



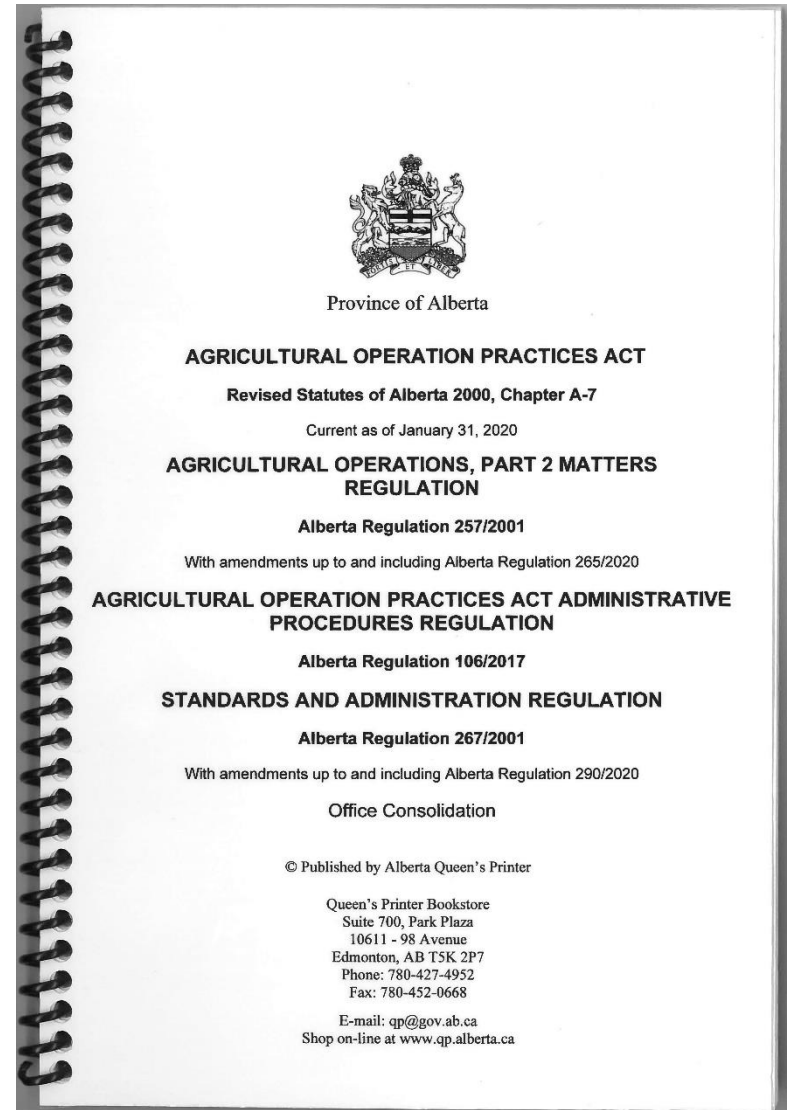
NRCB | Natural Resources
Conservation Board

Kneehill County Presentation

May 14, 2024

Sean Royer, Kevin Seward, Andy Cumming

- **Act**
- **Matters Regulation**
- **Administrative Procedures Regulation**
- **Standards and Administration Regulation**



Approvals

Larger CFOs with livestock numbers greater than number in Matters Reg schedule 2 (column 3)

Registrations

Smaller CFOs with livestock numbers between Matters Reg schedule 2 (column 2) and schedule 2 (column 3)

Authorizations

For manure collection areas (MCA) or manure storage facilities (MSF) with no change in livestock numbers

Three broad requirement categories

- **Land use Provisions**

- Municipal Development Plans (& IDPs)
- Land Use Bylaws (Setbacks)

