

Compliance Directive

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

Directive #: CD 25-10

Date issued: May 5, 2025

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

Issued to: Slingerland Feeders Ltd.
Byron & Matthew Slingerland
Box 1425
Coaldale, AB T1M1N2

Attention: Byron and Matthew Slingerland

This directive relates to unauthorized construction of both beef feedlot pens (manure storage facilities - MSF) and catch basins (manure collection areas - MCA) at Slingerland Feeders Ltd, which is a beef feedlot confined feeding operation (CFO). This unauthorized construction was completed without a permit under the Agricultural Operation Practices Act (AOPA).

The operation is located at SW-28-009-19-W4, in Lethbridge County, in the Province of Alberta, approximately 5 km northeast of the town of Coaldale, Alberta. The CFO is owned and operated by Byron and Matthew Slingerland. The NRCB has not yet issued any permits under AOPA for this CFO. The CFO does hold County of Lethbridge No. 26 Development Permits 94-14, 97-74, and 2000-55.

Background and investigation

On April 17, 2025, NRCB Approval Officer Kailee Davis informed me that during her review of the application for Permit LA25005, she had noticed multiple occurrences of what appeared to be unauthorized construction. Unauthorized construction includes construction of MSFs or MCAs since January 1, 2002 without a permit. Through our discussion and review of aerial imagery, Ms. Davis and I agreed that there were four occurrences of unauthorized construction in total (see Appendix A – Google Earth Image dated October 10, 2024 and Appendix B – Google Earth Imagery dated September 27, 2002 for a comparison of current and historical images).

On April 24, 2025 I met with Byron and Matthew Slingerland at their feedlot to discuss the unauthorized construction as well as to tour the facility. The operators stated that the majority of the unauthorized construction took place sometime between 2002 and

2005 when their father did some renovations to the feedlot. They also stated that the southwest catch basin did previously exist, however in 2023 they cleaned out the area and enlarged it. The following is a summary of the unauthorized facilities (see Appendix A – Google Earth Image dated October 10, 2024 and Appendix B – Google Earth Imagery dated September 27, 2002 for a comparison of current and historical images).

1. East row of pens
 - a. Sometime between 2002 and 2005 the entire east row of pens was expanded to the east by approximately 10 metres.
2. East catch basin:
 - a. During the same renovation between 2002 and 2005, the east catch basin was constructed.
3. South feedlot pen:
 - a. This feedlot pen was also added between 2002 and 2005.
4. Southwest catch basin:
 - a. The southwest catch basin existed prior to 2002. However, it was expanded in 2023.

Slingerland Feeders Ltd. is in the process of applying for an expansion to their beef feedlot. The submitted application is to add 1,000 additional beef animals as well as feedlot pens to accommodate them. In addition, the permit application will address all four occurrences of unauthorized construction.

To date, the operator has submitted documents necessary to support the application of Permit LA25005. Permit Application LA25005 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 storage facility (MSF) or manure collection area (MCA) that requires a permit under the regulations unless they hold a permit. Section 4(2) of Part 2 Matters Regulations requires a permit for MSF/MCA that is part of a CFO.

With the information I have and my investigation, I find that the unauthorized construction of the east row and south feedlot pens, and the east and southwest catch basins 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, Slingerland Feeders Ltd and Byron and Matthew Slingerland shall take all necessary and appropriate measures to comply with AOPA and its regulations. In particular, Slingerland Feeders Ltd and Byron and Matthew Slingerland shall:

1. By July 31, 2025, restore the four unauthorized facilities (listed above) to their 2002 state, if an NRCB permit for the 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 Slingerland Feeders Ltd and Byron and Matthew Slingerland fail to comply with this directive, the NRCB may take additional enforcement action.



Denny Puszkar
Inspector, Compliance and Enforcement Division
Natural Resources Conservation Board

Cc: Lethbridge County

Appendices:

- A – Google Earth Image dated October 10, 2024
- B – Google Earth Imagery dated September 27, 2002

Appendix A

Slingerland Feeders Ltd.
Google Earth Image: October 10, 2024

Slingerland Feeders

Legend

1. East row of pens
(approximately 10 meters
added)

2. East Catch Basin

4. Southwest
Catch Basin

3. South Feedlot
Pen

Slingerland Feeders

Township Rd 94



100 m

Appendix B

Slingerland Feeders Ltd.
Google Earth Image: September 27, 2002

Slingerland Feeders

Legend

1. East Pens prior to expansion

2. Approximate area of east catch basin

4. Southwest Catch basin

3. South pen area

Slingerland Feeders

Township Rd 04



100 m