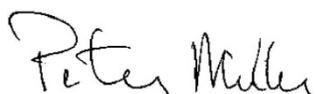
Examples of high priority topics for strategic working groups are:

1. Principles and guidelines for Sustainable Development. In addition to ensuring various concepts and content areas are adequately represented, the issues of their regulatory status should be addressed (e.g. planning principles vs. environmental bill of rights).
2. Related to the above, what understanding, principles and guidelines of sustainable economics should guide government and other institutions in budgeting, taxing and spending, and fiscal policies? How and where should they function in budgetary and financial decision-making and reporting?
3. How can sustainability research, advice, governance, reporting, review and auditing be institutionalized to make Manitoba one of the most sustainable places on the planet?
4. Identification of key sustainability metrics and their display and interpretation for effective planning and reporting.
5. How can non-government actors - institutions, businesses, non-profits and citizens be educated, supported, incited, and mobilized in sustainable directions? What can they learn from one another and teach government?
6. What legal and regulatory reforms would support and promote the above elements of sustainability?

### We are ready to help

Thus at the next stage we recommend a more focused approach. A strategic working group has a job to be done in a limited time - in this case to produce a set of recommendations on one or more of the above (or other) topics, which then must be integrated. The recommendations that we have made in Attachments 1 and 2 and those from other groups and individuals are input to that process.

Green Action Centre is prepared to help at any stage of this process.



Peter Miller, Chair  
Green Action Centre Policy Committee

## **Green Action Centre's Responses to the Questions Posed by the Discussion Document on the Green Prosperity Act<sup>1</sup>**

*1) Does government's internal structure need to better reflect a commitment to sustainability? For example, is it necessary to have a central co-ordinating body that ensures the adoption of sustainability across government? How can the roles and functions of various government agencies be more fully co-ordinated to achieve goals such as those presented in Tomorrow Now - Manitoba's Green Plan?*

The existing Sustainable Development Act (Section 5) vests responsibility for coordinating the work of interdepartmental planning boards and other committees and for the development of sustainable development strategies with the Department of Conservation and Water Stewardship and, in section 4, establishes the Manitoba Round Table to provide advice in the development of those strategies. In the opinion of Green Action Centre, those structures were insufficient to achieve the coordination of effort required to implement a robust plan of sustainable development. Other structures and processes are required. Having said that, Green Action Centre is uncertain as to the best vehicle for achieving the development and implementation of a sustainable development plan for the Province. Nonetheless, it believes that an effective structure will have to have the legislative authority to review departmental plans and require modifications to them where they are deemed to be either in conflict with required measures or inadequate to achieve desired goals and to require the Department of Finance to propose tax measures that will promote sustainable development (see Green Action Centre's 2013 Budget recommendations document: <http://greenactioncentre.ca/2013/greening-manitobas-budget-2013/>).

The central coordinating body vested with this authority by a new Sustainable Development Act could be linked with the Priorities and Planning Committee of Cabinet to provide advice on how its four priorities should be implemented to promote sustainable development. Or, it could be answerable to a Sustainable Development committee of cabinet comprised of representatives of key departments. The Healthy Child Committee of Cabinet provides an example of such a structure.

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<sup>1</sup> by Harvey Stevens with input from Josh Brandon, Carolyn Garlich and GA Policy Committee

## Attachment 1: Green Action Centre's Responses to Green Prosperity Act workbook - 2

This coordinating body would be chiefly responsible for the development of an overall sustainable development strategy and component strategies but could also be responsible for the development of indicators of sustainable development and their reporting, for the management of a Sustainable Development Fund and for the promotion of efforts by non-governmental groups.

*2) Does the name the Green Prosperity Act adequately reflect the government's intent to use the principles of sustainable development to foster a green and prosperous society?*

*Sustainable development is classically defined as "...meeting the needs of the current generation without compromising the ability of future generations to meet their own needs". Should the new act continue to be built around the classic definition of sustainable development or should it adopt a new approach to, and definition of, sustainability? How do you define sustainability?*

While updating legislation from time to time is important, the name *Green Prosperity* is not an improvement over the old term *Sustainable Development*. It is far less precise and may unintentionally have the connotation of green-washing. While is a good idea to update the act, it is not necessary to give it a new name. The term sustainable development is used in other jurisdictions and is a term that is understood internationally. If the government wishes to have Green Prosperity in the title of the act, a compromise title would include both: The Sustainable Development and Green Prosperity Act.

As regards to the definition of sustainability, Green Action Centre believes there are a number of key elements which must be included in a comprehensive definition including, achieving intergenerational equity by living within the carrying capacity of the natural environment, by maintaining an adequate level of natural, man-made, human, social and spiritual capital and by increasing the ability of humans to satisfy their wants (needs and desires) without increases in levels of consumption of material goods. In addition, the deep ecology perspective acknowledges the inalienable right of non-human species to live in their own protected natural environments.

The classic definition of sustainable development set out in Brundtland Commission report emphasizes the intergenerational equity dimension of the concept: "meeting the needs of the

current generation without compromising the ability of future generations to meet their own needs.” The authors of that report envisaged continued economic growth which reduced the impact on the environment and reduced inequality. However, it is now apparent that economic growth is damaging the environment in the form of increased greenhouse gas emissions, greater pollution, greater loss of biodiversity, destruction of environmental systems and services. Accordingly, other elements of an adequate definition of sustainable development are needed.