- **Technical (AOPA requirements)**

- Environmental Protection
- Nuisance

- **Permits from other agencies**

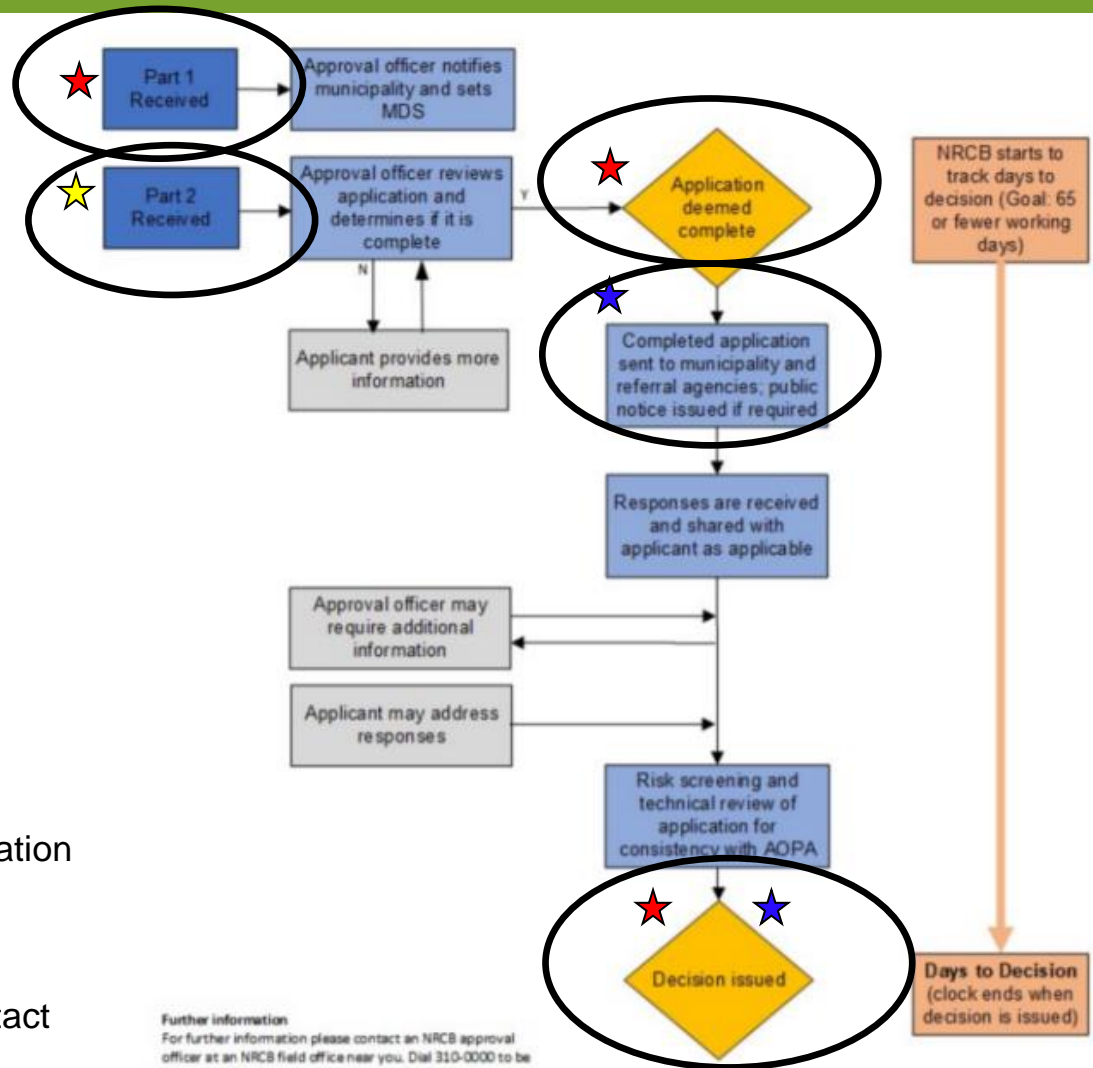
- Water licence, road access, etc.



Municipal involvement in the AOPA application process

Multiple interactions with municipalities throughout the permitting process

- ★ Municipal notification
- ★ Opportunity to respond
- ★ Provision of contact information



Approvals and Registrations only

Notification letters sent to persons who own or reside on land within the notification distance provided contact information is provided by the municipality

Notice placed in local newspaper(s) covering the area where the CFO is proposed

Notice posted on the NRCB website



Copies of the application are made available for public viewing at regional offices (by appointment), and posted on the NRCB website

A means to mitigate nuisance impacts from CFOs

- Measured on the date the Part 1 application is received by the NRCB
- Based on the number of livestock and type of manure at a CFO or MSF
- Measured from the closest point of the CFO to the nearest outside wall of a neighbouring **residence**
- Expansion factor allowed to be used *only if* 3 or more years have passed since the completion of the most recent construction arising out of a permit

Four receptor categories based on land zoning and residential type.

