

# Compliance Directive

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

**Directive #:** CD 25-18

**Date issued:** September 12, 2025

**Issued by:** Fraser Grant, Senior Inspector  
Compliance and Enforcement Division  
Natural Resources Conservation Board (NRCB), Airdrie Office

**Issued to:** Michael Schmidt (landowner) operating as Parkview Farms

**Attention:** **Mike Schmidt**

This directive relates to unauthorized construction at a beef feedlot confined feeding operation (CFO) which is located on land owned by Michael Schmidt. The existing feedlot is managed and operated by Mr. Schmidt and Parkview Farms. This construction has been done without a permit under the *Agricultural Operation Practices Act* (AOPA). The eight unauthorized pens, formerly utilized as a seasonal feeding and bedding site (SFBS), now have transitioned into beef feedlot CFO pens and no longer meet the requirements of a SFBS.

The operation is located at NE-03-46-27 W4M and NW-02-46-27 W4M (the site), in the County of Wetaskiwin, approximately 2 km south of the hamlet of Falun, Alberta.

### **Background and investigation**

On September 5, 2025, I received a complaint about possible unauthorized construction at Parkview Farms. Prior to contacting Mr. Schmidt I reviewed the NRCB CFO database. In July 2023, Mr. Schmidt contacted the NRCB as he was proposing to construct pens to be used as a seasonal feeding and bedding site (SFBS). The NRCB provided Mr. Schmidt a copy of the NRCB fact sheet [Distinguishing Between Confined Feeding Operations and Seasonal Feeding & Bedding Sites \(for Cattle Operations\)](#).

I contacted Mr. Schmidt on September 5, 2025, we discussed the file history for Parkview Farms and he informed me that he was under the impression that if he did not confine cattle during the grazing period that he was able to utilize the pens as a SFBS. I went over the requirements for a SFBS that is adjacent to a CFO. Mr. Schmidt informed me that in August 2025 he has poured concrete bunk aprons and feed bunks and therefore felt that Parkview Farms would not meet the Table 1 criteria for a SFBS adjacent to a CFO facility. During my aerial review, it was evident that five seasonal

pens had been constructed between August 2022 and August 2024 and were adjacent to the existing CFO feedlot pens. It was not apparent if they would have met the SFBS requirements at that time. However now that the pens have permanent infrastructure (concrete bunks and aprons) it would be likely that they do not meet the requirements for a SFBS that is adjacent to a CFO. Mr. Schmidt also informed me that when he constructed the processing barn and access road in 2023, he constructed a borrow pit for material to construct the infrastructure. He informed me that it was his intent to utilize this borrow pit as a catch basin in the future. I arranged to meet with Mr. Schmidt to inspect the possible unauthorized pens and catch basin.

On September 9, 2025, I conducted a site inspection at Parkview Farms and met with Mr. Schmidt. Mr. Schmidt informed me that Parkview Farms operates under a municipal permit that allows them to have a 5,000 head beef feedlot. Mr. Schmidt and I discussed the SFBS requirements, and he agreed that the pens he previously thought would be considered a SFBS would likely be considered CFO facilities. As such, Mr. Schmidt requested to fill out a Part 1 application immediately to initiate the permitting process. Mr. Schmidt informed me that he would be dividing three of the previous SFBS pens, which would create a total of eight pens that are considered unauthorized construction (Appendix A).

During my inspection, I referenced NRCB's Operational Policy 2015-2 (CFO/SFBS policy), [Distinguishing Between Confined Feeding Operations and Seasonal Feeding and Bedding Sites \(For Cattle Operations\)](#). To determine the CFO characteristics, I referenced Table 1 (for facilities adjacent to a CFO) of the CFO/SFBS policy. The following factors and characteristics suggest that the eight pens are CFO facilities:

- Feeding area: the facility utilizes fence line feeding with permanent bunks with a concrete apron.
- Manure management: manure is concentrated in the pens and must be removed and spread or stored outside of the pens.
- Infrastructure: there are permanent feed bunks.

While inspecting the eight unauthorized pens, which were in the final stages of construction, I also inspected the borrow pit. At the time of the inspection, runoff from the CFO was not entering the borrow pit. Mr. Schmidt indicated that he would like to apply to the NRCB to convert the borrow pit into a catch basin for the eight unauthorized pens.

When I returned from my site inspection I reviewed the grandfathering status of Parkview Farms. The NRCB has issued an authorization, NRCB permit RA11004, for the relocation of a feedlot pen. The decision summary associated with NRCB permit RA11004 states that Parkview Farms CFO is considered to be grandfathered as a feedlot operation based on permit #01/10, issued by the County of Wetaskiwin on April 26, 2001. That municipal permit allowed the expansion of a feedlot but did not specify a maximum animal capacity. The expansion was for a feedlot located at NE-03-46-27 W4M and NW-02-46-27 W4M. Included in the application was the operator's intent to expand from a 800 head beef feedlot to a 5,000 head beef feedlot. A formal grandfathering determination has not been conducted for Parkview Farms.

### **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.

"Confined feeding operation" is defined in AOPA as:

fenced or enclosed land or buildings where livestock are confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and any other building or structure directly related to that purpose but does not include residences, livestock seasonal feeding and bedding sites, equestrian stables, auction markets, race tracks or exhibition grounds;

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. A feedlot pen is considered a manure collection area.

With the information I have and my investigation, I find that eight SFBS pens that have been converted into feedlot pens are considered manure collection areas that require a permit under AOPA, and have been constructed in contravention of section 14. The borrow pit area is not currently being used as a CFO facility and is not in contravention of section 14. However, the borrow pit is required to have an NRCB permit prior to converting its use to a catch basin.

Under section 39(1) of AOPA, an inspector may issue an enforcement order to a person if, in the inspector'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, the operator has initiated the application process, 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, Michael Schmidt and Parkview Farms shall take all necessary and appropriate measures to comply with AOPA and its regulations. In particular:

1. Effective immediately, the eight unauthorized pens cannot be used for CFO purposes, unless an NRCB permit has been obtained, and the conditions of that permit complied with.
2. Effective immediately, the borrow pit cannot be used as a catch basin for CFO purposes, unless an NRCB permit has been obtained, and the conditions of that permit complied with.

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

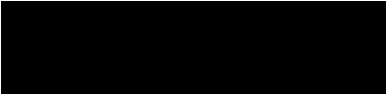
All actions required above shall be in compliance with AOPA and its implementing regulations and shall not violate any other law. These requirements, including any

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 Michael Schmidt and Parkview Farms fail to comply with this directive, the NRCB may take additional enforcement action.



Fraser Grant  
Senior Inspector, Compliance and Enforcement Division  
Natural Resources Conservation Board

Cc: Wetaskiwin County, Development and Planning (*sent by email*)

## **Appendix**

A. Google Earth Pro Aerial Imagery August 2024 (labelled by Fraser Grant)




# Parkview Farms

Aug 2024

Appendix A: Google Earth Pro Aerial Imagery August 2024  
(labelled by Fraser Grant)

## Legend

 Parkview Farms

Previous SFBS  
area, now  
unauthorized  
construction. Six  
pens being  
constructed in this  
area.

Burrow pit

Previous SFBS  
area, now  
unauthorized  
construction. Two  
pens constructed in  
this area.

Google Earth

Image © 2025 Airbus

CD 25-18 Page 5 of 5  
700 ft