The field of ecological economics offers a definition that emphasizes the key concept of living within the carrying capacity of the natural environment: “the *qualitative* improvement in the ability of humans to satisfy wants (needs and desires) without a *quantitative* increase in material throughput beyond the environmental carrying capacity” (see, Daly and Farley, *Ecological Economics: Principles and Applications*. Second Edition, 2011. Island Press pp. 6,7). This definition emphasizes the important concepts of the finite carrying capacity of the natural environment, of constraining economic ‘growth’ to not exceed this carrying capacity and of focusing more on increasing the capacity of humans to satisfy their wants with fewer material demands on the natural environment.

The discipline of environmental economics includes a third element of an adequate definition of sustainable development: Maintaining the means which are available to society to generate well-being; namely, its resources. The four kinds of resources or types of capital it identifies are (1) Man-made, or produced, capital which includes factories, machinery, roads, bridges, sewers, etc. which may be used up in the production of consumption goods and services and which needs to be offset with new investments; (2) Human capital, which is people, their skills and knowledge which also can depreciate; (3) Natural capital, which comprises all gifts of nature and so includes non-renewable and renewable energy and material resources, clean air and water, nutrient and carbon cycles and biodiversity, all of which can clearly depreciate; and, (4) Social capital, which comprises certain features of social organizations including norms of behavior, networks of interactions between people and between social institutions and trust between people. All four types of capital have to be maintained at critical levels to ensure that future generations can meet their needs. In particular, the strong sustainability perspective emphasizes that man-made capital cannot substitute for critical types of natural capital such as the ozone

layer or the natural climate and atmospheric regulation functions of the earth. Green Action Centre would add a fifth that would help people willingly embrace a sustainable lifestyle: a spirituality that sees nature as sacred and worth preserving for its own sake.

Accordingly, Green Action Centre recommends that a new Sustainable Development Act present a comprehensive definition of sustainable development that includes the following elements:

- Meeting the needs of the current generation without compromising the ability of future generations to meet their own needs;
- Limiting the growth of the economy to a level that is within the carrying capacity of the natural environment and that preserves the integrity of natural ecosystems;
- Maintaining an absolute level of critical natural capital, ensuring sufficient investments in man-made capital to offset depreciation and increasing the level of human, social and spiritual capital.
- Focusing on increasing the capacity of humans to satisfy their wants with fewer material resources through technological improvements in the efficiency of production processes and through the promotion of non-material services as substitutes for material goods as the means of satisfying human wants.

*3) Are there any other elements that could be added to the purpose statement? What do you think is the best way to achieve the three elements mentioned above?*

The overall purpose of a new Sustainable Development Act should be that of providing Manitobans with the set of policies and programs required to achieve sustainable development. A key means for doing so is the development and implementation of a detailed strategic plan which identifies specific objectives and the policies and programs required to achieve those objectives. This plan then provides direction to both governmental and non-governmental agencies.

Green Action Centre supports the purpose of the Act to provide “guidance on all government sustainability initiatives and obligations” while “facilitating progress towards sustainability

outside government by way of agreements and initiatives with other levels of governments, private sector agencies, industry and other organizations”. In addition, it would like to see the natural environment defined in a sufficiently broad manner to reflect both the stock of resources it contains and the flow of environmental services it provides and the web of interrelations within nature, whose ecology must be sustained as a requisite for all life on earth.

Green Action Centre appreciates the fact that the discussion document includes the phrase “while maintaining a focus on environmental sustainability” as part of a new purpose statement. However, there should be recognition in the Act that this focus is required because the health of the economy and society depends on the health of the natural environment. Both the economy and society are sub-systems of the natural environment.

The act needs broad general principles and guidelines as well as elements (targets and deadlines) that are prescriptive. Section 4(2) of Nova Scotia’s *Environmental Goals and Sustainable Prosperity Act* provides detailed examples of such targets and deadlines; e.g. (c ) greenhouse gas emissions will be at least ten percent below the levels that were emitted in the year 1990 by the year 2020.

*Do the sustainability priorities outlined above adequately reflect the priorities of Manitobans now? Will they reflect the priorities of our province 20 years from now? If the priorities evolve over time, how could these changes best be captured in future?*

The priorities set out on page 5 of the discussion document focus admirably on environmental protection via reductions of greenhouse gases, adaptations to climate change, saving Lake Winnipeg, protection from pollution, etc. We agree with that emphasis and it is consistent with the focus on environmental sustainability. However, sustainable development, broadly conceived, also focuses on preserving and enhancing the physical, human and social capital of the province and these are missing from the list of sustainability priorities. They need to be included in the list of priorities.

*How can Manitoba ensure that the new act evolves and remains current? Should it be prescriptive, or set out only basic principles and guidelines with more prescriptive regulations created as needed? What role would you like to see the Manitoba Sustainability Advisory Council play in the implementation of a sustainability vision for Manitoba?*

In the existing SD Act, the duties of the Manitoba Round Table include: creating awareness and understanding of SD by the citizens of Manitoba; cooperating with public sector organizations, private industry, non-governmental organizations and citizens to share knowledge and experience; reviewing the Principles and Guidelines of SD; advising on the development of, and reviewing, the SD Strategy; advising on the development of component strategies; advising on the development and review of sustainability indicators; and, at the request of the minister, reviewing existing or proposed policy, legislation, regulations or programs for consistency with the Principles and Guidelines and reporting to the minister with recommendations for his or her consideration.

