

# Consultation on Proposed *Green Prosperity Act*



*Sustainable development is commonly defined as development that meets the needs of the present generation without compromising the ability of future generations to meet their own needs. The three main pillars of sustainable development are economic growth, environmental protection, and social well-being of people.*

## BACKGROUND

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### History of Sustainable Development in Manitoba

Manitoba has a proud history of leadership on sustainable development. In 1990, the Manitoba Round Table on the Environment and the Economy released “*Towards a Sustainable Development Strategy for Manitobans*”, which proposed principles and guidelines of sustainable development and a series of strategies for promoting sustainability. This led to the 1997 report “*Sustainable Development Strategy for Manitoba*”, and the launch of a multi-stakeholder initiative called the Consultation on Sustainable Development Implementation (COSDI). COSDI was created to determine a path forward for Manitoba in sustainable development implementation. Formal recommendations were provided to government in June 1999, with detailed recommendations on how to achieve the sustainability vision.

### Accomplishments under the *Sustainable Development Act*

The *Sustainable Development Act* has made sustainable practices such as purchasing guidelines and sustainability reporting a routine part of operations within government departments as well as other segments of the public sector, such as school divisions, regional health authorities and Crown agencies. Much has been accomplished in terms of creating a climate of awareness and understanding of sustainable development in the public sector. There is now an opportunity to further implement sustainability principles in government, and to promote awareness and understanding with industry and the public.

### The Future of Sustainable Development in Manitoba - Manitoba’s Commitment to Modernize the *Sustainable Development Act*

The 2009 Speech from the Throne indicated the government’s intention to modernize the *Sustainable Development Act* to reflect changes in environmental policy in the last decade.

In “TomorrowNow – Manitoba’s Green Plan”, the Manitoba government announced that consultations would begin in 2012 on a strong, leading-edge law to replace the *Sustainable Development Act*, tentatively titled the “Green Prosperity Act”.

The new act will feature new policy tools, allow sustainability agreements to be signed with outside organizations and incorporate the economic valuation of environmental goods and services.

**Manitoba passed the *Sustainable Development Act* in 1998, making Manitoba the first province in Canada to incorporate sustainable development into public sector operations, and forming the model that other provinces followed.**

# OUTLINE OF PROPOSED LEGISLATION

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The intent of the new act is to create new opportunities to engage government and involve the broader public and private sectors in the shared goal of sustainability.

The new act will define government's goals and link all current and future activities and legislation related to environmental sustainability in Manitoba such as the *Climate Change and Emissions Reduction Act*, the *Environment Act*, and the *Water Protection Act*. The new act will serve as a foundation for future policy development and provide an opportunity to revise and pull together a number of other aging conservation-related legislation into one act, potentially reducing the number of statutes (see Figure 1).

## Organizational Structure for Legislative Implementation

The act could serve as an umbrella for developing, implementing and communicating the government's sustainability priorities. A co-ordinating body will be developed to ensure a standardized and complimentary approach to implementing environmental sustainability across government departments.



**Figure 1. Components of Manitoba's new sustainability legislation -** The "Green Prosperity Act" would define government's goals and link all current and future activities and legislation related to environmental sustainability in Manitoba.

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**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 TomorrowNow - Manitoba's Green Plan?**

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The following are the proposed legislative changes that will be made when replacing the Sustainable Development Act:

## 1. Development of New Legislation

The new act will still encompass the three pillars of sustainable development (the environment, society and the economy), but will shift focus towards environmental sustainability. This will ensure the environment is recognized as the foundation of society and the economy and is given due weight in all decisions.

One proposed name for the new act is “the Green Prosperity Act”. The name is proposed to take the current use of the term sustainable development and bring it into a context that reflects the current and future direction of government, which is to create a green and prosperous society.

