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Towards a Collaborative Sustainable Agriculture Strategy for Canada

A *Perspective* Report prepared for CAPI
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Perspective
Report



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Note from CAPI

Canada has bold policy aspirations on climate change mitigation, and these extend into agriculture. The most recent evidence is the federal government initiative on a Sustainable Agriculture Strategy, aiming to work with industry groups to secure greater action at the farm level to reduce greenhouse gas emission and increase carbon sequestration. However, with agriculture an area of formal responsibility for both federal and provincial/territorial governments, and with provinces/territories and federal governments active with resources in environment, it begs the question as to how governments will work together to create traction for the Sustainable Agriculture Strategy and achieve meaningful results.

In this paper, University of Toronto political scientist and CAPI Distinguished Fellow Grace Skogstad leads us through a web of market/technology/policy context, constitutional responsibilities, public resources, and politics that explains and helps identify a positive pathway for governments and the sector in the Sustainable Agriculture Strategy. Provincial and territorial governments have some discretion in determining how and whether to collaborate with federal initiatives and with each other, or to act independently and focus on provincial interests.

The resulting political and policy choices influence heavily what can be accomplished, and its effectiveness. The paper concludes with some insights that can help better align government interest and facilitate improved prospects for the Sustainable Agriculture Strategy.

Key Takeaways

- There is an increasing policy focus on climate change and agriculture sustainability, including through the Federal Sustainable Agriculture Strategy (SAS) and the Sustainable Canadian Agriculture Partnership.
- FPT governments share responsibility for agriculture and have access to different policy tools that can be used independently or collaboratively with varying effect.
- The greatest impact appears to come through coordinated, collaborative approaches, where governments stay within their “lane,” most recently illustrated in elements of the SCAP agreement.
- There are potent obstacles to collaboration, including existing agri-environmental policies, differences in priorities and regional contexts and political positioning.
- Provinces and territories are more likely to collaborate if (1) there is a joint approach to setting standards and targets, (2) the federal government is prepared to invest a greater share, and (3) the outcomes are important to the competitiveness and access of Canadian agri-food products to international markets.

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Introduction

Food systems, observes the OECD, are facing the triple challenge of “providing adequate, affordable, safe and nutritious food for a growing global population; providing livelihoods all along the food value chain; and doing so while increasing the sustainability of the sector and its contribution to combatting climate change” (OECD 2022: 2). The need to find a balance among these competing goals for agriculture is increasingly apparent not only to international organizations but also domestic governments, including those in Canada. It is also apparent that governments have an important role in striking the requisite balance since the stakes and benefits extend well beyond farmers to current and future generations at home and abroad who rely on Canadian food production.

Since late 2022, the Government of Canada has engaged in consultations with farm industry groups on developing a Sustainable Agriculture Strategy (SAS) for Canada: one intended to support the sector’s continued competitiveness while also guiding policies, programs and other initiatives to advance Canada’s international commitment to achieve net zero greenhouse gas (GHG) emissions by 2050 (Agriculture and Agri-Food Canada 2022a). The Discussion Document accompanying the announcement of the consultative process declared the SAS would build on current environmental sustainability initiatives for the agricultural sector, while also filling in their gaps and making any adjustments needed to support better environmental and climate outcomes (Ibid.) The News Release accompanying the announcement of a consultative process with Canadian agricultural groups also stated the provinces and territories would be engaged on ‘how to best work collaboratively towards development of the Strategy’ (Agriculture and Agri-Food Canada 2022a).