Green Action Centre believes that this list of duties should be those assigned to the proposed Manitoba Sustainability Advisory Council and that it should not meet at the discretion of the Minister of Conservation and Water Stewardship and have less structured obligations, as is suggested by the discussion paper. Manitobans need a way of providing structured input into the development of a comprehensive sustainable development strategy and the existence of an Advisory Council with specified duties better ensures that, than a Council which may meet at the discretion of the Minister. We believe a further function of the advisory council would be to advise government as to how it can, both economically and well, make use of non-governmental organizations in implementing TomorrowNow.

Some thought should be given to the composition of the council so that there is a mix of higher-level decision makers representing a range of sectors as well as subject-matter experts in sustainability who do not represent any sector. A well-functioning Advisory Council will require dedicated funds, staff support and resources and clear guidelines as to their role, power and rights. The former National Roundtable on the Environment and the Economy could serve as a model for the functioning of a Manitoba Sustainability Advisory Council.

## Attachment 1: Green Action Centre's Responses to Green Prosperity Act workbook - 7

*Do the proposed principles sufficiently reflect the concerns and issues surrounding Manitoba's society, environment and economy? Will they reflect Manitoba's sustainability concerns 10 years from now? Do you have any recommended changes to these proposed principles or guidelines?*

Principle #1: Integrated Decision-Making - Lots of preamble with the last sentence not really indicating a rule of conduct. Proposed re-write:

- Manitobans recognize that the environment, the economy and human society, including cultural, political and social, spiritual and health dimensions are completely interconnected, each affecting the others in both positive and negative ways. Decisions taken by government in each domain will seek to minimize negative impacts and maximize positive impacts on the other domains.

Principle #3: Shared Responsibility and Diverse Understanding – lots of preamble with the use of 'should' as the language of principle. Proposed re-write:

- Achieving sustainable development for Manitoba will require individuals taking responsibility for their own actions, provincial and municipal governments taking joint actions with other jurisdictions to address trans-boundary issues and dialogue between Manitobans in the search for solutions to environmental challenges in an atmosphere of mutual respect and tolerance for differing viewpoints.

Principle #4: Prevention and the Precautionary Principle - no objections to the current wording.

Principle #5: Conservation and Resiliency – the principles address only natural capital. Mention also should be made of conserving man-made capital, particularly the physical infrastructure of roads, bridges, sewers and water mains that are in a serious state of disrepair and the building of green infrastructure in the form of public transit. This is partly acknowledged in older principle #6 but needs to be explicitly acknowledged with respect to both natural and man-made capital.

Principle #7: Global Responsibility – the principle underlying this could be more clearly stated. It currently reads like a feel-good statement that does not specify particular actions.

Principle #8: Community Economic Development – It could be rephrased by simply enunciating principles of economic development that reduce the environmental footprint and enhance the production of human and social capital, without using the label 'community economic development'. Suggested re-write:

- Manitobans will promote forms of economic development that foster ecological and social sustainability including the promotion of local employment, local ownership and decision-making, the creation of local economic linkages, the reinvestment of profits back into the community, local knowledge and skill development, positive environmental impacts, health and well-being, neighbourhood stability and community cohesion and human dignity.

It is important that the adopted sustainable economic principles give guidance to all forms of economic activity, including resource extraction, trade and transportation, and not be restricted to a subset of the economy.

Principle #9: Social Justice – no difficulties with this principle.

What is missing from the proposed new act are an accompanying set of guidelines. The current Sustainable Development Act enunciates six principles of which only two are reflected in the proposed set of principles – efficient use of resources (new principle #5e) and integrated decision-making (new principle #1). The remaining guidelines – public participation, access to information, waste minimization and substitution and research and innovation – should be reflected in the new Green Prosperity Act.

The guideline of waste minimization and substitution relates strongly to principle 5(e):”make wise and efficient use of renewable and non-renewable resources while the others are more general.

The guideline of public participation could be enunciated as a principle or as a requirement of the government along with the regular publishing of report cards on progress in achieving sustainable development. For example, clauses 9(1), 9(2), 10(1) and 10(2) of the Sustainable Development Act stipulate that sustainable development indicators will be developed and reported on by the Minister. Similar clauses should appear in the new Act which stipulate how the government will engage in public participation and in the dissemination of information about the state of sustainable development in Manitoba.

Finally, the list of principles set out in the Quebec Government’s Sustainable Development Act should be reviewed to see if any of them should be included in the Green Prosperity Act. The 16 principles are described in Section 6 of the *Act*. Their titles are: “Health and quality of life,” “Social equity and solidarity,” “Environmental protection,” “Economic efficiency,”

“Participation and commitment,” “Access to knowledge,” “Subsidiary,” “Inter-governmental partnership and cooperation,” “Prevention,” “Precaution,” “Protection of cultural heritage,” “Biodiversity preservation,” “Respect for ecosystem support capacity,” “Responsible production and consumption,” “Polluter pays,” and “Internalization of costs.”

