

**UPDATED: GUIDELINE FOR CFO ENFORCEMENT AND
COMPLIANCE RESPONSE TO COVID-19 – timeframe extended**

The Natural Resources Conservation Board (NRCB) has developed this enforcement and compliance guideline in recognition of the extraordinary circumstances facing confined feeding operations (CFOs) in Alberta due to COVID-19. On March 11, 2020, the World Health Organization (WHO) declared the COVID-19 outbreak to be a pandemic. Alberta then also declared a public health emergency. The NRCB is issuing this guideline in an attempt to balance the protection of our natural resources against the challenges the livestock industry may experience.

NRCB inspectors will be exercising their enforcement discretion under the *Agricultural Operation Practices Act* (AOPA) in the following manner effective **May 1, 2020 to December 31, 2020** (extended from September 15, 2020). To be entitled for any of the considerations below, producers must establish or demonstrate to an inspector's satisfaction that contraventions of the permit terms and conditions or the legislation are materially linked to a backlog in the food processing chain that is, in turn materially linked to COVID-19. This guideline will apply to both CFOs and seasonal feeding and bedding sites (including cow/calf operations) which are directly impacted by COVID-19.

Temporary Increases in Animal Numbers and Manure Production at CFOs

Producers will be allowed to temporarily increase animal numbers and manure production, beyond that stated in their permits, in **existing** facilities for the timeframe stated in this guideline, provided they notify the NRCB prior to doing so. This includes a change in livestock type from that stated in any permits, provided the change is within the same livestock category (livestock types and livestock categories are listed in AOPA). The intent of this change is to accommodate any delayed delivery of finished cattle to slaughter plants or feeder cattle to feedlots. **This change does not allow for the construction of new CFO facilities or the expansion of existing CFO facilities without first obtaining a permit.**

Seasonal Feeding and Bedding Sites and Cow/calf Operations

Producers who seasonally feed feeder calves or freshly weaned calves during the winter months will be allowed to use those **same facilities** for feeding, even when grazing is available for the timeframe stated in this guideline, provided: 1) they notify the NRCB prior to doing so, 2) the NRCB conducts an onsite inspection to determine any possible environmental risks, and 3) the producers



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address any identified environmental risks to the satisfaction of the NRCB. Environmental risks that must be considered include: 1) potential impacts of groundwater quality, and 2) potential impacts of surface water quality. Any possible short-term nuisances to the neighbors or the community must also be assessed. **This change does not allow for the construction of new seasonal feeding and bedding facilities or the expansion of existing facilities.**

The NRCB reserves the right to, consistent with AOPA, take any appropriate enforcement action if the terms of this guideline are not followed or if there is non-compliance outside the guideline's scope. Finally, notwithstanding this guideline, the NRCB reserves the right to take enforcement action for conduct that creates an identified risk to the environment.