

July 4, 2001

Province to ensure responsible intensive livestock operations

Edmonton...The Alberta government is assuming legislative responsibility for intensive livestock operations (ILOs) to ensure the future viability and sustainability of the province's livestock industry, a multi-billion dollar part of the economy. The move follows three years of public consultations and recommendations relating to the province's ILOs, an important part of the livestock industry.

Alberta's livestock industry accounts for more than 60 percent of the province's farm cash receipts. When combined with processing, shipping and other related business, the livestock industry contributes an estimated \$17 billion in economic activity and provides thousands of jobs.

The province's action is in response to concerns from the livestock industry and other Albertans regarding the development of intensive livestock operations. The need to address the sustainable growth of the industry, protection of the environment, effects on neighbors and consistency in approvals, monitoring and enforcement is the basis for the strategy.

The strategy builds on recommendations in the report from the Sustainable Management of the Livestock Industry in Alberta committee, chaired by Albert Klapstein, MLA for Leduc. It also builds on the recommended legislative framework developed by the Livestock Regulations Stakeholder Advisory Group presented to the Minister of Agriculture, Food and Rural Development in May of 2000.

"With the planned legislation and a provincial authority responsible for siting and on-going monitoring and enforcement of regulations, Albertans can feel confident that the livestock industry is practicing good environmental stewardship and that our health and the air, water and soil are being protected," said Shirley McClellan, Deputy Premier and Minister of Agriculture, Food and Rural Development. "As well, the industry can count on a consistent, science-based decision making process. Our goal is to support sustainable growth of the livestock industry, protect the environment and meet the needs of our rural communities."

With this strategy, rural communities will continue to hold an important role in the siting of ILOs. "We want to work in partnership with municipalities, who have held the responsibility for siting and monitoring of ILOs," McClellan said. "We will need their help to meet the long term needs of the industry as a whole and to ensure local concerns are addressed."

The provincial government's strategy includes the following key initiatives:

- Provincial legislation for intensive livestock operations with a regulatory framework that includes:
 - A provincial approval process for new and expanding ILOs.
 - Technical standards, ongoing monitoring and enforcement
 - Provincial approval authority for the siting of ILOs
- Expansion of the mandate of the Natural Resources Conservation Board (NRCB), to review applications, issue approvals and monitor and enforce provincial standards related to intensive livestock operations.
- A key role for municipalities in the provincial approval process that utilizes municipal expertise and recommendations in relation to siting.
- A consistent and transparent approval process for new and expanding intensive livestock operations under the proposed legislation for the consistent application of science-based standards.
- Implementation of comprehensive monitoring and enforcement activities to ensure compliance with

province-wide standards.

"We have spent a considerable amount of time gathering public input and looking at the options related to the livestock industry," said McClellan. "This is a very important issue that required the extensive and comprehensive review it has been given. We have been able to build on the work presented to the government last year by the Livestock Regulations Stakeholder Advisory Group. We are now ready to proceed as we have promised."

McClellan said the strategy will be developed over the next several months and legislation will be brought forward in the fall session of the Legislature.

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Note to editors: Background information attached. Copies of the Sustainable Management of the Livestock Industry in Alberta committee report and recommendations are available at www.agric.gov.ab.ca/sml/ or by calling (780) 427-0391.

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Backgrounder

In October 2000, the Minister of Agriculture, Food and Rural Development (AAFRD) established the Sustainable Management of the Livestock Industry in Alberta Committee. The Committee was asked to provide recommendations to the provincial government on outstanding issues related to the development and operation of Alberta's livestock industry. The Committee was asked to seek the views of Albertans in producing their report.

The Committee has made the following recommendations:

1. The Alberta government proceed with provincial legislation for ILOs. The new regulatory framework will include:
 - a provincial approval process for ILOs
 - ongoing monitoring of ILOs
 - technical standards and procedures for new and expanding ILOs
 - provincial decision making on land use
2. Appoint a Sustainable Agriculture Review Board with authority for regulating ILOs. The Board would be responsible for the approval process for new and expanding ILOs, ongoing monitoring of

ILOs, and enforcement of provincial standards. The Board would be appointed by and accountable to, the Minister of AAFRD.

