

2.0 ENVIRONMENTAL OBLIGATIONS AND REGULATORY APPROVALS FOR FEEDLOT OPERATORS

Meeting environmental obligations requires an awareness of environmental law. The environmental obligations of a livestock feedlot operator are set out in statutes enacted by the provincial and federal legislatures, and through the common law, which is the body of law and rules established by the courts. The statutes that feedlot operators should be aware of include the *Agricultural Operation Practices Act (AOPA)*, *Alberta Environmental Protection and Enhancement Act*, the *Public Health Act*, the *Livestock Diseases Act*, the *Water Act*, and the federal *Fisheries Act*. Livestock feedlot operators should also be informed of the common law rules of nuisance and how these rules are affected by AOPA.

The approval and siting process for the development and expansion of feedlots can be time consuming and complicated. An increased

awareness of this process can assist feedlot operators in planning for the development or expansion of their operations. Prior to January 1, 2002, the approval process for feedlots was governed by the *Municipal Government Act*, municipal development plans, land-use bylaws and Alberta Agriculture, Food and Rural Development's *Code of Practice for Safe and Economic Handling of Animal Manures (Code of Practice)*, the *Water Act*, and potentially the *Public Highways Development Act*. Since January 1, 2002, the primary responsibility for feedlot approvals has been transferred from municipalities to the provincial Natural Resources Conservation Board (NRCB) under AOPA. (Additional information on the site selection and planning approval process is described in Section 3.)

2.1 Environmental Law Relating to Feedlots – Environmental Protection Standards

A. ALBERTA LEGISLATION

2.1.1 Agricultural Operation Practices Act

AOPA establishes specific environmental protection standards for new and existing feedlots.

www.nrcb.gov.ab.ca/aopa.html

2.1.1.1 Environmental Protection Standards

The *Act, Standards and Regulations* describe the specific standards that feedlot operators should understand.

The Act authorizes the NRCB to issue an enforcement order against a feedlot operator if

the NRCB is of the opinion the feedlot operator is:

- Creating a risk to the environment.
- Causing an inappropriate disturbance.
- Contravening the regulations.

2.1.1.2 Design and operating standards

The regulation describes the design and operating standards for livestock operations. Some of the standards apply to new and expanding feedlots, while others apply to all operations including existing feedlots.

Manure management. Feedlot operators are required to have sufficient land base to safely utilize the manure. The regulations contain tables for determination of land base. It is an offence to exceed the nitrate-nitrogen limits of the regulations, and the soil must be tested prior to application of manure if more than 300 tonnes are being applied annually.

Manure must be incorporated into the soil within 48 hours of being applied to the land. The regulations allow exemptions where the manure is being used on a forage or direct seeded crop. It also allows for restricted manure application on frozen ground where the land is flat and additional setbacks are maintained.

General setbacks for manure spreading are as follows:

- No manure is to be applied within 30 metres of a water well.
- A minimum of 10 metres separation must be maintained from a body of water where manure is being applied by subsurface injection and 30 metres where manure is applied by incorporation.

Manure storage and pen design. The regulations contain requirements for the design and location of feedlot pens and catch basins for new and expanding operations. The regulations state that catch basins must be able to hold nine months of manure runoff. The pen floors and catch basins must be constructed of such compaction to achieve a hydraulic conductivity of not more than 1×10^{-6} cm/sec. In addition, the regulation requires the side slopes of the catch basins be constructed appropriate for the stability of the soil. It also contains details regarding specific slope standards.

With respect to the suggested location of feedlot pens and catch basins, the regulations require a feedlot operator to:

- Avoid areas where there is a shallow water table.
- Maintain a minimum of 100 metres setback from a spring or water well and 30 metres from a body of water.
- Prevent surface water from entering the lagoon or catchment pond.
- Install a leakage detection system to monitor for potential contaminants.
- Implement fly control measures.
- Design for the bottom filling of the lagoon.
- Control access to the area and place warning signs.

Minimum Distance Separation. A Minimum Distance Separation (MDS) is required between new or expanding operations and their neighbours. The setback distances depend on the size of the new or expanding operation and the type of neighbour. The setback distances are measured from the portion of the operation closest to the neighbouring residence. For the purpose of measurement, the facility's manure storage is considered to be part of the operation.

The MDS does not apply to residences owned or controlled by the feedlot operator. It also does not apply where the neighbours themselves operate livestock operations and waive the MDS.