The key environmental problems facing Manitobans – rising GHG emissions, deterioration of water quality in key lakes in Manitoba, high levels of waste generation and disposal will take a number of years to address and will require a range of measures aimed at gradually improving these conditions. As noted above, one approach to identifying the time frame for such strategies is that reflected in Nova Scotia’s *Environmental Goals and Sustainable Prosperity Act*. Section 4(2) (a) through (s) stipulates both targets to be achieved and the year by which they are to be achieved. Green Action Centre would welcome this kind of specificity in a new Sustainable Development Act or in accompanying regulations because it provides measurable targets for assessing progress. The levels stipulated in the specific items should be established by science and reflect the levels required to prevent environmental damage.

*Should government develop long-term strategies to address key environmental issues? What is an appropriate timeframe for long-term planning?*

While long term planning is vital, there need to be interim targets. Recently, the province failed to meet its Kyoto targets. While there were mitigating economic and extra-provincial policy drivers that were partly responsible for this failure, the province bears some responsibility also for insufficient leadership. The failure of the province to meet its Kyoto targets should not be compounded by ignoring the importance of targets. Targets set a benchmark for measuring success in reaching important policy goals. Manitoba needs to set realistic targets on which it intends to follow through concerning its environmental objectives.

*How would you like to see Manitoba report on its progress toward sustainability? What specific measures would be most meaningful?*

Since the proclamation of the Sustainable Development Act in 1998, two provincial sustainability reports have been issued by the province – in 2005 and 2009. They include indicators for measuring the state of the natural environment, the economy and social well being. At a minimum, the new act should stipulate the continuation of provincial sustainability reports. The indicators need to be reviewed and revised but they represent a fairly comprehensive set and the provincial government now has the experience in producing them. We could recommend that they be reviewed by the reconstituted Manitoba Sustainability Advisory Council. Some suggested changes/additions to the current set of indicators include:

- Consider organizing the indicators in terms of the four types of capital that need to be maintained in order to ensure sustainable development: natural, physical, human and social capital.
- The indicators of the state of the natural environment have to be measured in absolute terms and, where possible, describe the gap between the actual and a threshold level of sustainability so as to indicate whether that threshold level has been exceeded and by how much.
- The measures of greenhouse gas emissions need to be broken out by sector so as to identify those sectors most responsible for the levels of emissions.
- Measures of water quality have to focus on Lake Winnipeg and indicate the levels of phosphorous in the water as well as levels entering the water from the City of Winnipeg sewage outlets, the Red River basin between the U.S. border and Winnipeg and the Assiniboine River between the Shellmouth Dam and Winnipeg. These will pinpoint whether the key sources of phosphorous build-up are declining.
- Although the environment only recognizes the absolute amount of carbon humans add to the atmosphere and although intensity targets should never be seen as a substitute for absolute targets, there is a place for economic indicators that focus on how efficiently the economy is using natural resources and impacting on the natural environment. Thus, the measures of energy efficiency and conservation need to be expanded to include GHG emissions per billion dollars of GDP and total waste generated per billion dollars of GDP. Similarly with agriculture and mining, an effort should be made to identify measures of the efficiency with which its outputs are produced and their impact on the environment.
- As well, consideration could be given to measuring the level of debt – both at the level of the household and government. Rising household debt is a clear economic indicator of unsustainable consumption. If included, it should be measured as a percent of disposable

household income and as a per cent of total assets. As for assessing the level of government debt, it needs to be expressed in terms of the ability to pay it off. One measure is the 'cyclically adjusted annual deficit' which measures the level of annual deficits incurred when the economy is operating at 'full' employment. The federal department of Finance reports this on a regular basis. Its approach can be adopted for Manitoba. Another measure is the total provincial debt as a percent of the provincial GDP.

- The indicators of employment and education should be subsumed under the heading of 'human capital' or under the current heading of 'social well being'.
- There need to be indicators of the state of repair of the physical infrastructure of the province including roads, bridges, sewer and water systems.
- Indicators of human health should reflect those conditions which impact on the cost of providing health care to the population. Either indicators of healthy living or of unhealthy living should be developed.

In addition to reporting on outcome indicators of sustainability, a new Sustainable Development Act should stipulate that government report annually on its activities aimed at achieving sustainable development. The current Act (section 16(1) indicates that the Minister *may* direct or request a review of progress in implementing sustainable development practices. Green Action Centre would like to see a requirement that departments provide standardized reports on progress in achieving clearly stated goals and targets and showing both the level of inputs and outputs dedicated to achieving them.

*Should the provincial Budget Papers tabled in the legislature contain information about progress in achieving TomorrowNow – Manitoba's Green Plan?*

Green Action Centre recommends that a Green Budget Working Group, comparable to the Premier's Economic Advisory Committee, be established with research support to review in detail measures such as these and other green proposals to promote the greening of the Manitoba economy. Such a group could report to the new Priorities and Planning Committee of Cabinet and have its findings published in the Annual Budget Papers.