3. Establish a consistent and transparent approval process for new and expanding ILOs under the proposed Sustainable Livestock Production Act. The Board becomes the provincial agency with primary responsibility for reviewing applications and issuing approvals. A streamlined process is recommended for the consistent application of science-based standards across the province.
4. Implement comprehensive monitoring activities and enforcement to ensure compliance with province-wide regulated standards. This will serve two major goals: protection of the environment and public confidence in the industry.
5. Partner with municipalities in developing long-term land use plans. Municipalities have a key role in ensuring a sufficient land base for agriculture, while at the same time resolving local concerns in a responsive community-based manner. The Committee recommends that municipalities develop agricultural zones where ILOs are permitted uses.
6. Strengthen right-to-farm legislation. The Committee recommends that the Agricultural Operation Practices Act (AOPA) be amended and a peer review board established to determine generally accepted practices.
7. Complete the agricultural assessment and farm tax review. The Committee believes that provincially initiated changes in the assessment and taxation of ILOs would enhance public acceptance of new and expanding ILO developments.

The Alberta government's response to the Sustainable Management of the Livestock Industry in Alberta Report and Recommendations:

- *The Alberta government will proceed with legislation that will establish science based technical standards and procedures, and a framework for provincial approval, monitoring, enforcing and siting of all new and expanding intensive livestock operations, through amendments to the **Agricultural Operation Practices Act (AOPA)**.*
- *Amendments to AOPA will be built on the work previously undertaken by the Livestock Regulation Stakeholder Advisory Group's proposed regulatory framework for intensive livestock operations.*
- *Amendments to AOPA will include a peer review provision for dealing with complaints of nuisance from agricultural practices.*
- *The Natural Resources Conservation Board (NRCB) mandate will be expanded beginning January 2002 to include administration of the Agricultural Operation Practices Act with regard to intensive livestock operations.*
- *The NRCB will be the approval authority for the siting of intensive livestock operations and will have responsibility for monitoring and enforcement.*
- *The NRCB membership will have appropriate backgrounds when dealing with intensive livestock operations.*
- *The NRCB will continue to be responsible to the Minister of Sustainable Resource Development.*
- *The provincial government will encourage and support municipalities in developing long term agricultural land use plans that include specific agricultural zones where ILOs are considered not to be compatible with existing and/or future land uses.*
- *Municipal plans and zoning will be strongly considered in decisions made by the NRCB who will make the final decision on siting.*
- *The Alberta government, led by the Department of Municipal Affairs, will complete the agricultural assessment and farm tax review as soon as possible.*

Questions and Answers

Q: What is an ILO?

- An intensive livestock operation (ILO) is an operation where livestock are confined in a permanent or semi-permanent facility and/or location where the producer has to manage the manure generated. Livestock under grazing situations are not considered to be ILOs. A more technical definition of an ILO will be included in the proposed legislation.

Q: Why are ILOs important?

- ILOs are an important part of the livestock industry. Alberta's livestock industry accounts for more than 60 percent of the province's farm cash receipts. When combined with processing, shipping and other related business, the livestock industry contributes an estimated \$17 billion in economic activity and provides thousands of jobs. The livestock industry is an important part of the agriculture industry and the province recognizes the needs to ensure its growth and viability.

Q: Why is the province assuming responsibility for ILOs?

- Throughout the public consultation process, we heard a clear message that a consistent, transparent, science-based decision making process and improved monitoring and enforcement was needed for the successful development of the livestock industry in our province. Albertans also wanted to be confident that the livestock industry is practicing good environmental stewardship and that the air, water and soil are being protected.

Q: What will provincial legislation for livestock operations include?