Records. The regulations require feedlot operators to keep records of any documents that were used to obtain approvals. In addition, all feedlots are required to keep the following records, if they apply more than 300 tonnes of manure per year:

- Volume or weight of manure produced.
- Legal description of the land to which the manure was applied.
- Date and volume of manure applied to land.
- Application rates and incorporation methods used.
- Information on any person the feedlot operator gave manure to, if more than 300 tonnes was given.

Feedlot operators are required to keep copies of these records for five years.

2.1.2 Environmental Protection and Enhancement Act

2.1.2.1 Prohibited releases

The *Environmental Protection and Enhancement Act* (EPEA) prohibits feedlot operators from releasing into the environment a substance in an amount, concentration or level or at a rate of release that causes or may cause a significant adverse effect on the environment. While “significant” is not defined in EPEA, “adverse effect” is broadly defined to mean the “impairment of, or damage to, the environment, human health or safety or property.” This means that a feedlot cannot release or spread manure, if the release or spreading of manure may cause a significant adverse effect to the environment. That is, if a feedlot operator spreads manure on land at a rate that will overload the nutrient value of the land, or if a feedlot operator releases manure on land where the manure will run into a water course, the feedlot operator will be in violation of EPEA.

EPEA also gives the government the power to issue an environmental protection order to an individual responsible for the release of an offensive odour, to order that individual to, among other things, prevent, minimize or remedy the offensive odour or destroy the cause of the odour. However, these powers do not apply to offensive odours that result from an agricultural operation that is carried on in accordance with “generally accepted practices” for that operation. There is no definition of generally accepted practices for similar agricultural operations. Whether a feedlot operator is following generally accepted practices will be decided by the Environmental Appeal Board or by a peer review board appointed by the Minister of Agriculture, Food and Rural Development.

2.1.2.2 Duty to report

EPEA requires feedlot operators to report any releases that may cause an adverse effect on the environment to Alberta Environment. Failure to report a release can lead to significant fines.

Typically, when a feedlot operator reports a release, Alberta Environment will require the operator to identify the steps that the operator is taking to prevent harm to the environment and to prevent the release from reoccurring.

2.1.2.3 Liability of officers and directors

If a corporation violates EPEA, any officer, director or agent of the corporation who was involved with the incident, even in a minor way, could face prosecution under EPEA. This applies whether or not the corporation itself is prosecuted for the violation and regardless of whether the officer, director or agent works for

a large corporation or simply a small incorporated family farm. This means that an officer, director or agent of a corporate feedlot operator is held personally responsible for violations of EPEA, if the officer, director or agent directed or participated in the violation in any way.

2.1.2.4 Strict liability offences

Offences under EPEA are “strict liability” offences. Unlike criminal offences, with strict liability offences, the courts are only concerned with whether the feedlot operator committed the offence, and not whether the feedlot operator intended to commit the offence. Nor are the courts concerned with the morality of

the operator’s actions. If a feedlot operator caused impairment to the environment by releasing manure into a watercourse, the courts will not examine whether the feedlot operator meant to cause the impairment, but only whether the feedlot operator caused the impairment.



If the feedlot operator did cause the impairment, the courts will convict the operator unless the operator can show that the action was in accordance with “due diligence” in running the operation and in carrying out the activity at issue. That is, if the feedlot

operator can show that all reasonable steps were taken to prevent the contravention of the EPEA, the operator will not be found guilty under the EPEA. Due diligence will be discussed in further detail in Section 2.1.6.1.

2.1.2.5 Fines

An individual is liable for a fine of not more than \$50,000 for each offence under EPEA and a corporation is liable for a fine of not more than \$500,000 for each offence under EPEA. Each day that a release or impairment occurs

is treated as a separate offence. For example, a release from a catch basin occurring over two days would be treated as two offences and would expose the corporation to a maximum fine of \$1,000,000.

2.1.3 Public Health Act

It is important for feedlot operators to be aware of the responsibilities regional health authorities have under the *Public Health Act* (PHA). The PHA gives health authorities significant powers to protect the public health. The PHA has priority over all provincial statutes, except the *Alberta Bill of Rights*.

The PHA allows a regional health authority, if it has reasonable and probable grounds to believe that a nuisance exists, to enter onto property to inspect the property, take samples of any substance or equipment being used and perform tests at the property. The PHA defines “nuisance” as:

“a condition that is or that might become injurious or dangerous to the public health, or that might hinder in any manner the prevention or suppression of disease.”

