

MANITOBA'S CLIMATE AND GREEN PLAN IMPLEMENTATION ACT 2018

SUMMARY

In 2018, Manitoba became the first province in Canada to implement climate accountability legislation. Manitoba's approach and experience offers valuable lessons for Canadian governments contemplating interim emissions reduction milestones and broader climate accountability legislation. Unlike other jurisdictions that have implemented climate accountability legislation, including the [United Kingdom](#), New Zealand, and British Columbia, Manitoba's legislation does not include long-term emissions reductions targets or a clearly-defined emissions reduction pathway. This case study reviews the defining features of Manitoba's legislation.



FEATURES OF MANITOBA'S LEGISLATION

1. Legislating climate accountability processes

The *Climate and Green Plan Implementation Act, 2018* (the Act) introduced a Carbon Savings Account (CSA), which sets cumulative emissions reduction goals for five-year periods and is supported by accountability features and process, including an independent expert advisory body, compulsory government action plans, and regular monitoring and reporting.



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2. Clearly defining roles and responsibilities

Manitoba government duties

The Minister of Conservation and Climate (formerly named the Minister of Sustainable Development) is the minister responsible for administering the Act. Under the Act, the Minister's duties include establishing governance structures, maintaining the CSA, developing plans to reduce emissions, and regularly reporting on progress. The legislation also commits to creating a Low Carbon Government Office, which is responsible for developing and implementing policies and initiatives to reduce emissions and promote sustainable government operations.

Expert Advisory Council

The Act also established an Expert Advisory Council (EAC), an independent group of experts with a mandate to provide advice and recommendations to the Minister on the Climate and Green Plan, including the CSA. Members of the EAC are appointed by the Minister.

The EAC's roles include providing advice on what policies should be included in the Climate and Green Plan, reviewing progress on the implementation of the plan, and providing recommendations for setting emissions reduction goals. In providing advice and recommendations, the EAC must take into consideration a number of parameters laid out in the legislation, including economic, industrial, and demographic projections; the implementation of GHG reduction measures; and the availability and use of new and emerging technologies. Notably, the EAC has no statutory powers.



3. Establishing interim emissions reduction milestones

Manitoba's CSA establishes five-year cumulative emissions reduction goals for the province, set one CSA period at a time. Each five-year CSA is measured against the year before the CSA period commences, known as the dynamic year baseline (Expert Advisory Council, 2019). The Government must establish the emissions reduction goal for each CSA period before its start date and they must take into account the advice and recommendations of the EAC when doing so. In developing its recommendation on the emissions-reductions goal, the EAC relies on original modelling of emissions-reduction scenarios and measures, sector analysis, stakeholder input, and emissions trends and forecasts (Expert Advisory Council, 2019).

The Minister set the CSA for the first five-year period (2018-2022) at 1 Mt of cumulative emissions reductions, in line with the recommendation provided by the EAC (Government of Manitoba, 2019). In March 2020, the Government of Manitoba introduced plans to legislate a flat \$25/tonne carbon levy effective July 1, 2020, which the Government estimates will double cumulative emissions reductions for the first CSA period to 2 Mt (Government of Manitoba, 2020).

The Manitoba model is somewhat flexible in terms of meeting its CSA. At the end of a CSA period, any shortfalls must be added to the subsequent budget, as part of the debit feature of the CSA. There is no limit to what can be carried forward. However, each CSA will increase over the previous period (Government of Manitoba, 2017).



4. Producing action plans to meet milestones

The Minister of Conservation and Climate is responsible for developing the [Climate and Green Plan](#), which outlines a comprehensive set of policies and programs to mitigate and adapt to climate change. Legislation dictates that, when developing and implementing the plan, the Minister must take into account the advice of the EAC.

5. Monitoring and reporting

Each year, the government is required under the Act to table in the Legislative Assembly an annual report on emissions reductions, policies implemented, and progress against the carbon savings account. The annual report must also outline the emissions from all government departments and agencies for that year.

At the end of each five-year CSA period, the government must prepare a final report on emissions during the period, including an assessment on whether the goal was achieved. The EAC supports these efforts by establishing the methodology and benchmarks to measure CSA progress (Expert Advisory Council, 2019).

6. Beyond emissions reductions

The *Climate and Green Plan Implementation Act* goes beyond a narrow focus on emissions reductions to also include broader economic and environmental objectives. In particular, the Climate and Green Plan must include a comprehensive set of programs, policies and measures that:

1. reduce GHG emissions and address the effects of climate change;
2. promote sustainable development;
3. improve the management and protection of the Manitoba's water resources; and
4. preserve and protect the province's natural habitat and diversity.



LESSONS FOR CANADA

Cumulative emissions reductions budgets offer benefits over single-year targets

The CSA sets a five-year cumulative emissions reductions budget, as opposed to setting a target for the end-year of the account period. Cumulative emissions budgets limit the total emissions over a given period, while emissions reduction targets do not (since any number of pathways could be followed to reach a single-year target).

The cumulative approach recognizes that what ultimately matters for reducing the impacts on climate change are the total emissions released into the atmosphere, not just the level of emissions in any given year. The federal government can learn from Manitoba's approach when determining whether its five-year milestones represent targets or emissions budgets.

Lack of a long-term target diminishes accountability, predictability, and certainty

Manitoba's *Climate and Green Plan Implementation Act* does not enshrine a long-term emissions reduction target into law, nor does the province have a publicly stated long-term goal. Making a long-term target legally binding through legislation increases government's accountability to act on climate change and provides increased certainty and predictability around the future emission reduction path for businesses, investors, consumers, and policy makers at all levels of government.



Without this long-term target, there is also less information to guide the setting of interim milestones.

Setting budgets one-at-a-time reduces accountability, predictability, and certainty

While Manitoba's approach of setting one budget at a time provides flexibility to policy makers to respond to changing conditions, it lacks the certainty of a long-term path that a more deterministic pathway provides, such as one where a minimum of three budgets are in place at any given time. In addition, having only one budget in place opens the door to discretionary changes to the budget, including for political reasons. Although the government's commitment to increase emissions reductions over each CSA period implies a certain level of sustained ambition, a more deterministic pathway would enable greater accountability, predictability, and certainty.

A big step forward

Manitoba's *Climate and Green Plan Implementation Act* is a significant step forward for climate policy in Canada. The legislation of an accountability framework—complete with formalized governance processes, cumulative emissions reduction targets, and expert advice—is something that could benefit governments across Canada as they seek to reduce emissions and tackle climate change.

REFERENCES

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