



MANITOBA ECO-NETWORK

3rd Floor 303 Portage Ave., Winnipeg MB R3B 2B4
Tel: 204-947-6511 www.mbeconetwork.org

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The Honourable Steven Guilbeault
Minister of Environment and Climate Change
Steven.Guilbeault@parl.gc.ca

and

Manitoba's [Members of Parliament](#)

Re: Support for Bill C-226, The National Strategy Respecting Environmental Racism and Environmental Justice Act

The Manitoba Eco-Network (MbEN) urges you to vote in support of Bill C-226, *the National Strategy Respecting Environmental Racism and Environmental Justice Act* when it receives its second reading in the House of Commons. If passed, this legislation will allow policy makers to better address ongoing environmental racism in Canada and improve access to environmental justice for all Canadians.

Seeking Environmental Justice in Manitoba

Since 1988, Manitoba Eco-Network (MbEN) has promoted positive environmental action by supporting people and groups in our community. MbEN's programming focuses on policy advocacy, engagement in consultation processes and developing capacity building tools that benefit the environmental non-profit sector and our member groups. We are a public interest environmental organization seeking to promote and facilitate good environmental governance and the protection of Manitoba's environment for the benefit of current and future generations.

In recent years, we have been seeking to better address the ongoing environmental racism occurring in Manitoba and improve public access to environmental justice. To MbEN, environmental racism and environmental justice are important concepts that we recognize can mean different things to different people depending on where they live and work, and the types of interactions they have had with the corporations and government decision-makers involved in environmental governance processes and natural resource developments.

Environmental racism acknowledges the fact that Indigenous, Black and other racialized communities are disproportionately burdened with exposure to toxic substances and other environmental hazards due to policies and practices that have forced them to live in proximity to

polluting industries and natural resource developments.¹ These health and environmental hazards have been linked to high rates of cancer, reproductive diseases, respiratory illnesses, and other health problems in these communities. In Manitoba, examples of environmental racism include the development and operation of hydroelectricity and water control infrastructure projects and the disproportionate exposure of Indigenous, Black, and other racialized communities to toxic substances in inner-city and mature neighbourhoods in the City of Winnipeg.

The environmental justice movement emerged in Canada in response to the problems caused by systemic environmental racism. At its core, environmental justice is focused on equity, empowerment, and meaningful policy and legal change. As a member of this movement, MbEN has been advocating for improved public access to environmental justice through our policy advocacy activities and our [Healthy Environment, Healthy Neighbourhood](#) (HEHN) project, which is focused on the inner-city and low-income and marginalized individuals in the City of Winnipeg. This project was created after community groups from areas affected by industrial pollution reached out to MbEN for help. Their efforts to secure meaningful remedies for the harms to their communities have been unsuccessful. In response, MbEN designed this project to document community members' experiences, explore legal remedies, and identify gaps in the legal framework. Areas for the HEHN project encompass communities that are marginalized in some way, typically by Indigenous identity, newcomer status, and being low-income. Marginalized communities are more vulnerable to exposure to harmful pollution and may also have less power to demand that the pollution be cleaned up.

There are many examples of the struggles endured by residents as they have attempted to protect themselves and their families from toxic contamination. For example, soil, air, water, and snow sampling for lead and other toxics has been conducted multiple times in Winnipeg since the 1970s, and more recently since 2016.² Tests repeatedly show that the levels of lead and other toxic substances are elevated well beyond acceptable limits. In some cases, the levels of certain contaminants have been found to be ten to fifteen times the recommended limit. Lead in drinking

¹ Adnil Gosine & Cheryl Teelucksingh, *Environmental Justice and Racism in Canada: An Introduction* (Toronto, Can: Emond Montgomery Publications Ltd., 2008); Kaitlyn Mitchell & Zacharay D'Onofrio, "Environmental Injustice and Racism in Canada: The First Step is Admitting We Have a Problem" (2016) 29 *Journal of Environmental Law and Practice* 305; Ingrid Waldron, *There's Something in the Water: Environmental Racism in Indigenous and Black Communities* (Black Point, NS: Fernwood Publishing, 2018).

² See for example, Elisha Dacey, "Testing Reveals Toxic Heavy Metals in St. Boniface Soil," *CBC*, August 18, 2017; Kristin Annable, "Unsafe Lead Levels Remain at Weston School's Sports Field, Gov't Officials Say Winter Minimizes Risk," *CBC*, November 29, 2018; Cameron MacLean, "High Lead Levels in Soil a Lingering Reminder of Point Douglas's Industrial Past," *CBC*, December 1, 2018; Kristin Annable, "New Test Results Show Lead Contamination in St. Boniface Gardens up to 10 Times Recommended Level," *CBC*, May 31, 2019; Cameron MacLean, "Fences Going Back up around Weston School Field Pending More Tests for Lead in Soil," *CBC*, April 12, 2019; Government of Manitoba, "Sampling Report: Surface Soil Lead Levels in Winnipeg, Manitoba: 2007 & 2008" (Government of Manitoba, May 2011), <https://s3.documentcloud.org/documents/4873722/Y2011.pdf>; Intrinsic Corp, "Summary of Findings, Lead Concentrations in Winnipeg Soil" (2019), https://gov.mb.ca/asset_library/en/proactive/2019_2020/soil-report-summary-of-findings.pdf;