In order for the regional health authority to enter into the private place to perform these inspections and tests, the regional health authority requires either the consent of the owner, or a court order allowing these activities to occur. If the owner does not give his consent to the regional health authority

and the regional health authority applies to the courts to obtain an order, the PHA provides the judge with the authority to grant such an order without requiring the owner to have prior notice of the court application. Once the inspection, testing or taking of samples have occurred, if the regional health authority has reasonable and probable grounds to believe that a nuisance exists, the regional health authority can order the property to be vacated, declared unfit for habitation, closed or destroyed. In addition, the regional health authority has the authority to prohibit or regulate the selling of any livestock from the property.

As a result, should a regional health authority become aware of a public health hazard at a feedlot, the regional health authority can take steps to protect the public health and have the health hazard eliminated. In addition, if a feedlot operator contravenes the regional health authority’s orders, that operator is liable to a fine of not more than \$100 for each day the contravention continues.

2.1.4 Livestock Diseases Act

The *Livestock Diseases Act*, through its regulations, requires that the owner of a dead animal dispose of the dead animal within 48 hours of death, by:

- Burying it with a covering of at least four feet of earth.
- Burning it.
- Transporting it to a rendering plant for disposal.
- Natural scavenging with specific conditions.

If a feedlot operator fails to properly dispose of the dead animal, the feedlot operator is in violation of the *Livestock Diseases Act* and is liable to a fine of not more than \$10,000, or to imprisonment for a term of not more than one year or to both a fine and imprisonment. Feedlot operators should review *Destruction and Disposal of Dead Animals Regulations* for specific disposal standards.

B. FEDERAL LEGISLATION

2.1.5 Fisheries Act

2.1.5.1 Deleterious substance

Under the Canadian Constitution, the federal government has jurisdiction over the protection of fish habitat. To protect fish habitat, the federal government has enacted the *Fisheries Act*. The *Fisheries Act* prohibits anyone from depositing or permitting the deposit of anything into any type of water frequented by fish, which can have a “deleterious” or harmful effect on the fish. Further, the *Fisheries Act* prohibits anyone from depositing a deleterious or harmful substance in any place under any condition where the deleterious or harmful substance may enter any water frequented by fish. The *Fisheries Act* defines the phrase, “water frequented by fish” very broadly to include all internal waters of Canada. Therefore, this definition includes any creek, river, stream, lake or slough which are frequented by fish, including any creek which contains minnows in the spring, but dries later in the summer.

As a result, a feedlot operator commits an offence under the *Fisheries Act* when he spreads manure on land, located near a stream frequented by fish and the manure migrates

into the stream in sufficient quantities to have a deleterious effect. The offence results even if the deposit of the manure does not actually cause harm to the fish. The mere fact that the manure migrated into water frequented by fish causes a violation of the *Fisheries Act* and may result in charges under this Act, unless the feedlot operator can prove that at all material times, the water is not, has not been, and is not likely to be frequented by fish.

In addition, a feedlot operator risks committing an offence under the *Fisheries Act* if he spreads manure on land which has a stream frequented by fish, even if the deposit of the manure does not in fact enter the water, but had a reasonable chance of entering the water. The mere fact that the manure had a reasonable chance to enter water frequented by fish may violate the *Fisheries Act* and may result in charges under this Act. However, again, if the feedlot operator can prove that at all material times, the water is not, has not been and is not likely to be frequented by fish, then the feedlot operator has not committed an offence under the Act.

2.1.5.2 Liability of officers and directors

If a corporation violates the *Fisheries Act*, any officer, director or agent of the corporation who was involved with the incident, even in a minor way, is liable on conviction to punishment under the *Fisheries Act*, whether or not the corporation itself has been charged. As with the Alberta *Environmental Protection and Enhancement Act*, this is true regardless of

whether the officer, director or agent works for a large corporation, or simply a small incorporated family farm. This means an officer, director, agent of a corporate feedlot can be held personally responsible for violations of the *Fisheries Act*, if the officer or director directed or participated in the violation.