The Government of Canada’s ongoing SAS initiative, alongside other federal and provincial initiatives, is an effort to grapple with the complex relationship between agriculture and goals of food security, sustainable livelihoods and economic wellbeing in the agricultural sector, and environmental sustainability. Agriculture is simultaneously (i) a contributor to the problem of climate change, (ii) a victim of climate change, and (iii) a potential part of the solution to climate change. As (i), a problem, agricultural emissions from on-farm practices and land use changes were estimated to comprise approximately 10% of total Canadian GHGs in 2019 (ECCC 2022). The agricultural (livestock) sector was estimated to account for 29% of Canada’s methane emissions in 2019 (ECCC 2022). Agriculture is also a source of emissions of nitrous oxide (N₂O) emissions from the use of fertilizers and of carbon dioxide (CO₂) from cultivation practices like soil ploughing and land use changes like draining wetlands. Agricultural practices also impact the ability to realize environmental goals of biodiversity preservation, security of water quality and quantity, and reduced pesticide use.

As (ii), a victim of climate change, the economic livelihoods of farmers and others in the food value chain are put at risk by the increased frequency and intensity of storms, flooding, drought and changes in precipitation patterns. While some in Canadian agriculture may benefit from climate warming, it is estimated that Canadian

agriculture as a whole will be economically damaged unless climate change adaptation actions are taken in the sector (Senate Standing Committee on Agriculture and Forestry, 2018).

Finally, as (iii), agricultural practices are recognized to be a part of the solution to climate change. Scientific research has established the effectiveness of a variety of on-farm management practices and land use changes that reduce GHGs and provide environmental benefits. The adoption of practices like improved nitrogen management, increased cover cropping, rotational grazing, and/or providing shelterbelts is credited with transforming Canadian agriculture from a carbon source to a carbon sink over the past two decades (ECCC 2022: 60).

Notwithstanding the availability of a repertoire of practices and approaches to address the problem of agriculture with respect to goals of environmental sustainability and climate change, challenges remain with respect to their uptake. One challenge is weak incentives for producers to adopt beneficial farm management practices that come with prospective trade-offs related to costs or production yields (ECCC 2022: 60). A second challenge is differences across commodities and regions/provinces in their environmental performance with respect to soil, water and air quality, farmland management and GHG emissions (Clearwater et al. 2016). For example, agriculture in Canada's prairie provinces (the source of most of Canada's crop production) is estimated to account for two-thirds of all agricultural GHG emissions (ECCC 2022). Regional (and intra-regional) differences in agriculture's environmental performance and the reasons for these differences mean there is no one solution for all regions (Agriculture and Agri-Food Canada 2022b; Fouli et al. 2022: 1). Accordingly, effective approaches to a more environmentally sustainable agriculture will need to be sensitive to these differences and tailored to the diverse agronomic and climatic conditions of farms across the country.

Yet a third potential challenge to a more sustainable Canadian agriculture is the willingness and capacity of Canada's federal, provincial and territorial (FPT) governments to work with one another and with the agricultural sector to find the "tailor-made approaches within flexible policies" that are deemed necessary (ECCC 2022). Canada's FPT governments often have both incentives and capacities to act independently rather than collectively. It cannot be assumed that they will act together to develop the effective SAS for Canada called for by the Government of Canada: that is, one that could include targets for measuring progress on voluntary or mandated performance standards with respect to soil health, water, biodiversity, climate change mitigation and climate adaptation and resilience (Agriculture and Agri-Food Canada 2022b).

What then can be expected from the federal government's effort to develop a sustainable agriculture strategy for Canada? The discussion which follows addresses this question. It first examines how Canada's federal system has affected the incentives and capacity of FPT governments to act independently of one another, or, alternatively, to collaborate to address problems and solutions to matters within the agriculture and environment portfolios. This discussion reveals important differences in the extent of collaborative FPT relations in agriculture as compared to the environment, including climate change. It then describes existing FPT programming with respect to agri-environmental and climate change measures, noting a patchwork of independent programs but also important examples of shared-cost programs. It concludes that progress in realizing the Government of Canada's goals for a sustainable agriculture strategy will require providing provincial/territorial governments with both the funding and flexibility to tailor agri-environmental measures to their local circumstances.