- The Alberta government will proceed with legislation to establish science based technical standards and procedures to approve, monitor, enforce, and site all new and expanding intensive livestock operations through amendments to the Agricultural Operation Practices Act (AOPA).
- Threshold numbers for different livestock species will be established through this legislation and processes/requirements specified to deal with operations above and below these thresholds.
- Amendments will include a peer review provision for dealing with complaints of nuisance from agricultural practices.
- Amendments to AOPA will be based on the work previously undertaken by the Livestock Regulations Stakeholder Advisory Group's proposed regulatory framework for intensive livestock operations, as well as the 2000 Code of Practice for Responsible Livestock Development and Manure Management.
- AOPA will have provisions to deal with existing operations that are creating environmental concerns.

Q: What does this change mean to existing intensive livestock operations?

- Until January 1, 2002, municipalities will retain approval authority for intensive livestock operations.
- AAFRD will continue to provide technical support to municipalities on request, based on the 2000 Code of Practice for Responsible Livestock Development and Manure Management.
- Approvals issued by municipalities for existing operations will be honored through provisions in AOPA unless these operations are causing environmental concerns.
- Existing operations that are not expanding will not require approvals through AOPA.
- Provisions in AOPA will be established to deal with existing operations that are creating an

environmental concern.

Q: What is the Agricultural Operation Practices Act (AOPA)?

- The Agricultural Operations Practices Act (AOPA) is Alberta's right-to-farm legislation. Under the Act, producers who follow generally accepted practices and local land use bylaws are protected from nuisance complaints. Amendments will include a peer review provision for dealing with complaints of nuisance from agricultural practices.

Q: What agency is responsible for the administration of the proposed legislation?

- The Natural Resources and Conservation Board (NRCB) mandate will be expanded to include administration of the Agricultural Operation Practices Act (AOPA) with regard to intensive livestock operations. The NRCB will have a membership with appropriate backgrounds when dealing with these operations. The NRCB will assume these additional responsibilities on January 1, 2002. It will continue to report to the Minister of Sustainable Resource Development.

Q: What authority will the NRCB have in carrying out its responsibilities?

The NRCB will:

- Approve new and expanding intensive livestock operations under the Agricultural Operation Practices Act.
- Monitor and enforce provincial standards on existing intensive operations that are creating an environmental concern.
- Hear and make decisions on reviews.

Q: Why will the development of long-term agricultural land use plans by municipalities be important?

- The province's agricultural land base must be secured if the livestock industry is to grow and prosper. A strong commitment to agricultural uses, including intensive livestock operations, is needed.
- Municipalities need to identify areas where new and expanding intensive livestock operations are not felt to be compatible with current or future land uses.
- The NRCB will need municipal input into siting decisions in regard to intensive livestock operations in order for them to make good decisions.

Q: What will AFRD's future role be with intensive livestock operations?

- AFRD will be responsible for amending AOPA, developing regulations and standards as well as ensuring future updates are consistent with the needs of the livestock industry and the public.
- AFRD will continue to provide research and technology transfer to the livestock industry.

Q: What is the 2000 Code of Practice for Responsible Livestock Development and Manure Management?

- The 2000 Code of Practice outlines technical standards for new and expanding livestock operations. It was updated in December 2000 to provide greater protection of the environment while reducing potential nuisance from dust, odor and noise from livestock operations.

Q: How will this new system help build Albertans' confidence in ILOs?

- Strengthening relationship with stakeholders including regional health authorities.
- Monitoring of operations based on province-wide legislated standards (new and existing legislation) and regulations and enforcement.
- Other provincial government departments will be actively involved in developing the new legislation and regulations.

Q: Why will one provincial authority assume responsibility for siting, ongoing monitoring and enforcement of regulations?

- Provides a "one window" application process for producers seeking development approval.
 - Provides a transparent, timely, consistent science-based decision-making process.
 - Albertans can feel confident that the livestock industry is practicing good environmental stewardship and that their health, air, water and soil are being protected.
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