



## **Response to Recommendations to the Phosphorus Expert Committee of Manitoba Conservation**

September 2005

Keystone Agricultural Producers (KAP) appreciates the opportunity to comment on the recommendations of the Manitoba Phosphorus Expert Committee. These proposed regulations result in a significant departure from those previously imposed on the province's farmers, and would have far-reaching economic and social implications on farm families and rural communities across Manitoba.

In light of the importance of this issue, KAP has facilitated ongoing discussions with its commodity group membership to fully understand and evaluate the potential impact on the entire agricultural community. It is from this partnership and common position that we submit our response. A list of KAP's commodity group members is attached as an appendix for your information.

### **Proposed Thresholds**

KAP has no specific concerns relating to the proposed soil phosphorus (P) thresholds as set out in the Phosphorus Expert Committee (PEC) document. They allow for some flexibility, as P levels in the soil and manure are variable, depending on a host of factors often outside the control of an individual producer.

However, we do question the accuracy of the data that may have been used in developing these recommendations and the level of expected impact on Lake Winnipeg. We believe that more reliable Manitoba-specific data must be compiled prior to implementing regulations that will have such a significant impact on farm families. There is also significant concern that the proposed thresholds may be the "thin edge of the wedge" for increasingly stringent P regulations in agriculture, should the province not achieve its goal of reaching the levels recorded in the 1970s. As farmers' collective contribution to P levels is comparably small to other sectors of society, it is our position that these thresholds and the related focus on agriculture must not be the only avenue that the provincial government uses to address the issue.

Analysis has shown that all of agriculture, through manure application and commercial fertilizer usage, contributes only approximately 6% of the total nutrient load in Manitoba's waterways. Producers will continue to adopt new agronomic and environmental practices to decrease their impact on our water resources, but the province must look to other sectors to effect a widespread improvement on P levels.

The Phosphorus Expert Committee was mandated with a very narrow focus to look only at agriculture's contribution. During major fast-flowing events, phosphorus movement in sediment from in-stream erosion is a major contributor. During these events, agriculture flooding occurs and the water slows on the landscape and drops sediment and nutrients. This raises the question as to whether agricultural land contributes to the stream sediment and nutrient load or lowers it. Research is needed to establish the answers since this brings into question the need for a 100 year flood setback for livestock. Baseline data must include all phosphorus that exists from the "natural sources" and separate this from the level established for agriculture. Government must also bear in mind that it will be impossible for agriculture, or any other sector, to reduce P levels to zero.

### **Impacts on Family Farms**

As noted within the PEC recommendations, an immediate prohibition on winter spreading will have "a severe financial impact on many existing small poultry and livestock operations that currently lack the capacity to store manure over winter." Other producers may have to find additional appropriate land, within a close proximity, to apply manure in accordance with these P regulations. Still others, including those in the Red River Valley, may have to relocate their entire operation as a result of these proposed regulations. The regulations may also force farmers to eliminate the beneficial practice of including forages in their crop rotations in the Red River Valley, as these crops require surface-spread phosphorus. The unfortunate option for many smaller producers, in light of these regulations and related costs to the farm, may be to cease farming. These regulations may also be a deterrent for those who wish to enter the industry.

We believe that the Province of Manitoba does not wish to put small, family farms out of business through these regulations, and will recognize that this situation calls for significant additional assistance and future predictability on regulatory costs. The committee's recommendations do note that some financial assistance "may" be required to help producers adjust in order to comply. KAP and its member organizations believe that it is absolutely essential that the provincial government establish a means of sharing in the investment it is asking of producers, particularly as available research shows that these regulations will have little impact on the level of P entering Lake Winnipeg. To address this, we recommend that the province undertake an analysis of the on-farm costs prior to implementing these thresholds.

In its submission on this issue, Manitoba Pork Council recommends that the province consider providing grants through the Agricultural Policy Framework's environmental farm plan process to provide some level of assistance. We support this position and, in addition, also recommend that the Government of Manitoba look outside the agricultural funding envelope to facilitate these adaptations. The intent of this process is to reduce P loading and thereby improve water quality for all Manitobans. We strongly believe that when society benefits from our changes in practice that they must also bear the costs. The cost of building manure storage facilities or acquiring suitable additional land can be unrealistic for an individual farm family, but is achievable with public support for the resulting environmental benefits.