Canadian Federalism: Shared Jurisdiction, Independent and Collaborative Policy-Making

Canada's federal system enables FPT governments to engage collaborative in policy-making but it also gives them incentives and the capacity to act independently. As compared to European federations, Canada's constitution has equipped provincial and federal governments with considerable legislative powers to pursue policy goals consistent with their electoral and partisan interests and ideas in their areas of exclusive jurisdiction. Within their assigned areas of jurisdiction, provincial and federal governments have the capacity (albeit

circumstanced by fiscal resources in the case of some provinces) to respond independently of other governments to the preferences of their electorates.

However, the independent governments model is also associated with 'competitive state building' incentives for FPT governments to guard their autonomy from interference by the other order of government and compete for the loyalties of Canadians. One public policy outcome of competitive state building is 'credit taking' policy innovations that are popular with electorates. Independent provincial governments can also have incentives and the capacity to compete with other provinces, for example, by competitive taxation regimes or environmental policies that lower the costs of doing business in their province and create an unlevel playing field across provinces. Incentives for governments to collaborate to deliver public policies to Canadians in lieu of the independent governments model are driven by the greater fiscal capacity of the government of Canada to provide funding for programs that provinces could not afford on their own.

While the independent governments model dominates in Canada's federal system, agriculture is an exception: it is one of just three areas of shared jurisdiction in which both federal and provincial/territorial governments can act independently in using their legislative and spending powers to pursue desired policy goals. Shared jurisdiction does not eliminate FPT incentives for competitive state building via governments acting pre-emptively to occupy a shared policy domain and claim credit for popular policies. It also introduces additional opportunities for 'blame avoidance' whereby politicians shift fault to the other order of government for their failures to deal with pressing policy problems in areas of mutual jurisdiction.

Notwithstanding such incentives, shared jurisdiction over agriculture has given FPT governments incentives to devise institutional norms and frameworks for collaborative policy-making in an economic sector of considerable significance to most Canadian provinces and the country as a whole (Schertzer et al. 2018). These norms and frameworks, which have built up over decades, have resulted in FPT governments pooling their financial resources and legal authority to realize mutual policy goals for the agri-food sector. Shared-cost collaborative governance has arisen to mitigate the policy incoherence and inequitable treatment of producers that results when federal and provincial governments, with different policy priorities and fiscal resources, act unilaterally and without coordinating with one another.

One prominent example is the multi-year FPT agricultural policy framework (APF) agreements under which business risk management programs are delivered to Canadian farmers. These shared cost programs, which date back to the early 2000s, were the outcome of a process initiated by the federal minister of agriculture in the late 1980s to deal with perceived inequities in federal program funding for agriculture across Canada, provinces engaging in competitive farm program subsidization, and (other) provinces shifting the fiscal burden for farm income support to Ottawa. Hedley (2021: 6) describes the journey to FPT agreement on the solution to these problems—an income safety net system predicated on common cost-sharing arrangements and program principles—as a lengthy, difficult, and time-consuming process of building trusting relationships across FPT ministers and their senior officials. Their regular periodic renewal over the past twenty years undoubtedly owes much not only to the 60:40 federal-provincial/territorial cost-sharing formula, but also to the flexibility provinces and territories are given to undertake programming specific to the needs of their farmers. Canadian farmers have also been involved in their development, and in the case of some safety net programs, share their costs (Skogstad 2008: Chapter 3).

A second example of intergovernmental collaboration in agriculture is the joint regulatory decision making that occurs in the poultry and dairy sectors. Here, FPT governments have coordinated their separate regulatory authority over agricultural marketing (Ottawa's over interprovincial and international trade; the provinces' over intra-provincial trade) since the early 1970s to implement national marketing plans (Skogstad 1987, Chapter 5). As with the APF agreements, intergovernmental conflict accompanied the development of these plans and surfaces in their implementation. However, it has normally taken second place to the common interests and partnerships built across the FPT officials and industry groups that have contributed to the durability of supply management plans over decades (Skogstad 2022). While neither of the shared cost FPT framework agreements nor supply management plans would (or could) exist without Ottawa's involvement, their development was informed by earlier policy innovations in one or more provinces (Skogstad 2008: Chapters 3, 5).