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***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?***

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## 2. Purpose

The new act will have a clearly defined purpose statement, which could include:

- I. providing guidance on all government sustainability initiatives and obligations
- II. facilitating progress towards sustainability outside government by way of agreements and initiatives with private sector agencies, industry and other organizations
- III. encompassing all three pillars of sustainable development: environment, society and the economy, while maintaining a focus on environmental sustainability

The act will also recognize the progress achieved over the past decade by government and its partners on integrating sustainable development practices under the *Sustainable Development Act*. This will include recognition of the established code of practice, financial management guidelines and procurement guidelines and goals to ensure they still have a foundation in legislation.

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***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?***

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### 3. Sustainability Priorities

The new act will outline the government's priorities for achieving sustainability, and enable government to establish new priorities as necessary. Currently, government has an overarching environment strategy - TomorrowNow – Manitoba's Green Plan. The priorities and related themes outlined in TomorrowNow are as follows:

#### **GOOD FOR OUR ECONOMY – GOOD FOR OUR ENVIRONMENT**

Manitoba's water, air and land resources sustain a diverse range of economic, community and ecosystem needs. A strong, resilient green economy will be built to reduce environmental risks and ecological scarcities, while improving well-being and social equity for Manitobans.

- A Green Economy
- Clean and Green Energy Hub
- World Class Eco-Tourism

#### **CHANGING OUR WAYS FOR A CHANGING CLIMATE**

Scientists around the globe recognize that climate change is real and happening now. Changes to Manitoba's climate will affect natural ecosystems, the economy, and health and well-being. How emissions are reduced will shape our economy, our communities and our way of life. Climate change mitigation and adaptation policies must be considered at the same time. Looking forward, Manitoba will work to prevent and prepare for climate change by integrating these policies in a new provincial climate plan.

- Reducing Greenhouse Gases
- Adapting to a Changing Climate

#### **SAFEGUARDING OUR WATER, AIR AND LAND**

Manitoba's abundant fresh water sustains ecosystems, communities and the economy, and must be protected. Pollution prevention must include reducing contamination from toxins and wastes to water, air and land, and encouraging the use and development of clean technologies.

- Stewardship of our Water – Saving Lake Winnipeg
- Keeping Water Safe for Tomorrow
- Protecting Our Air and Land from Pollution
- Leading the Way on Reducing Waste

#### **NURTURING OUR LIVING WORLD**

Natural ecosystems provide habitat, offer recreational and economic opportunities, and support traditional lifestyles. We actively protect our biodiversity by establishing new parks, ecological reserves, and wildlife management and other protected areas, by developing management plans and recovery strategies for species at risk and by striving to ensure sustainable development of all our natural resources.

- Protecting our Biodiversity for Tomorrow
- The World's Polar Bear Place
- Caring for the Boreal Forest
- The Parks Province

#### **SIMPLE PERSONAL CHOICES – BIG RESULTS**

All Manitobans have a role to play in reducing our consumption of water, energy and material resources to sustainable levels. Working together to create earth-friendly policies that encourage environmentally-positive behaviour throughout society and the economy helps Manitobans lead by example.

- Mobilizing Manitobans so we All do our Part
- Eco-Learning Capital of Canada
- Water Sense

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***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?***

***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?***

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#### **4. Manitoba Sustainability Advisory Council**

The new act will transition the Manitoba Round Table for Sustainable Development into the Manitoba Sustainability Advisory Council. The new body could meet at the discretion of the Minister of Conservation and Water Stewardship and provide timely and strategic advice on issues of importance to

Manitobans and to government. The Manitoba Sustainability Advisory Council will have less structured obligations but will continue to provide important functions that the Manitoba Round Table has served in the past, such as sponsoring the Manitoba Excellence in Sustainability Awards.

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***What role would you like to see the Manitoba Sustainability Advisory Council play in the implementation of a sustainability vision for Manitoba?***

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#### **5. Revised Principles and Guidelines of Sustainability**

The new act would contain amendments to the Principles and Guidelines for Sustainable Development under the *Sustainable Development Act*. The proposed principles and guidelines have been reviewed by the Manitoba Round Table for Sustainable Development and are contained in Table 1.