2.1.5.3 Strict liability offences

Similar to the Alberta *Environmental Protection and Enhancement Act*, offences under the *Fisheries Act*, regarding the deposit of deleterious substances or harmful substances into water frequented by fish, are “strict liability” offences. The courts are not concerned whether the deposit of deleterious or harmful substances was intentional. The courts are only concerned whether a feedlot operator deposited a substance into any type of water frequented by fish where the substance could have a deleterious or harmful effect on the fish. In addition, the courts are only concerned with whether a feedlot operator deposited a “deleterious” substance in any place under any condition where the

deleterious substance may enter any water frequented by fish. If a feedlot operator has done either of these actions, the courts can convict the feedlot operator unless the feedlot operator can show that:

- (1) At all material times, the water is not, has not been and is not likely to be frequented by fish.
- (2) The feedlot operator acted with due diligence to prevent the commission of the activity at issue.
- (3) The feedlot operator reasonably and honestly believed in the existence of the facts that, if true, would render the feedlot operator’s conduct as innocent.

2.1.5.4 Fines

An individual or corporate feedlot is liable to a fine not exceeding \$1,000,000 for the feedlot operator’s first deleterious substance offence and to a fine not exceeding \$1,000,000

or to imprisonment for a term not exceeding three years, or to both, for any subsequent deleterious substance offence.

2.1.6 Due diligence and environmental management systems

2.1.6.1 Due diligence

In order to avoid a conviction under the Alberta *Environmental Protection and Enhancement Act* and the federal *Fisheries Act*, a feedlot operator must have acted with due diligence in running the operation and in carrying out the activity at issue.

Whether a producer acted with due diligence in any particular circumstance will be determined by the courts on a case-by-case basis. Generally, the courts have indicated that to act with due diligence, one “must take all reasonable steps to avoid harm. However, that does not mean [one] must take all conceivable

steps.”¹ In addition, the courts have established that, “reasonable care and due diligence do not mean superhuman efforts. They mean a high standard of awareness and decisive, prompt and continuing action.”² In considering whether an accused acted with due diligence, the courts, “...examine what was done, what controls were in place, what was the state of technology that existed through the evidence of lay and expert witnesses to determine if the accused acted reasonably in the circumstances.”³

1. R. v. British Columbia Hydro and Power Authority [1997] B.C.J. No. 1744, paragraph 55.

2. R. v. Courtaulds Fibres Canada (1992) 9, C.E.L.R. (N.S.) 304 at 313 (Ont. Prov. Ct.).

3. R. v. Northwood Pulp and Paper (1992) 9, C.E.L.R. (N.S.) 289 at p. 293.

To determine whether environmental due diligence has been exercised, the court may examine the following:

- Did the feedlot operator establish and monitor a pollution prevention system? For example, is there a reasonable nutrient management plan for the operation?
- Did the feedlot operator ensure employees were instructed to:
 - Set up the pollution prevention system so that the feedlot complied with the industry practices and environmental laws and the permit conditions.
 - Report to the manager if the feedlot operator was not complying with the system? For example, if soil-testing analysis indicated high nitrate levels, making it dangerous to apply more manure, was management told?
- Did the feedlot operator review the environmental compliance reports provided by the operation's officers? Is there an annual review of the report and system?

- Did the feedlot operator ensure that its officers and employees promptly addressed environmental concerns brought to its attention by government agencies or other concerned parties? Was the problem fixed?
- Was the feedlot operator aware of the industry standards regarding environmental pollutants and risks?
- Did the feedlot operator address problems immediately?⁴

In addition, a court may examine whether a corporation has an environmental management system, what the environmental management system contains, how detailed it is, and whether it is followed by the company, to determine whether the company acted with due diligence in carrying out the activity in question.

2.1.6.2 Environmental management systems

Environmental management systems are used by corporations to establish and implement policies and procedures for operating an environmentally sustainable business. An environmental management system will examine the corporation's operations to determine the following:

- How the operations impact the environment.
- Which policies and procedures can be implemented to lessen or eliminate the operation's environmental impact.
- Which environmental standards and laws the corporation must follow.
- Whether the corporation is following these standards and laws.

The environmental management system will then put into place policies and procedures to reduce the feedlot's environmental impacts and to properly train the corporation's employees to meet and maintain the applicable environmental standards and laws. Finally, an environmental management system will provide for a periodic re-evaluation of these environmental policies and procedures.

Feedlot operators adopting an environmental farm plan are taking the preliminary steps toward the development of an environmental management system.

4. R. v. Bata Industries Ltd. [1992] O.J. No. 236 at page 24-25 (Ont. Prov. Div) online: QL (O.J.), rev'd in part on other grounds 14 O.R. (3d) 354, rev'd in part on other grounds 127 D.L.R. (4th) 438.