And yet a third example of intergovernmental cooperation in agriculture occurs in international trade policy. Although the Government of Canada is solely responsible for negotiating international trade agreements and resolving trade disputes pursuant to them, it has consulted closely with provincial/territorial governments on provisions in international treaties with respect to agriculture. It has also worked closely with them to in an effort to resolve bilateral disputes around agricultural products under NAFTA and other international treaties (Skogstad 2012).

Unlike the established norm and patterns of collaboration in agriculture, FPT incentives for collaborative policy-making are much weaker and less developed when it comes to the environment. The environment is not a formally assigned jurisdiction in Canada's constitution. Both the government of Canada and the provinces claim legal authority over environmental matters under assigned subjects within their areas of jurisdiction (Section 91 of the Constitution Act for the government of Canada, Section 92 for the provinces). For example, provincial jurisdiction over 'property and civil rights in the province' and 'matters of merely a local or private nature in the province' provide the constitutional basis for provinces to regulate activities such as agricultural practices that are linked directly and indirectly to sustainable environmental practices and GHG emissions mitigation. The Government of Canada recognizes the larger responsibility of provinces and territories over natural resources in their respective jurisdictions, including with respect to water, soil, and land use management and planning (Agriculture and Agri-Food Canada 2022b). For its part, the Government of Canada's constitutional powers with respect to matters like international and interprovincial trade and commerce, criminal law, and 'Peace, Order, and Good Government of Canada,' as well as its spending power, provides it with the legal basis and fiscal power to introduce specific environmental measures.

While FPT governments have at times worked cooperatively to coordinate their environmental standards and assessments (Winfield and Macdonald 2008), collaboration on climate change policy has been elusive. The Harper Conservative government (2006-2015) bought peace with the provinces by vacating climate change policy to them. Liberal governments in Ottawa have had greater political incentives to act on climate change, including in order to meet international commitments that cannot be met as long as large GHG emitting provinces fail to use the policy instruments at their disposal to mitigate GHG emissions.

Since it assumed office in 2015, the Trudeau Liberal government has made action on climate change a priority. Under the UN Framework Convention on Climate Change (FCCC), it committed Canada to achieve net zero greenhouse gas (GHG) emissions by 2050. A major federal piece of legislation to achieve the UN commitment, The Greenhouse Gas Pollution Pricing Act, has been highly contentious in some provincial quarters. Conservative governments in Alberta, Saskatchewan, and Ontario mounted a constitutional challenge to the Act, which allows the Canadian government to set a minimum provincial price on carbon-emitting fuels. Their argument that the Act infringes on provincial jurisdiction over natural resources was rejected by the Supreme Court of Canada. It agreed with the Government of Canada that climate change is an issue national in scope and upheld the Act as a matter of national concern under the Government of Canada's Peace, Order, and Good Government power (Supreme Court of Canada 2021; Winfield and Macdonald 2020). The Court decision affirmed the jurisdictional authority of both the provinces/territories and the Government of Canada to put a price on carbon, and of the federal government to set minimum national pricing standards that all provinces/territories must meet.

FPT Agri-Environmental and Climate Change Policies

The current state of FPT independent and collaborative policy initiatives with respect to sustainable agriculture provides a basis for appraising the future likelihood of FPT governments and the agri-food sector working collaboratively on a Sustainable Agriculture Strategy. Here, the record to date is one of governments acting both independently and collaboratively.

By way of independent actions, the Government of Canada has committed millions in funding under the Agricultural Climate Solutions Living Labs and On-Farm Climate Action Fund (2021-2024) to assist farmers in developing, testing, and adopting management practices (like improved nitrogen management, increased cover

cropping, rotational grazing, providing shelterbelts) that have been linked to reduced GHGs and environmental benefits. It has also committed funding under the Agricultural Clean Technology Programme to support R&D, commercialization and adoption of new clean technologies (such as precision agriculture, biotechnologies) for the agricultural sector (Canada, 2022).