*What priorities should the new fund address? What criteria would an effective funding program include? Are there any elements that are missing from the new act as proposed? Please elaborate. Do you have any additional comments on the new act as proposed?*

Green Action Centre recommends the inclusion within the new Act of an Environmental Bill of Rights (EBR). An EBR could be modeled on and built from Ontario's EBR which has been in place since the 1990s and would offer important procedural and substantive environmental benefits to Manitobans. The core feature of an Environmental Bill of Rights is the recognition both that all Manitobans have a fundamental right to a clean environment, and also nature has rights to flourish and develop for its own fulfillment. All Manitobans have a right to step forward and speak for the protection of nature.

Key features of an EBP include:

- The requirement that certain ministries post notice of proposed statutes, regulations, instruments and policies on the online Environmental Bill of Rights Registry. Manitoba's current system of environmental registration is incomplete. Access to documents online and through publically accessible libraries is an essential component for public participation. There should be required opportunities to comment on all proposed statutes, regulations, instruments, and policies posted on the Registry.
- The provision of means by which members of the public can propose that existing environmental statutes, regulations, instruments, or policies be reviewed and amended; and, means by which members of the public can request that the government investigate an alleged violation of an environmental statute, regulation, or instrument. Although Manitoba has one of the strongest environmental assessment process, one drawback is a lack of mechanisms for the public to bring forward environmental concerns. An EBP could redress this deficit.
- The inclusion of strong principles in the Act such as stewardship, polluters pays and social justice. These would ensure a strong Environmental Bill of Rights that recognizes the fundamental right of all Manitobans to a clean environment with flourishing biodiversity.

A number of provinces and territories including Ontario, Quebec, Northwest Territories and Nunavut already have similar environmental rights legislation. One of the strongest arguments for environmental rights legislation is that it makes it difficult for future governments to overturn

improvements in environmental legislation. Once we frame sustainability in the language of rights, it becomes more entrenched than other forms of legislation.

The strongest protection of environmental rights would come through a constitutional amendment. Over 140 countries around the world have already enshrined the right to a clean environment in their constitutions. Canada is falling behind. With an Environmental Bill of Rights, Manitoba would join Ontario and Quebec in advancing an important step towards seeing this right protected across Canada.



## **Introduction**

# **Green Action Centre's Response to *TomorrowNow***

**October 31, 2012**

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## **Introduction**\*

### **Finding the path to green prosperity**

Green Action Centre is pleased with the Province's commitment to create the conditions for green prosperity in Manitoba. We share *TomorrowNow's* goal for Manitoba "to be one of the most sustainable places to live on earth." That is a very ambitious goal, which invites comparison with sustainability leaders around the globe. Our own mission is to promote green solutions in pursuit of that goal.

A full-blown plan would provide an analysis of the issues to be addressed and include targets, milestones, actions, evidence that actions will lead to objectives, indicators and monitoring to track progress, a budget, and appropriate governance and oversight. We recognize that *TomorrowNow* is not a full-blown plan, but more a sketch of where we want to be and an invitation to Manitobans to help create strategies to get there. We accept that invitation by identifying challenges and recommendations for progress.

Green Action Centre's entire submission consists of this introduction followed by a series of briefs written by members on themes in *TomorrowNow*. The styles of the briefs may differ, but the content of each has been reviewed by Green Action Centre's policy committee and is consistent with our mission and principles. Reading this overview is not a substitute for careful study of the component briefs. Rather we here identify more general "lessons learned" to guide the transformations needed to realize the good intentions of the *TomorrowNow* project.

Manitoba has wonderful natural endowments, which we value for their own sake and for numerous ecological goods and services that undergird and enhance our lives and livelihoods. Upon these natural foundations, Manitobans have built an economy that strives for prosperity and justice. A green economy is one that recognizes this dependence, values and protects the natural systems that sustain us, and provides opportunities for sustainable, low-impact livelihoods and ways of life that enable Manitobans to live well and contribute to a sustainable, peaceful and just world.

### **Lessons from *OurWinnipeg***

The launch of *TomorrowNow* as a sustainability planning exercise invites comparison with Winnipeg's recently completed *OurWinnipeg* planning, designed with the paramount goal of achieving a sustainable Winnipeg. *OurWinnipeg* was also "a strategy of strategies" consisting of five cross-referenced reports on different dimensions of sustainability and followed by more

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\* by Peter Miller

technical and specific plans to guide implementation, such as the Garbage and Recycling Master Plan (GRMP) and the Transportation Management Plan (TMP). Despite growing pains at launch, the GRMP in its first month of implementation has already increased the proportion of recycled and composted materials and reduced landfilled garbage. Moreover the collection trucks are fueled by compressed natural gas - a great improvement in emissions over gasoline and diesel and potentially sourced from captured methane at Brady landfill.<sup>1</sup>

What can be learned from the OurWinnipeg exercise that could guide *TomorrowNow*? Here are some lessons.

