

# Compliance Directive

## *AGRICULTURAL OPERATION PRACTICES ACT, RSA 2000, c A-7*

**Directive #:** CD 25-09

**Date issued:** May 1, 2025

**Issued by:** Denny Puszkar, Inspector  
Compliance and Enforcement Division  
Natural Resources Conservation Board (NRCB), Lethbridge Office

**Issued to:** Anthony Trower and Heidi Couture  
Box 58 Iron Springs, AB T0K 1G0  
operating as "Trower Calf Ranch"

### **Attention: Anthony Trower and Heidi Couture**

This directive relates to the unauthorized altered construction of a catch basin (a manure collection area, or MCA) at Trower Calf Ranch, which is a beef calf feedlot confined feeding operation (CFO). This altered construction was completed without a permit under the *Agricultural Operation Practices Act* (AOPA).

The operation is located at a portion of the NW-20-011-20-W4, in Lethbridge County, in the Province of Alberta, approximately 1 km west of the village of Iron Springs, Alberta. The CFO is owned and operated by Anthony Trower and Heidi Couture. The CFO does hold AOPA Permit LA24011 from the NRCB.

### **Background and investigation**

On April 9, 2025, NRCB Approval Officer Kailee Davis and I visited Trower Calf Ranch to perform a post construction inspection to assess compliance with Permit LA24011.

Permit LA24011 was delivered to the operator on August 12, 2024. One of the facilities authorized by LA24011 was a rectangular catch basin with the dimensions of 40 metres x 12 metres x 2 metres deep. Upon inspection, it was apparent that the catch basin was not built according to those specifications. The catch basin was built in a triangular shape instead of rectangular (See Appendix A: Denny Puszkar iPhone photograph: April 14, 2025).

During our inspection, the operator, Anthony Trower stated that they decided to build the catch basin in a triangular shape to better utilize the parcel of land available. He also stated that the catch basin was dug 3 metres deep instead of the permitted two metres. The catch basin, as built, is otherwise at the same location as applied for in Permit LA24011.

When we mentioned that the as-built catch basin would be considered unauthorized construction, Anthony Trower apologized and said that he would immediately begin the process of applying for an amendment to Permit LA24011.

To date, the operator has submitted documents necessary to support an application to amend LA24011. Amendment Application LA24011A should be deemed complete in the coming weeks.

### **Unauthorized construction**

AOPA's permit requirements are intended to reduce the potential for groundwater contamination and surface water runoff, and to lessen the nuisance impacts of CFOs on neighbours. Without a permit, the regulatory objects in AOPA may be compromised.

The *Agricultural Operation Practices Act* ("AOPA") at section 14 prohibits a person from constructing, expanding, or modifying a manure collection area (MCA) that requires a permit under the regulations unless they hold a permit. The Part 2 Matters Regulation under AOPA requires, at section 4(2), a permit for a manure collection area that is part of a confined feeding operation.

With the information I have and my investigation, I find that the altered design and construction of the catch basin (MCA) was in contravention of section 14.

Under Section 39(1) of AOPA, the NRCB may issue an enforcement order to a person if, in the NRCB's opinion, the person is, among other things, contravening the act or its regulations. However, as this is the first enforcement action at this site and following the NRCB Compliance and Enforcement Policy, a compliance directive is being issued at this time rather than an enforcement order.

### **DIRECTIVE:**

To mitigate any possible risks to the environment and potential nuisances to any affected neighbours, Anthony Trower and Heidi Couture shall take all necessary and appropriate measures to comply with AOPA and its regulations. In particular, Anthony Trower and Heidi Couture shall:

1. By July 31, 2025, restore the catch basin to the original permitted dimensions and location as listed on Permit LA24011 (and Technical Document LA24011), if an NRCB permit amendment for the new, triangular specifications has not been obtained.

The deadline date contained above may be extended in writing, but only by the NRCB, at the sole discretion of the NRCB.

All actions required above shall be in compliance with AOPA and its implementing regulations and shall not violate any other law. These requirements, including any deadlines, remain in effect until otherwise directed by the NRCB in writing.

Given the seriousness of unauthorized construction, the NRCB posts compliance directives for unauthorized construction on the NRCB's public website.

The NRCB may access the land and structures for the purpose of assessing compliance with this directive.

If Anthony Trower or Heidi Couture fail to comply with this directive, the NRCB may take additional enforcement action.

*(original signed)*

Denny Puszkar

Inspector, Compliance and Enforcement Division

Natural Resources Conservation Board

Cc: Lethbridge County

Appendices

A. Denny Puszkar iPhone photograph: April 14, 2025