2.1.7 Common law of nuisance and the Agricultural Operation Practices Act

The common law of nuisance deals with an individual's unreasonable interference with a neighbour's use and enjoyment of the neighbour's land. If a feedlot unreasonably interferes with the use and enjoyment of a neighbour's land by creating offensive odours, excessive noise or dust, or the presence of flies, the courts may force the feedlot operator to pay damages to the neighbour to compensate the neighbour for the nuisance, which could force the feedlot to shut down.

However, the Alberta government enacted AOPA to offer protection to livestock operators from nuisance claims, as the government recognized that farms will typically produce some odours, noise and dust. AOPA states that a feedlot operator will not be liable in court for any nuisance resulting from the feedlot operation, nor will the feedlot operator be prevented from carrying on its operation by a court injunction or order, if the feedlot

operator has not contravened the local land-use bylaw and has followed "generally accepted practices for similar agricultural operations." The Act defines a "nuisance" to include an activity which:

- Arises from unreasonable, unwarranted or unlawful use by a person of the person's own property, which causes obstruction or injury to the right of another person or to the public and produces such material annoyance, inconvenience and discomfort that damage will result.
- Creates smoke, odour, noise or vibration which interferes with the reasonable and comfortable use of a person's property.
- Is found to be a nuisance at common law.

A peer review board appointed by the Minister of Agriculture, Food and Rural Development determines generally accepted practices for similar agricultural operations.

2.1.8 Common law of negligence

In law, an individual is negligent if he fails to live up to a "duty of care" he owes to another individual. A duty of care is a duty held by one individual to avoid carrying out an activity which has a reasonable chance of causing harm or injury to another individual. Of course, it is impossible for any individual to avoid all activities that might harm another individual. Therefore, the law sets standards of conduct that must be met. The standard is one of being reasonable – the individual must behave in the way that a reasonable individual of ordinary intelligence and experience would behave in the same circumstance. How an ordinary individual would behave depends on factors such as the degree of harm that might occur and standard industry practices.

A feedlot operator has a duty to operate in such a manner as to not cause harm to those individuals who could reasonably suffer harm

if the operator does not act reasonably in running the operation. For example, a feedlot operator may be negligent if:

- The operator spreads manure on frozen land that has a heavy slope towards a creek.
- The creek becomes contaminated from the manure spreading during spring runoff.
- The operator knew or ought to have known that neighbours receive their domestic water supply from the creek.
- The neighbours' health is affected by the contamination.

In this situation, the "reasonable" feedlot operator would know or ought to have known that spreading manure on these lands with these conditions could result in the neighbours suffering harm. As a result, the feedlot operator could be held liable for the harm or injury suffered by the neighbours.

2.2 Regulatory Approvals for Feedlots

Prior to January 2002, feedlot operators obtained approvals to build or expand a livestock operation from municipal governments through the issuance of a development permit.

The approval of livestock operations has been transferred to the Natural Resources Conversation Board (NRCB) under AOPA. Development permits are no longer required.

Under the AOPA, an "Approval" is required to build or expand the following sizes of feedlots:

beef cows/finishers (900+ lbs.).....	350 or more
beef feeders (<900 lbs.)	500 or more

Feedlot operators building or expanding to a size below these are required to obtain a "Registration." A Registration can be obtained from the NRCB through a streamlined review and approval process. In addition, feedlot operators seeking to build or modify a catch basin on an existing operation are required to obtain an "Authorization" from the NRCB.

2.2.1 NRCB approval process

The NRCB requires feedlot operators who are seeking an approval to provide the following (see Figure 2.1):

- (1) Name, address and telephone number of the applicant.
- (2) A list of the persons who live close to the proposed site and who may be affected by the operation.
- (3) An evaluation of whether the application is consistent with the applicable municipal development plan.
- (4) Engineering plans for manure storage facilities, manure collection area and contamination management.
- (5) Hydro-geological assessments.
- (6) Numbers and species of livestock and stage of animal development of the livestock that will be at the confined feeding operation.
- (7) Legal description of the land on which the confined feeding operation is located.
- (8) A site plan, to scale, showing the location of all:
 - water bodies.
 - water wells.
 - property lines.
 - residence locations of affected persons.
 - barns, corrals and pens.
 - manure storage facilities and manure collection area.
 - run-on and runoff controls.
- (9) An explanation of how the operation or expansion and its operation will meet the requirements of the *Act*.