- The City (and Province?) showed great wisdom in engaging the Placemaker team to work with city staff to facilitate, research, design and write the planning documents. **Professional leadership** from folks whose careers are built on adapting best practices to local situations around North America is an important ingredient for a province that wants to be compared with the best. Similar remarks apply to the other professionals engaged to develop the GRMP and TMP.
- A second lesson is to **educate and engage citizens at different levels**, (a) with broad opportunities to learn of the rationale and alternatives for a plan and provide feedback, and (b) establish workshops and **advisory groups of citizens with special knowledge**, skills and well-articulated concerns, who can negotiate specific recommendations. Although the GRMP and TMP permitted this, one of the best examples is Manitoba's Active Transportation Advisory Group that produced *Greater Strides: Taking Action on Active Transportation*. We are pleased to see that the Province plans to continue with an AT stakeholder advisory group. We believe that this successful strategy could be repeated in many areas of concern.
- A third is that, given that the transportation sector accounts for over a third of Manitoba's GHG emissions, **sustainable transportation is central to any effective green plan** and that **community design that integrates transportation and land-use planning** to create "complete communities" and "complete streets" is crucial to enabling sustainable livelihoods and ways of life. The path to a sustainable Manitoba leads through sustainable Manitoba municipalities, since that is where most of us live.
- In particular, over half of Manitoba's population lives in Winnipeg and two-thirds in the Capital Region. **Cooperation with the City and support of its sustainable initiatives** is absolutely crucial to making Manitoba "one of the most sustainable places to live on earth." If Winnipeg fails, Manitoba fails.

For example, we now have a Mayor and Council who have accepted the argument that motor vehicles are underpaying for the tremendous infrastructure investments they require. Yet the City has no legal power to raise funds from motor vehicles through special taxes on parking spaces, special registration fees, road or bridge tolls, or assessing

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<sup>1</sup> I believe the Province helped fund the *OurWinnipeg* planning exercise. In any case it deserves a tree/milestone in the sequence at the bottom of the page.

vehicles for property taxes. With the powers they have, the City is forced to perversely subsidize motor vehicle infrastructure from taxes on homes and businesses (or sharp increases in transit fares), even though they have a sustainable transportation plan to encourage a modal shift away from cars. The Province needs to grant the City and other municipalities fiscal powers for fairer, more sustainable revenues.

- Finally *OurWinnipeg* stressed the importance of **early actions to address obvious deficiencies and seize opportunities** to counter the common cynicism that follows when the public invests considerable energies in a planning process only to see the results pushed to a remote future ("tomorrow, not now"), forgotten or ignored. Naming the plan *TomorrowNow* suggests it should be fast out of the starting blocks. Don't disappoint!

An example of slipping into deferral mode occurred at the October 9th, 2012 public forum on *TomorrowNow*. In response to questions on Climate Change targets, timelines and actions, such as changing the economic incentives, Minister Macintosh indicated that the first action would be to extend the emissions reporting requirement to more industries, "because you can't manage what you can't measure." Only then would work on targets, timelines or changed economic incentives begin. However, as our climate change brief makes clear, we already know in extensive detail where GHG emissions in the province come from (even if some details can be refined further) and know that over a third come from the transportation sector. For decades, this information has been reported to the UN Framework Convention on Climate Change.<sup>2</sup> We have the knowledge we need to develop a course of action ***now***, not tomorrow; governments have put off action for decades. Indeed the province collects tax on transportation fuels and thus knows in detail what is consumed (from which emissions can be calculated) and has the mechanisms in place for collecting more. The 2.5 cent per litre fuel tax increase in the spring budget is a start, and we commend the provincial government for that. But we need a strategy, within which complementary and incremental series of actions are components, not a one-off to meet an immediate budget problem.

### Other lessons

Green Action Centre's experience and review of *TomorrowNow* have identified other general lessons for Manitoba's green prosperity project.

- An effective strategy requires **a realistic assessment of where we are, where we need to go and effective ways to get there**. This may begin with but must quickly go beyond informal SWOT analyses (strengths, weaknesses, opportunities, and threats) and glass-half-empty-glass-half-full debates between "nattering nabobs of negativism" and defenders of achievements to date.

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<sup>2</sup> Manitoba's inventory is in Table A14-14 in ***2012NIR - PT3-final.pdf*** of Canada's recent UNFCCC submission at [http://unfccc.int/files/national\\_reports/annex\\_i\\_ghg\\_inventories/national\\_inventories\\_submissions/application/zip/can-2012-nir-11apr.zip](http://unfccc.int/files/national_reports/annex_i_ghg_inventories/national_inventories_submissions/application/zip/can-2012-nir-11apr.zip).

For example, in our climate change mitigation brief, we report on Manitoba's inventory of GHG emissions and trends, identify sources and drivers of emissions, calculate the gaps between legislated Kyoto targets and the inventory, and propose mitigative measures and the potential magnitudes of their effects. This analysis needs to be extended to interim goals beyond Kyoto, such as exceeding Canada's Copenhagen commitment and ultimately meeting Manitoba's share of a scientifically estimated cap on total emissions limits to avoid catastrophic levels of climate change.

- **Good defensible policy and strategies should be at once principled and pragmatic,** with a sound rationale. Green Action Centre grounds policy recommendations and programs on **principles of sustainability and justice with practical application to Manitobans for "living green, living well."** We recommend public education, dialogue and negotiation backed by these principles as an antidote to being held captive to the most regressive voices. On the whole, Manitobans respond well when engaged respectfully and are willing to embrace doable changes that are part of real solutions.
- In our experience, Manitobans want to live greener lives and care about the world our children will inherit. But we must be wary about loading too much onto individual actions. **A co-ordinated and integrated approach is needed, including infrastructure as necessary to make sustainable choices possible along with price signals and incentives to encourage sustainable choices. Individuals are more likely to make the right choices if those options are practical, safe, affordable, efficient, healthy and enjoyable.**
- **Efficiency and synergy are important virtues for achieving green prosperity.** Efficiency means getting something desirable at least cost or, alternatively, getting more benefits at the same cost. However benefits and costs should not be construed narrowly. Producing a good cheaply while endangering health, well-being or the environment and wasting resources is not true efficiency under full-cost accounting.