Some provinces have developed their own sustainable agricultural strategies. Quebec and British Columbia are two examples

Quebec's Sustainable Agricultural Plan (Agir, Pour Une Agriculture Durable) for the province was developed. The Quebec Plan specifies objectives and targets for pesticide use, fertilizer management, water quality and quantity, and biodiversity in the province as a whole and in specific regions of it (Quebec 2020). It has a budget of \$125 million spread over the first five years. British Columbia, also in concert with the sector, including Indigenous Peoples, has developed a multi-year sustainable agriculture strategic framework. It is focused on regenerative agricultural practices and technology to restore water, soil, and biodiversity. BC has also outlined its priorities for climate change action in the agricultural sector through its CleanBC Roadmap (British Columbia, n.d.). In other provinces, FPT co-funding for the adoption of beneficial management practices (BMPs) constitutes the major initiative supporting the sustainability of primary agriculture.

At the same time, there has been extensive FPT collaboration on sustainable agricultural programs. A primary example is the latest five-year FPT Agricultural Policy Framework (APF) agreement, the Sustainable Canadian Agricultural Partnership (SCAP). It commits \$2.5 billion federal and provincial/territorial spending to business risk management programs (BRMs) and other programs for the agri-food sector. SCAP establishes "tackling climate change and environmental protection to support GHG emissions reductions and the long-term vitality of the sector..." as a priority area over the 2023-2028 terms of the agreement. It includes an agreement in principle by FPT ministers to a GHG emissions reduction target for agriculture of 3-5 MT of CO₂ per year, and a commitment to review how BRMs can integrate climate risk and readiness goals. A new cost-shared program under SCAP, the Resilient Agriculture Landscapes Program (RALP), allocates funding to support carbon sequestration, adaptation and environmental co-benefits for the agricultural sector. RALP will be administered by the provinces and territories, and tailored to their local needs and conditions (Olexiuk and Martin 2022).

Like its APF predecessor agreements, SCAP also provides funding for environmental farm plans (EFPs) that entail adopting beneficial management practices (BMPs) to promote conservation and environmental improvement. Funding for EFPs is cost-shared by FPT governments and the program is delivered by provinces, thereby enabling EFPs to be tailored to and vary across individual provinces (Clearwater et al. 2016). As Clearwater et al. (2016: 39) explain, EFPs promoting the adoption of BMPs are an excellent example of how provincial initiatives can diffuse to other provinces. They began as provincial programs in Ontario in 1993. By the late 1990s, they were also operating in Quebec and Atlantic Canada. The Agricultural Policy Framework (APF), signed in April 2003, defined a set of nationally consistent principles and program elements for EFP programs in Canada that were the basis for the design and implementation of an EFP program in all Canadian provinces and in the Yukon Territory by April 1, 2005. Since then EFPs have been co-funded under the APF agreements.

In contrast to the display of collaboration under SCAP, other federal measures aimed at goals of a sustainable agriculture have been resisted by provinces and/or the farm community. The federal Canadian government's pledge to a 30% reduction in Canadian synthetic fertilizer emissions by 2030, compared to 2020 levels, has met with resistance from some provincial governments. They have argued that maintaining the economic viability of the sector is a priority, and that the goal should be to lower emissions from the production of fertilizer, not its use (Olexiuk and Martin 2022). The governments of Alberta and Saskatchewan have been particularly publicly critical of fertilizer emissions targets. Following pushback by Canadian farmers, the Minister of Agriculture and Agri-Food emphasized the fertilizer emission target was voluntary (Norman, 2023).