The new act will fully incorporate the principles and guidelines rather than have them as a schedule to the statute, which is the current arrangement.

Changes to the principles would require a review and potential changes to the guidelines. Suggested additional guidelines would be required to reflect new principles of community economic development, and social justice to include the role of local institutions, capacity-building and public involvement.

**TABLE 1. PROPOSED REVISED PRINCIPLES UNDER THE NEW ACT**

Current Principles	Proposed Revised Principles
<p><b>1. Integration of Environmental and Economic Decisions</b></p> <p>1(1) Economic decisions should adequately reflect environmental, human health and social effects.</p> <p>1(2) Environmental and health initiatives should adequately take into account economic, human health and social consequences.</p>	<p><b>1. Integrated Decision-Making</b></p> <p>1(1) Manitobans recognize that the environment, the economy, and human society, including cultural, political and social dimensions are completely inter-connected. The best decisions will be ones which reasonably integrate the needs of all these areas.</p>
<p><b>2. Stewardship</b></p> <p>2(1) The economy, environment, human health and social well-being should be managed for the equal benefit of present and future generations.</p> <p>2(2) Manitobans are caretakers of the economy, the environment, human health and social well-being for the benefit of present and future generations.</p> <p>2(3) Today's decisions are to be balanced with tomorrow's effects.</p>	<p>Eliminate principle. Better described as guidance. Integrate aspects into new principle on social justice.</p>
<p><b>3. Shared Responsibility and Understanding</b></p> <p>3(1) Manitobans should acknowledge responsibility for sustaining the economy, the environment, human health and social well-being, with each being accountable for decisions and actions in a spirit of partnership and open co-operation.</p> <p>3(2) Manitobans share a common economic, physical and social environment.</p> <p>3(3) Manitobans should understand and respect differing economic and social views, values, traditions and aspirations.</p> <p>3(4) Manitobans should consider the aspirations, needs and views of the people of the various geographical regions and ethnic groups in Manitoba, including Aboriginal peoples, to facilitate equitable management of Manitoba's common resources.</p>	<p><b>3. Shared Responsibility and Diverse Understanding</b></p> <p>3(1) Manitobans should acknowledge responsibility for nurturing the economy, the environment, human health and social well-being, with each person accountable for decisions and actions in a spirit of partnership and open co-operation.</p> <p>3(2) Manitobans understand that environmental, social and economic challenges and opportunities extend beyond political borders. Proper solutions will frequently require national and international collaboration.</p> <p>3(3) Manitobans should appreciate and respect differing views, values, traditions and aspirations across diverse geographic and ethnic communities within and beyond our province.</p> <p>3(4) Manitobans should recognize the importance of Aboriginal peoples in the equitable management of Manitoba's common resources.</p>