It is unrealistic to establish these recommendations and expect results if complementary assistance programming and incentive-based alternatives are not also created. These regulations may serve only to push smaller producers from the land as they are less likely to have the financial reserves in place to comply. Regulation is not the only tool available to governments and, in light of the far-reaching impacts of these regulations, it should not be the only option utilized. KAP and its member organizations invite the departments of Conservation, Water Stewardship, and Agriculture to meet with us to discuss complementary policy alternatives that will meet our shared environmental objectives while also respecting the needs of Manitoba's family farms.

### **Equity Among Sectors**

The P recommendations as set out by the committee will require a significant adaptation on the part of many farm families. As such, we believe it is imperative that agriculture is treated similarly relating to P reduction targets and timeframes as other sectors. While outside the mandate of this committee, the issue of parity must be addressed, and agriculture is not prepared to move forward with these proposed regulations until a plan is established with the same timeframes for other sectors.

Consider the City of Winnipeg as a basis of comparison. While agriculture, through innovative technologies and practices, has been able to voluntarily decrease P levels, little has been done on the municipal level to deal with this issue to date. The city will be given up to 20 years to implement changes, with no clear target reductions yet established, and will be able to source significant public dollars (federal and provincial) to deal with the issue, despite its own significant fundraising abilities via taxation. In contrast, Manitoba's agricultural producers have already been given specific P limits, and will be expected to achieve these limits within what is anticipated to be an extremely short timeline. The recommendations establish this framework for fast and measurable changes, and yet there is still no confirmation of any public dollars that will facilitate adaptation.

Farmers, who have no taxation power and no ability to pass on increasing costs of these P regulations, should not be expected to meet them sooner than the province's major urban centre. For this target to be achievable, public dollars and extended timelines must be available to provide the needed technical expertise, monitoring, and related incentive programming.

### **Role for Government**

The provincial government has a responsibility to review its stated timeframe of P regulation implementation (as noted on Page 1 of the PEC document). Without any system of compensation or adaptation funding confirmed for producers affected by these changes, it is unrealistic to expect that small family farms will be able to meet the province's standards. To meet this end, and to ensure that the P threshold recommendations are implemented with the least harm on farmers, KAP and its commodity group members offer their assistance to develop workable timeframes and solutions.

We also recommend that the Department of Conservation work closely with Manitoba Agriculture, Food & Rural Initiatives to take advantage of their expertise in soil science and agricultural practices. We recommend that these two departments make a solid effort to work in conjunction with one another, as well as the Department of Water Stewardship, to ensure that all environmental programming and regulation that affects farmers is done in an informed and co-ordinated manner.

KAP strongly urges government to conduct an economic analysis of the impact of this and future regulations on the farm families and rural communities that will be affected. This would act as the basis for any public spending that may be required (through a producer cost / societal benefit comparison). While we believe that the P thresholds are workable, we must again emphasize a role for government in providing incentives and other non-regulatory tools to achieve this objective.

We encourage government to continue to better its frame of research on this issue, and take advantage of the data being prepared by industry groups, such as the Manitoba Cattle Producers Association.

Agriculture must also insist that the government quickly move forward with similarly stringent P thresholds and regulations for other sectors. We believe that animal agriculture has been unfairly targeted as the first sector to comply with these regulations. Our industry is concerned that this move by government may give the public an inaccurate perception that agriculture is the most significant contributor of P, thus being the first to be regulated. This must be addressed swiftly and equity must be established.

### **Closing Comments**

In closing, KAP would like to reiterate that the phosphorus levels as proposed by the PEC are not unworkable, but we have serious concerns about the related timelines, lack of assistance for farmers, and what we see as a disproportionate focus on Manitoba's farm families.

KAP and its commodity group members wish to work with government to find a workable framework for these recommendations, but first we must be satisfied that the appropriate scientific data and methodologies are in place and that the economic impacts on agriculture have been assessed. Secondly, government must also commit to a more workable timeframe for implementation and an adaptation package that would assist the affected family farms. We are committed to working with government to develop tools that will achieve the desired environmental results without relying solely on regulation.

We urge government to delay the implementation of the PEC recommendations until these issues can be resolved. Agriculture's contribution to phosphorus is relatively limited, but we are extremely concerned that these regulations will have a significant and far-reaching negative impact on Manitoba's family farms. A suitable balance must be struck, and the plan to achieve this must be put in place prior to the regulations being enacted.