In summary, with respect to their collaborative and independent policy-making initiatives to promote to sustainable agriculture goals, Canadian governments have used a market-based approach, relying on economic policy instruments. They have eschewed the EU's use of cross-compliance requirements that require farmers receiving funding under the Common Agricultural Policy (CAP) to comply with EU environmental standards regarding soil organic matter and soil structure, maintaining permanent grassland, protecting biodiversity, and

managing water resources. An exception is the requirement in the 2023-2028 SCAP that requires producers with allowable net sales of at least \$1 million to complete an environmental risk assessment in order to receive government AgriInvest contributions: a policy innovation that has been a source of concern for organizations representing Canadian farmers (Briere, 2022). The US Government's practice of tying eligibility for federal farm programs and subsidies to conservation practices has not been broadly taken up in Canada

The Government of Canada's major policy instrument (and the one believed by economists to be the most cost-effective) to achieve net zero GHG emissions by 2050—a price on carbon—largely excludes agriculture. While all Canadian jurisdictions now have carbon pricing systems, they exclude emissions from animal and crop production outputs (Agriculture and Agri-Food Canada 2018; OECD 2022 :25). The Government of Canada and some provinces also exempt on-farm diesel and gasoline use from carbon pricing (Agriculture and Agri-Food Canada 2018). The farming community has sought to ensure producers are not negatively impacted by carbon pricing (Senate Standing Committee on Agriculture and Forestry 2018) and lobbied for on-farm electricity, grain drying, and heating fuels to also be exempt from carbon pricing. Although the Quebec government has a targeted sustainable agricultural plan, its emissions trading system does not include non-CO2 emissions (from methane and nitrous oxide) from agriculture (Fouli et al. 2022).

Towards a Sustainable Agriculture Strategy for Canada

In its Discussion Document, the Government of Canada has proposed five goals for a Sustainable Agriculture Strategy: (1) the agriculture sector's resilience to short and long term climate impacts while maintaining growth in its productive capacity; (2) improvement in the agriculture sector's environmental performance; (3) an important contribution of the sector to Canada's GHG emission reduction targets while remaining competitive; (4) a more comprehensive and integrated approach, across policy, programming, and partners in the value chain, to addressing agri-environmental issues; and (5) improvement in addressing data gaps and capacity to measure, report on, and track the environmental performance of the sector. As the Government of Canada recognizes, progress on the five goals will require the cooperation of FPT governments and the Canadian farming sector. Given existing norms and practices of FPT collaboration, including around the SCAP, there are reasons to be optimistic that they will continue to work together to achieve the identified goals.

The Discussion Document also identifies a number of approaches to be considered to help advance the SAS goals and overcome barriers to realizing them. These approaches include a number already in use (such as financial incentives, economic instruments, science and research, knowledge transfer and extension), but they also include setting targets against which to measure progress, and "regulations that could establish performance standards and/or mandate or prohibit use of a specific agricultural practice."

While the government of Canada could set such mandatory national targets and performance standards, the reality is that it would be largely reliant on P/T governments for their implementation and enforcement. Provinces and territories are likely to be more willing to agree to federal government agricultural sustainability standards and targets if (1) they have a role in setting them, (2) Ottawa foots a large portion of the costs of their implementation and enforcement, and (3) the standards are important to the competitiveness and access of Canadian agri-food products to international markets.

Ottawa could independently decide to meet the first two conditions, and thereby enhance the ambitions of all governments with respect to a SAS for agriculture that includes mutually established objectives and targets. However, making this workable will require the two levels of government to keep within their lanes- with the federal government focused on using its resources in research, analysis and international aspects, and P/T governments drawing on their resources and networks more oriented to on-farm implementation.

The role of agriculture GHG emissions standards and targets in international trade is attracting increasing attention. While other major agricultural exporters like Argentina, Brazil, and the US do not have legally binding agricultural GHG emission targets, member countries of the EU do. Former Canadian trade negotiator, Steve Verheul, has said that global trade policy must get more ambitious about climate change, and that Canada needs

to demonstrate ambition, working with smaller nations (Taylor-Vasey, 2023). This is an area in which Canada can lead and do so in concert with the provinces and territories who have indicated their support in principle under SCAP to a GHG emissions reduction target for agriculture of 3-5 MT of CO₂ per year. The collaborative institutional norms that have been built up over decades provide the foundation for them jointly deploying their jurisdictional authority and other resources to tackle what most see as the existential crisis of our times.

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