- (10) The legal description of the land where manure is to be spread for the first three years of the operation.

- (11) A nutrient management plan.

Once an application is deemed complete, notice of the application is advertised in the local paper or notices are sent to those in the area of the proposed site.

Anyone wishing to comment on the application has 20 days to file a written statement of concern. The NRCB reviews the concerns and, if there is merit to the concerns, forwards the statement to the feedlot operator. The feedlot operator then has an opportunity to respond to the statement of concern.

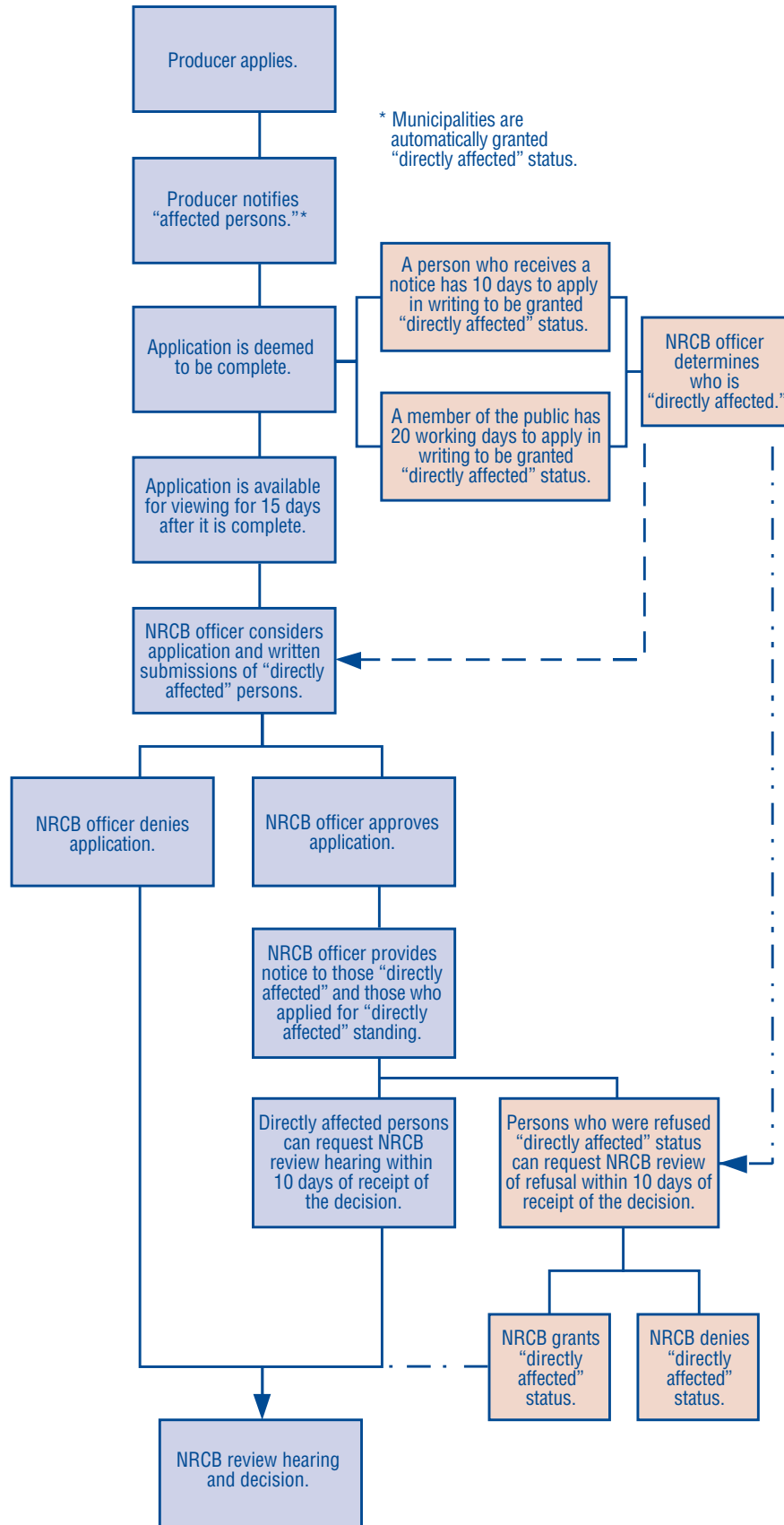
Once the NRCB is satisfied that the statement of concern has been addressed and the requirements of the *Act* and regulations met, the Board can issue an Approval for the project.