**TABLE 1. PROPOSED REVISED PRINCIPLES UNDER THE NEW ACT (Continued)**

Current Principles	Proposed Revised Principles
<p><b>4. Prevention</b></p> <p>Manitobans should anticipate, and prevent or mitigate significant adverse economic, environmental, human health and social effects of decisions and actions, with particular careful regard to decisions whose impacts are not entirely certain but which, on reasonable and well-informed grounds, appear to pose serious threats to the economy, the environment, human health and social well-being.</p>	<p><b>4. Prevention and the Precautionary Principle</b></p> <p>4(1) Manitobans will take a precautionary approach and pursue alternative solutions when the impacts of a particular decision are not entirely certain but which, on reasonable and well-informed grounds, appear to pose serious or irreversible threats to the environment, society and the economy.</p> <p>4(2) Manitobans should prioritize the prevention of significant adverse economic, environmental, and social effects, with preference for those initiatives which address the root cause of modern problems. A lack of full scientific certainty shall not be used as a good reason for postponing cost effective measures to prevent environmental degradation.</p>
<p><b>5. Conservation and Enhancement</b></p> <p>Manitobans should</p> <ul style="list-style-type: none"> <li>(a) maintain the ecological processes, biological diversity and life-support systems of the environment;</li> <li>(b) harvest renewable resources on a sustainable yield basis;</li> <li>(c) make wise and efficient use of renewable and non-renewable resources; and</li> <li>(d) enhance the long-term productive capability, quality and capacity of natural ecosystems.</li> </ul>	<p><b>5. Conservation and Resiliency</b></p> <p>Manitobans</p> <ul style="list-style-type: none"> <li>(a) recognize that there is a limit to natural capital and a limit to the resiliency of natural systems;</li> <li>(b) recognize that system resiliency depends on the integrity of the system;</li> <li>(c) respect and maintain the ecological processes, biological diversity and life-support systems of the environment, and strive to live within these natural limits;</li> <li>(d) harvest renewable resources on a sustainable yield basis;</li> <li>(e) make wise and efficient use of renewable and non-renewable resources.</li> </ul>
<p><b>6. Rehabilitation and Reclamation</b></p> <p>Manitobans should</p> <ul style="list-style-type: none"> <li>(a) endeavour to repair damage to or degradation of the environment; and</li> <li>(b) consider the need for rehabilitation and reclamation in future decisions and actions.</li> </ul>	<p>Incorporate into principle 5.</p>

**TABLE 1. PROPOSED REVISED PRINCIPLES UNDER THE NEW ACT (Continued)**

Current Principles	Proposed Revised Principles
<p><b>7. Global Responsibility</b></p> <p>Manitobans should think globally when acting locally, recognizing that there is economic, ecological and social interdependence among provinces and nations, and working co-operatively, within Canada and internationally, to integrate economic, environmental, human health and social factors in decision making while developing comprehensive and equitable solutions to problems.</p>	<p><b>7. Global Responsibility</b></p> <p>Manitobans recognize that we are part of larger global biological, social and economic systems, and seek to make our decisions based on an understanding of these global systems. We will seek to enhance and preserve system functioning with regard to our local actions and policies. We recognize that our actions not only serve to protect and enhance sustainability within Manitoba, as well as in the global system and can serve as an example to others in Canada and around the world.</p>
	<p><b>8. Community Economic Development (NEW)</b></p> <p>8(1) Manitobans should consider the potential of community economic development (CED) to help address challenges and capture opportunities into guidelines:</p> <p>8(2) Aspects of CED include but are not limited to:</p> <ul style="list-style-type: none"> <li>(a) <b>Local Employment</b> – support long-term employment opportunities for local residents including hiring locally, create opportunities for greater personal and community self-sufficiency, and enable spending of wages within the local economy.</li> <li>(b) <b>Local Ownership and Decision-making</b> – promote local ownership and control of community-based businesses, co-operatives and other resources, and encourage grassroots involvement and democratic decision-making.</li> <li>(c) <b>Local Economic Linkages</b> – purchase locally produced goods and services.</li> <li>(d) <b>Re-invest Profits Back into the Community</b> – reinvest profits to expand the local economy and strengthen community self-reliance.</li> <li>(e) <b>Local Knowledge and Skill Development</b> – provide education and training opportunities that are accessible to local residents.</li> <li>(f) <b>Positive Environmental Impact</b> – promote environmental sustainability by building green, clean and safe communities.</li> </ul>