water and household paint are also serious problems in Winnipeg. Homes built before the mid-1950s are likely to have lead water pipes and homes built before 1990 will have lead solder to connect water pipes.³ Vulnerable populations who reside in such older housing, especially children, are at serious risk from exposure to these toxic chemicals found in their homes and surrounding communities.⁴

Despite a range of evidence showing elevated levels of toxic substances in their communities, community neighbourhood organizations have struggled to find meaningful solutions that allow them to protect their health and surrounding environment. Inadequate access to government reports and test results, delayed or lack of notification of contamination, and ineffective government enforcement of legislative requirements have created numerous barriers preventing access to environmental justice.⁵ Residents in these areas are frustrated and have expressed grief that they can no longer undertake activities, like growing vegetables in their backyard, that improve their lives and help achieve food sovereignty and security in their neighbourhoods.

Our work in the community has made it clear that Manitobans need legal reforms at the federal and provincial levels that improve their access to environmental justice, which requires:

- a recognized and meaningful role for the public and community organizations in legal and policy processes related to the regulation of toxic substances, contaminated, remediated and brownfield sites, and industrial practices with potential to cause negative health or environmental impacts;
- public access to detailed information such as investigation reports, medical information about potential health impacts, follow-up and monitoring data (air, soil, water), and compliance and enforcement activities;
- funding and compensation to document the impacts of toxic, persistent and bio-accumulative substances (e.g. lead, arsenic, cadmium, nickel, mercury, aluminum) and help those facing negative health consequences as a result of exposure.
- legal standing for citizens so they can better protect their legal rights and hold industry and government accountable for actions that threaten their health and surrounding environment; and
- stronger environmental enforcement mechanisms.

³ Nicholas Frew, "Testing Suggests 1 in 5 Winnipeg Homes with Lead Pipes Have Unsafe Levels of Lead in Drinking Water," CBC, December 17, 2019; Jim Maloway, "Replace Lead Water Pipes," Winnipeg Free Press, May 12, 2021.

⁴ Michael Gochfeld and Joanna Burger, "Disproportionate Exposures in Environmental Justice and Other Populations: The Importance of Outliers," *American Journal of Public Health* 101, no. S1 (December 2011): S54–59, <https://doi.org/10.2105/AJPH.2011.300121>. See also: City of Winnipeg, "Lead in water", online: <<https://winnipeg.ca/waterandwaste/water/lead.stm>>

⁵ Kristin Annable, Katie Nicholson, and Am Ct, "'Absolutely Floored': Residents Never Told of Lead Contamination in Point Douglas Soil Because NDP Sat on Info," September 13, 2018.

The Importance of Bill C-226

There is an urgent need to address the decades of environmental racism that have disproportionately burdened Indigenous, Black, and other racialized communities with exposure to toxic substances, a range of negative health impacts, and environmental destruction. While more substantive legal change will be required in the future to adequately address this issue, Bill C-226 is an important first step for the Government of Canada.

Bill C-226 will commit the Minister of Environment and Climate Change to creating a legal framework to examine how race, socio-economic status and living in areas near environmental hazards intersect to shape health outcomes in these communities. This framework must include measures to:

- Collect data and statistics relating to the location of environmental hazards and negative health outcomes in communities that have been affected by environmental racism;
- Assess the administration and enforcement of environmental laws in each province; and
- Address environmental racism in relation to possible policy and law reforms, involvement of community groups in policy-making, funding and compensation for affected communities, and access of affected communities to clean air and water.

Bill C-226 is an important legal development that centres race in environmental policy-making and decision-making, since the communities that are disproportionately harmed are most often Indigenous, Black or otherwise racialized. The collection and public availability of more data documenting environmental hazards and health outcomes will allow everyone, including provincial and municipal governments, to use it to better inform the decisions that impact marginalized communities. This Bill has the potential to improve access to environmental justice for all Canadians, including Manitobans, and should receive support from all political parties.

MbEN appreciates your consideration of our comments and recommendation to support Bill C-226 as it progresses through the House of Commons. We welcome future opportunities to engage with Manitoba's Members of Parliament and the Minister of Environment and Climate Change to ensure the highest level of environmental protection measures are enacted and the right to a healthy environment is meaningfully recognized to help us protect Manitoba's environment for the benefit of current and future generations.

Sincerely,

Heather Fast B.A., J.D., LL.M., Policy Advocacy Director

Alexandra Caporale, HEHN Project Coordinator