An action or policy that achieves multiple benefits or goals simultaneously is synergistic. In our energy brief, we argue that Power Smart conservation measures plus Power Smart utility rates plus a low-income affordability program constitute a synergistic, mutually reinforcing bundle of policies that simultaneously promote conservation, justice, affordability and economic goals. Creative policy development looks for similar synergies in all sectors.

The 50 by '30 organization provides another example of synergistic and systematic policies. They argue that achieving 50% renewable energy consumption in Manitoba by 2030 will provide Manitoba with economic, environmental and social benefits conjointly. This can be achieved by a review of energy use in all sectors and initiating in each a combination of demand reduction (e.g. driving less), efficiency (more fuel-efficient vehicles), and renewable energy sources (electric vehicles). In reverse order, this spells RED ([www.50by30.org](http://www.50by30.org)).

- Another essential for a green prosperity, largely missing from *TomorrowNow*, is "ecological fiscal reform" or **green budgeting to promote sustainable behaviour by individuals and institutions and help create a more just and sustainable society** by
  - a) Making it easier and more rewarding to do the right thing (e.g. free or low-cost recycling and public transportation services);
  - b) Removing perverse subsidies for less sustainable behaviour like sprawl and fossil fuel consumption;
  - c) Planning and investing for a more sustainable future (e.g. economically and ecologically efficient buildings, communities and transportation systems);
  - d) Taking a full-cost accounting perspective to assess social, ecological and economic costs and benefits of building, energy, location and transportation choices;
  - e) Other things being equal, have users who impose social costs pay for those costs (user pay and polluter pay); but also
  - f) Insure that basic welfare and human development needs (e.g. health and education) are provided for all citizens.

Principles (a) through (d) lead to a more sustainable society. Principles (e) and (f) represent two aspects of a just society that need to be reconciled – paying the costs of ones actions and meeting basic human needs. Despite some potential tension between them, justice requires attention to both.

- Green prosperity means that economic policies are not pursued independently of sustainability policies. Analysis and advice for improving the economy or government expenditures and revenues must always examine what is consistent with sustainability principles and objectives. We wonder to what extent this occurs, say, in the advice given by the Premier's Economic Advisory Council (PEAC), the Priorities and Planning Committee of Cabinet, or the Finance Department. We observe that in Manitoba's 5-year Economic Plan (<http://www.gov.mb.ca/finance/budget11/plan.pdf>) there is no mention of sustainability principles or objectives. Only the ink is green. Likewise for the initiatives identified for the Priorities and Planning Committee of Cabinet (<http://www.gov.mb.ca/chc/press/top/2012/01/2012-01-13-140300-12983.html>).

Green Action Centre proposes explicitly amending the 5-year Economic Plan and the Planning and Priorities Committee of Cabinet objectives to include "*creating conditions for a greener, more efficient and just economy.*" We also recommend that **a Green Prosperity Working Group be established with research support to review in detail budgetary and economic measures to promote the greening of the Manitoba economy.** Such a group could report to the new Priorities and Planning Committee of Cabinet.

- A common objection to investing in environmental initiatives is that we can't afford it. After our investments in health, education, poverty reduction, infrastructure renewal, and

protection from crime, what is left for the environment?

This objection stems from a non-integrated view of the economy and our natural environment. Putting them together, a number of answers emerge, based on concepts of prevention, alternative transportation, efficiency, substitution, stimulus and synergy.

Altogether they mean that **Manitoba's prosperity is not affordable unless it is green.**

- A case can be made that unsustainable land drainage policies and possibly climate change intensification are responsible for the huge hit to the provincial economy from 2011 causing years of provincial deficits. Nicholas Stern and other economists have argued that the cost of climate mitigation investments are orders of magnitude below the costs of runaway climate change. In both cases, **prevention is the most cost-effective policy.**
  - **Urban sprawl based on an auto-centric transportation system is terribly costly.** As Bill McKibben reports (*Deep Economy: The Wealth of Communities and the Durable Future*, p.154), "...[A]ccording to a recent World Bank report, cities that emphasize walking, cycling, and public transport spend a far smaller percentage of their total wealth on moving people around than car oriented cities do: only 4 or 5 percent of their wealth is expended on transport compared with up to 17 percent in freeway-dependent cities like Phoenix."
  - Where will we get the money to invest in renewables? The 50 by 30 organization answers - we're already spending billions of dollars on gas and petroleum products from Alberta for heat and transportation. **Demand reduction, efficiency and renewable energy investments save on fossil fuel expenditures and substitute local expenditures.** Renewable energy is local energy for Manitoba.
  - Moreover, **spending those energy investments in Manitoba stimulates our economy and provides green jobs.**
  - Finally, **green prosperity means looking for synergistic solutions.** *TomorrowNow* rightly highlights the activities of BUILD and its sister social enterprises that have developed a synergistic "successful business model that combines social, economic and environmental objectives." Shaun Loney speaks of his protégés as "million dollar men," reflecting their costs to society from welfare and a life of crime. Providing an alternative livelihood in energy efficiency is obviously a socially, economically and environmentally preferable alternative.
- We earlier noted that *TomorrowNow's* goal for Manitoba "to be one of the most sustainable places to live on earth" is quite ambitious and invites comparison with leading jurisdictions around the world. **Manitoba needs the ability to scour the globe in search of best practices,** not only to see how we compare but also what we can adapt to our own circumstances. In our energy brief, we noted Manitoba Hydro's strength in long-range power planning but found it deficient in comparison with BC, Vermont and Seattle in obtaining public input for power planning. Seattle is exemplary too in their conservation and affordability pricing of power. Moreover the 2010 census indicates that 41.2% of Seattle residents commute by transit, carpool, biking or walking ([http://www.seattle.gov/dpd/Research/Population\\_Demographics/Overview/default.asp](http://www.seattle.gov/dpd/Research/Population_Demographics/Overview/default.asp)). These are but examples of what we might learn from a more systematic review of best