Category 1: **residences** on land zoned for agricultural purposes

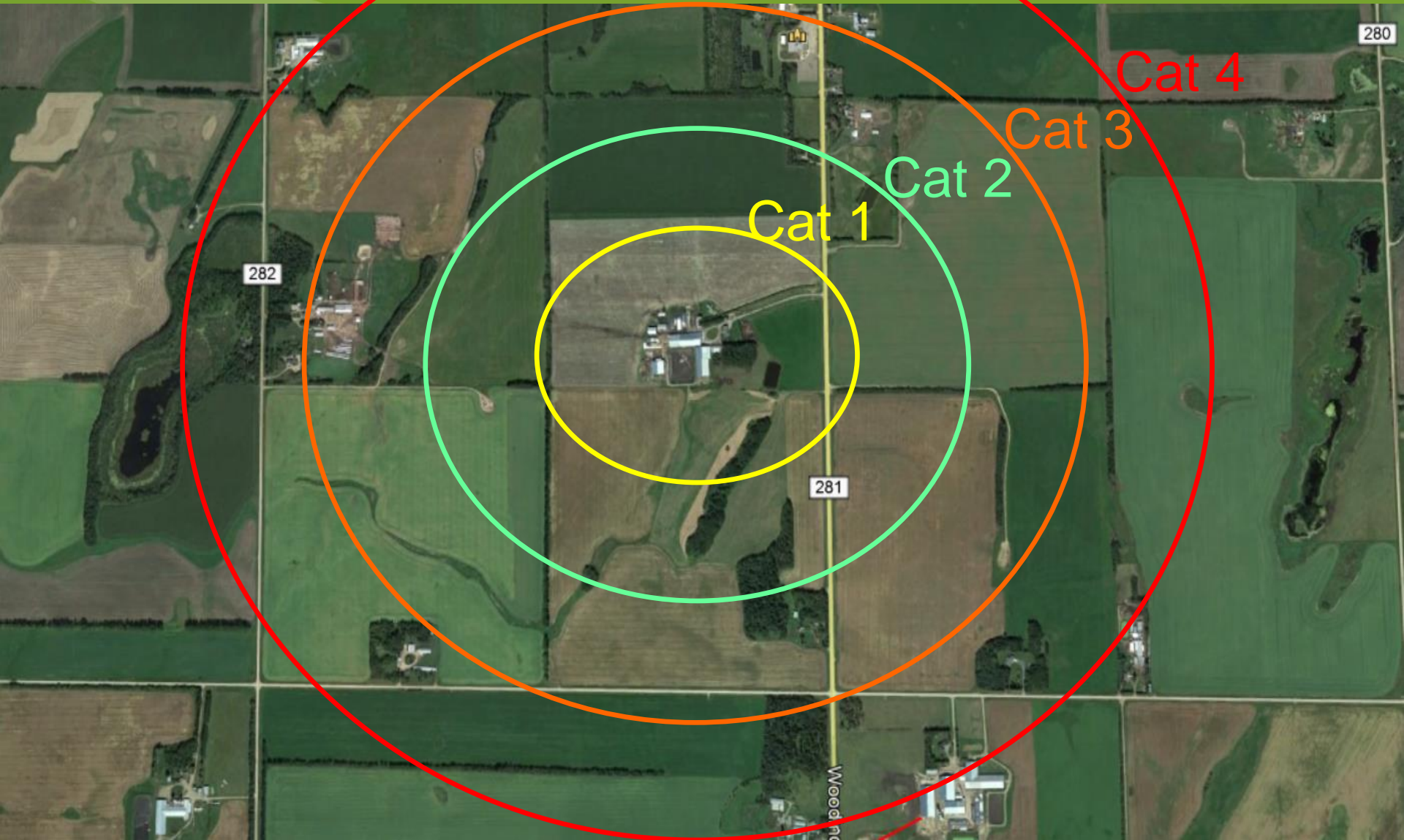
Category 2: **residences** on land zoned for non-agricultural use