Those persons who filed a statement of concern and who were found to be directly affected by the project, are given notice of the Approval and provided an opportunity to request that the Board review the approval. The NRCB will convene a review hearing at which the Approval with either be upheld or refused.



Figure 2.1

The NRCB Approval Process



2.2.2 Water Act Approvals

2.2.2.1 Process

A feedlot operator building a new livestock operation may require either a water approval or a water licence under the *Water Act*. The *Water Act* became law in January 1999.

A water approval is required for the undertaking of an “activity.” Under the *Water Act*, an activity includes the construction, operation or maintenance of a structure that may:

- Alter the flow or level of water.
- Change the location or direction of flow of water.
- Cause the siltation of water.
- Cause the erosion of any bed or shore of a body of water.
- Cause an effect on the aquatic environment.

If it is necessary for the feedlot operator to divert and use more than 6,250 cubic metres of surface water or groundwater per year, a water licence is required.

Applications for an approval, or licence are submitted to Alberta Environment. In the application for either an approval or a licence, a feedlot operator should include the plans for the project, including:

- Scaled drawings.
- The legal land location.
- Details regarding the affected water bodies.

- The location of any structures to be built or affected.
- The rate of diversion and the anticipated quantity of diversion.

In addition, the feedlot operator should include reports related to the project, including a description of the project and hydrologic information regarding the project.

Once a feedlot operator has submitted the approval or licence application to Alberta Environment, the department will require the feedlot operator to publish a notice of the application in one or more issues of the local newspaper in the area of the proposed approval or licence. The notice of the application will include, among other things, the location of the activity, the name of the applicant, a description of the activity or diversion and an indication that if any individual is directly affected by the application, a statement of concern can be submitted to Alberta Environment within a certain period of time.

A feedlot operator may be asked to publish a joint notice for the water licence and NRCB Approval in order to streamline the approval process.

2.2.2.2 Environmental Appeal Board appeals

If the feedlot operator’s application for a water approval or licence is granted, Alberta Environment will require the feedlot operator to publish a notice of the approval or licence in one or more issues of the local newspaper in the area of the proposed approval or licence. The notice of the approval must indicate that an individual who submitted a statement of concern to Alberta Environment regarding the application, can file a notice of objection to the Environmental Appeal Board within a certain period of time. In addition, if the feedlot

operator’s application for a water approval or licence is denied, the feedlot operator can file a notice of objection to the Environmental Appeal Board regarding the denial within a specific period of time.

If a notice of objection is filed with the Environmental Appeal Board, the board will conduct a hearing. In ruling on an appeal, the Board may confirm, reverse or vary the decision of Alberta Environment. A decision of the Environmental Appeal Board can be appealed in very limited circumstances.

2.2.3 Transportation approvals

The *Highway Development Control Regulation* under the *Public Highways Development Act* prohibits the erection or placement of a development within 300 metres of a primary highway and 800 metres from the centre point of an intersection of a primary highway and another highway or public roadway. As a result, if a feedlot operator plans to construct a feedlot within these distances from a primary highway, the feedlot operator will be required to apply for and obtain a Roadside Development Approval from Alberta

Infrastructure to construct a development near a primary highway. The Roadside Development Approval will set out the road access and setback conditions for the development.

If a feedlot operator is required to apply for a Roadside Development Permit, the feedlot operator should include the engineering drawings, the property description, the existing and proposed land-use and the closest distance of the proposed development to the highway property line.

Addendum

The information provided regarding the environmental obligations and the approval process for feedlot operators in Alberta is for information only and should not be relied upon as legal advice. The feedlot operator should consult a lawyer, as the facts of the feedlot operator's situation may change the feedlot operator's legal rights or the law may change.

Additional information on these issues can be obtained from Alberta Agriculture, Food and Rural Development's extension staff, the Natural Resources Conservation Board, consultants and lawyers.

Copies of the Acts and Regulations can be obtained online or via mail from the Queen's Printer.

- AAFRD 1-866-882-7677
www.agric.gov.ab.ca
- NRCB 1-866-383-6722
www.nrcb.gov.ca
- Queen's Printer 1-780-427-4952
www.qp.gov.ab.ca