practices in other jurisdictions.

- Finally, we note that ***TomorrowNow* proposes green branding initiatives** to cast Manitoba as the World's Polar Bear place, the Parks Province, the Eco-Learning Capital of Canada, Leading the Way on Reducing Waste, as well as "one of the most sustainable places to live on earth." We find these branding proposals more attractive than "spirited energy" and express the hope that we can make them all truthful so that they stick. Green Action Centre's and others' briefs in response to the *TomorrowNow* invitation, attempt to identify some of the transformations necessary for this to be the case and we are committed to working with the Province and Manitobans to make it so. **We look forward to the day when *The Manitoba Advantage* can be rewritten to reflect a "green prosperity" perspective** (<http://www.gov.mb.ca/finance/pdf/advantage.pdf>).<sup>3</sup>

### **The briefs that follow**

Green Action Centre endorses the overall goals of *TomorrowNow* and of each of its five sections. We welcome and wish success to this initiative to refocus, reprioritize, and rebrand Manitoba. This submission is a contribution to that effort. It consists of this introduction with its lessons learned followed by a series of briefs written by members on themes in *TomorrowNow* in which we have some experience. The briefs, which identify challenges and propose solutions, are described below.

***Creating a green economy*** takes stock of where we stand and the challenges we face in creating a green economy, provides a summary critique of measures proposed to address the challenges, and proposes additional measures needed.

***On Becoming a Clean and Green Energy Hub*** takes stock of the value of Manitoba's key asset, hydropower; identifies a number of policies that would help Manitoba make the most of its hydro advantage by strengthening conservation, alternative energy, fairness, affordability, and public input. The discussion then broadens to more comprehensive energy planning, and concludes with remarks on particular topics within that framework.

***Reducing Greenhouse Gases (GHG)***, working from Manitoba's UNFCCC GHG inventory, provides detailed analysis of the challenges Manitoba faces to meet its legislated Kyoto target

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<sup>3</sup> Anders Swanson comments on branding: *If Manitoba's economy is to be underpinned by the skill level, dedication, work ethic, ethics, happiness and wealth of the individuals that live here, how do we plan to get this message out to everyone else? If they aren't here already, we want them to move here. Where is the branding exercise that will drive the point home? How do we envision Winnipeg and Manitoba in 25 years? Is it full of bikes? Are kids happy? Is it safe to be a senior without a car? Do we refrigerate the ice and heat the air of our hockey rinks simultaneously with heat pumps? Are we proud to live here? Are we the Seattle of the North? The Denmark of North America? The Leader in Innovation and Secondary Education that comes with a smarter, more civil society? This messaging could have strong effect on this plan and how people see themselves going forward and have an effect on some of the economic choices we make. (Note that this is more complex than the simple eco-tourism bullet - but runs on the same principles). Basically, how will TomorrowNow seek to capitalize on the idea that Manitoba will become a national leader full of healthy, happy progressive-thinking individuals that thinks green and acts green?*

(albeit belatedly). *TomorrowNow* initiatives are then matched to GHG emissions to assess their adequacy. Finally, additional measures to reduce GHGs are proposed.

***Vision for Sustainable Transportation*** examines strategies to shift towards more sustainable modes of transportation not only to reduce GHG emissions but also to make our communities more liveable and healthy. It references and summarizes a number of recent planning documents, which already provide agendas for action, and makes additional suggestions.

***Re-Orienting the Built Environment for Tomorrow*** describes a model integrating EcoCity, Healthy City, and Age-Friendly City design recommendations – and its potential contributions to the *TomorrowNow* initiative.

***Adapting to a Changing Climate*** identifies several climate change adaptation challenges for Manitoba and proposes an approach to adaptation for each.

***Moving towards Zero*** addresses issues of waste management from a *zero waste, zero harm* perspective, notes recent initiatives of Winnipeg and the province, and makes proposals for improving performance.

***Community Education for Sustainability*** notes how crucial individual decisions are in generating (and thus reducing) Manitoba's ecological footprint and then considers strategies for mobilizing Manitobans to do their part and ideas for meeting the goal of making Manitoba the eco-learning capital of Canada.