Category 3: **residences** on land zoned for high use recreational or commercial purposes

Category 4: **residences** on land zoned for large-scale country residential, rural hamlet, village, town or city



MDS Categories



MDS is **NOT** measured from:

- **Land which does not have a residence on it**
- **Schools**
- **Community halls**
- **Recreational facilities**
- **Shops / Businesses, etc.**

(MDS **only** measured to *residences*)

Applications **must** meet **Municipal Development Plan** - Land Use provisions
(e.g. identifying where CFOs are / are not, allowed)

Land Use Bylaw provisions
(e.g. property line and road setbacks)

Intermunicipal Development Plans – Direction provided to AOs through Board Decision 2022-02 *Double H Feeders Ltd.*

This is incorporated into the NRCB *Approvals policy*

MDP (& IDP) Land Use Provisions should include clearly defined:

- ❖ planning requirements,
 - setbacks (including noting where they are measured from)
 - Identifying where CFOs are / are not allowed to develop (including plans / maps)

Approval Officers do **NOT** have discretion regarding MDP & IDP land use provisions

- Must **DENY** application if inconsistent with MDP & IDP land use provisions

NRCB Board has discretion to approve application despite an inconsistency with an MDP or IDP land use provision through a review hearing process

Water licensing:

- Responsibility of Alberta Environment and Protected Areas (EPA) under *Water Act*
- CFO applications referred to EPA
- Water licensing information and declarations included in CFO application forms (*Applicants must complete*)

Enforcement Principles

- Uses a series of escalating steps:



- Voluntary compliance (work with operators to achieve compliance)
- Verbal directives
- Written compliance directives
- Enforcement orders / Emergency orders
- Court orders
- Prosecution

Inspectors follow up on:

1. Complaints

- Have a 24-hour Toll Free Response Number **(1-866-383-6722)**
- Can be submitted through website
- Coordinate with other agencies as required

2. Permit conditions

3. Conduct post construction inspections

4. Conduct compliance program inspections

Manure spreading regulations apply to **ALL** livestock operations in Alberta (*not just CFOs*).

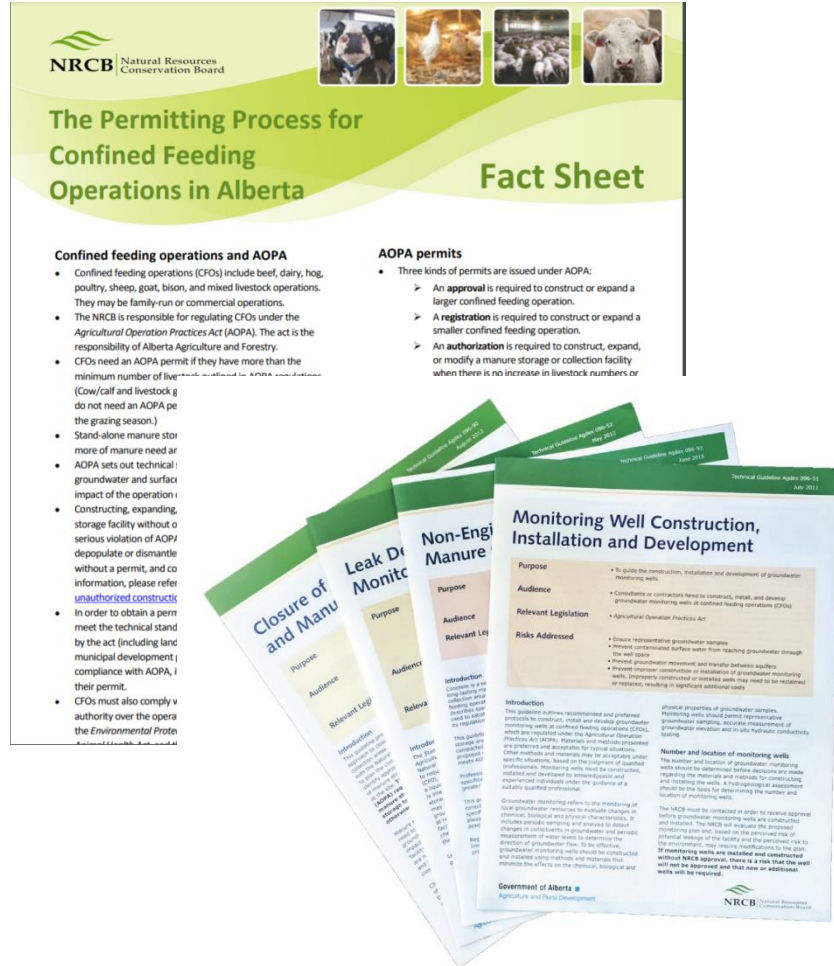
The regulations include requirements for:

- Manure incorporation
- Setbacks (residences, wells, waterbodies)
- Nutrient loading (Nitrogen and Salinity)
- Soil testing
- Record keeping

Fact Sheets and Technical Guides

Permitting Process and other Fact Sheets, Technical Guides, and Calculators are available on the NRCB website:

www.nrcb.ca



NRCB | Natural Resources Conservation Board

The Permitting Process for Confined Feeding Operations in Alberta

Fact Sheet

Confined feeding operations and AOPA

- Confined feeding operations (CFOs) include beef, dairy, hog, poultry, sheep, goat, bison, and mixed livestock operations. They may be family-run or commercial operations.
- The NRCB is responsible for regulating CFOs under the Agricultural Operation Practices Act (AOPA). The act is the responsibility of Alberta Agriculture and Forestry.
- CFOs need an AOPA permit if they have more than the minimum number of livestock confined to AOPA operations (Cow/calf and livestock do not need an AOPA permit if the grazing season.)
- Stand-alone manure storage more of manure need an AOPA sets out technical groundwater and surface impact of the operation.
- Constructing, expanding, storage facility without a serious violation of AOPA depopulate or dismantle without a permit, and information, please refer to [unauthorized construction](#).
- In order to obtain a permit the technical stand by the act (including land municipal development), compliance with AOPA, and their permit.
- CFOs must also comply with authority over the operation of the Environmental Protection Act.

AOPA permits

- Three kinds of permits are issued under AOPA:
 - An **approval** is required to construct or expand a larger confined feeding operation.
 - A **registration** is required to construct or expand a smaller confined feeding operation.
 - An **authorization** is required to construct, expand, or modify a manure storage or collection facility when there is no increase in livestock numbers or

Closure of and Manure Leak Monitoring

Purpose
Audience
Relevant Legislation

Non-Engineered Manure

Purpose
Audience
Relevant Legislation

Monitoring Well Construction, Installation and Development

Purpose
Audience
Relevant Legislation
Risks Addressed

Introduction
This document outlines recommended and preferred practices to construct, install and develop groundwater monitoring wells at confined feeding operations (CFOs) that are regulated under the Agricultural Operation Practices Act (AOPA). Standards and methods presented in this document are intended to be practical, user-friendly, and applicable to a wide range of operations. Monitoring wells should be constructed, installed and developed by knowledgeable and experienced personnel under the guidance of a qualified professional.

Groundwater monitoring refers to the monitoring of local groundwater resources to evaluate changes in chemical, biological and physical characteristics. It includes periodic sampling and analysis to detect changes in water quality and assess the direction of groundwater flow. To be effective, groundwater monitoring systems should be constructed and installed using methods and materials that minimize the effects on the chemical, biological and physical properties of groundwater systems. Monitoring wells should permit representative groundwater sampling, accurate measurement of groundwater elevation and in situ hydraulic conductivity testing.

Number and location of monitoring wells
The number and location of groundwater monitoring wells should be determined before installation and after the materials and methods for construction and installing the wells. A representative assessment should be made for determining the number and location of monitoring wells.

The NRCB must be contacted in order to receive approval before groundwater monitoring wells are constructed and installed. The NRCB will evaluate the proposed monitoring plans based on the potential risk to the environment. The review modifications to the plans if necessary. **Monitoring wells are installed and constructed without NRCB approval, there is a risk that the well will not be approved and that new or additional wells will be required.**

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Questions