**TABLE 1. PROPOSED REVISED PRINCIPLES UNDER THE NEW ACT  
(Continued)**

Current Principles	Proposed Revised Principles
	<ul style="list-style-type: none"> <li>(g) <b>Health and Well-being</b> – promote the physical, mental and emotional health and well-being of community members at home, in the workplace and in the community at large.</li> <li>(h) <b>Neighbourhood Stability and Community Cohesion</b> – increase community members’ commitment to remain and participate in the community.</li> <li>(i) <b>Human Dignity</b> – foster relationships that build individual self-respect and community pride.</li> </ul>
	<p><b>9. Social Justice (NEW)</b></p> <ul style="list-style-type: none"> <li>(1) Social Justice is a necessary basis for society to achieve sustainability. A strong, healthy, and just society, which promotes good governance, the rule of law, human rights and social equality is the social basis for sustainability.</li> <li>(2) The economy, environment, human health and social well-being should be managed for the equal benefit of present and future generations.</li> <li>(3) Public Trust Doctrine - Modernization and development must be tempered by an understanding that certain natural resources – especially air and water – are central to our very existence. Government must exercise a continuing fiduciary duty to sustain the essence of those resources for long-term use and enjoyment by the entire populace.</li> </ul>

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***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?***

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## **6. Sustainability Agreements**

Government recognizes the importance of partners in achieving Manitoba's sustainability goals. The new act would allow the minister to enter into agreements with representatives of various sectors, peoples and/or governments to undertake co-operative, complementary or compatible actions to address the environmental sustainability priorities. The new act would help provide direction on agreements, ensuring consistency in their formatting, application and objectives.

Bringing these agreements under the new act will help ensure that agreements are made in keeping with government's sustainability goals and priorities

to help advance sustainability beyond the public sector. Business, industry, communities, non-government organizations and other sectors may be requested to incorporate environmental sustainability goals and principles into these agreements.

As examples, sustainability agreements could potentially be signed with the forest industry dealing with forestry practices, as well as with new home builders on application of new energy efficiency codes. Existing agreements between Manitoba Conservation and Water Stewardship and partner organizations could also be brought under this new arrangement.

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***Do you have any questions or comments about this proposed provision?***

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## 7. Multi-Year Sustainability Strategies

The new act will include a clause that recognizes a minister's ability to develop strategies, policies, programs and plans that assist in the execution of the purpose and principles of the act. This may include, as examples, the strategies and plans outlined in TomorrowNow – Manitoba's Green Plan (see Figure 2).

The responsible departments would develop priorities and act as the lead agency that would

develop and deliver the strategies on behalf of government, and report to the public where necessary. Manitoba Conservation and Water Stewardship would play a supporting role only. In addition, strategies could be co-ordinated through an inter-departmental working group at the staff level acting on direction provided by a panel of deputies and ministers.

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

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## 8. Regulation-making Ability

The new act could include a regulation-making ability, allowing the Minister of Conservation and Water Stewardship and other ministers to make

regulations about items within their purview that tie into this act.

## 9. Reporting on Progress towards Goals

The new act would contain a provision for reporting on progress towards sustainability priorities using existing means. Therefore, Provincial Sustainability

Reporting, currently under the *Sustainable Development Act* would be discontinued.

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

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

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Figure 2. Strategies and plans contained in TomorrowNow

## 10. Public Sector Operations

Part 6 of the *Sustainable Development Act* has legally binding requirements for Crown Corporations. These requirements will be maintained and updated in the new act, as many of the financial management and procurement guidelines are in use not only in departments, but also in Crown Corporations. In addition, the

regulation that is linked to this section which outlines sustainability guidelines for local governments, school divisions, universities, colleges and regional health authorities will come under the new act. Revisions may reflect that requirements are potentially met through existing reporting mechanisms such as institutional sustainability plans.

## 11. New Fund

The new act could provide for the continuation of the Sustainable Development Innovations Fund operating under a new name, with strategic ties to

priorities established in the act. Additional funds for sustainability projects could be found through the use of agreements with the private sector.

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***What priorities should the new fund address?***

***What criteria would an effective funding program include?***

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## Final Comments

Thank you for taking the time to complete this workbook. Your input is needed to ensure that Manitoba remains a strong leader in sustainability.

Please provide us with any additional comments that you may have on the proposed changes overall.

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***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?***

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If you have any questions, please contact:

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