

Provincial Agricultural Service Board Committee

**Report Card on Government and Non-Government Responses to the
2012 Provincial ASB Resolutions**

Introduction

The Agricultural Service Board (ASB) Provincial Committee is pleased to provide ASB members and staff with the Report Card on Government and Non-Government Responses to the 2012 Provincial ASB Resolutions. This document includes the Whereas and Therefore Be It Resolved sections from each of the resolutions passed at the 2012 Provincial ASB Conference, the associated responses and a tentative grade for each response as assigned by the Committee. Comments from the Committee are included with the grade assigned.

There are four response grades that can be assigned to a resolution response: Accept the Response; Accept in Principle, Incomplete and Unsatisfactory. The grade assigned relates to the quality of the response to the resolution. A definition of what each grade means is included as part of the Report Card. This report also summarizes actions undertaken by the Provincial ASB Committee and provides updates associated with resolution issues.

Please note that the grades assigned by the Committee are intended to provide further direction on future activities or follow up with respondents. If you would like to comment on the assigned grade or follow up activities, please contact your Provincial ASB Committee Representative.

The ASB Provincial Committee consists of five regional representatives, a representative from the Alberta Association of Agricultural Fieldman (AAAF) as recording secretary, a representative from the Alberta Association of Municipal Districts and Counties (AAMD&C) and the ASB Program Manager from Alberta Agriculture and Rural Development (ARD). The members for 2011/2012 were:

Regional Representatives	Alternate
Patrick Gordeyko, Chair, Northeast Region	Daniel Warawa
Lloyd Giebelhaus, Vice-Chair, Northwest Region	Darrell Hollands
Garry Lentz, South Region	Henry Doeve
Jim Duncan, Central Region	Greg Hawkwood
Don Dumont, Peace Region	Danny Friesen
Other Representatives	
Soren Odegard, AAMD&C	
Geoff Thompson, Recording Secretary/1st VP, AAAF	
Maureen Vadnais, Manager, ASB Program, ARD	
Pam Retzloff, ASB Program Coordinator, Recording Secretary	

2012 has been a busy year for the ASB Provincial Committee. The Committee has been consulted with extensively as the ASB Program started a review of the Agricultural Service Board Act and the grant processes for the new ASB program. The Committee also met twice with the Minister of Agriculture and Rural Development. They met first with Minister Evan Berger in January to discuss the resolutions and in August with Minister Verlyn Olson.

The Committee has been consulted frequently during the review of the ASB Grant Program. The Committee members appreciate the information that ASBs have provided them to assist them with developing the criteria and recommendations that are going forward to the Minister.

Patrick Gordeyko
Chair, ASB Provincial Committee
Northeast Regional Representative
November 2012

Definition of Terms

The Provincial Agricultural Service Board (ASB) Committee has chosen four indicators with which to grade resolution responses offered by government and non-government organizations.

Accept the Response

A response that has been accepted is one that addresses the resolution as presented or meets the expectations of the Provincial ASB Committee.

Accept in Principle

A response that has been accepted in principle is one that addresses the resolution in part or contains information, which indicates further action is being considered.

Incomplete

A response that is graded as incomplete is one that has not provided enough information or does not completely address the resolution. Follow up is required to solicit the information required for the Provincial ASB Committee to make an informed decision on how to proceed.

Unsatisfactory

A response that is graded as unsatisfactory is one that does not address the resolution as presented or does not meet the expectations of the Provincial ASB Committee.

Executive Summary

Grading given by the Provincial ASB Committee to Government and Non-Government Organizations response to resolutions passed at the 2011 Provincial ASB Conference.

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Alberta Rat Control Program

- WHEREAS** Alberta has been considered a Rat-Free province due to the effectiveness of the Provincial Rat Control Program and the partnering border municipalities which has proven to be a major Alberta advantage nationally as well as globally;
- WHEREAS** municipalities have received Rat calls, that turn out to be improperly disposed of dead rats that have been found at landfills, garbage bin sites and dogs have retrieved rat carcasses from neighboring yards.
- WHEREAS** Alberta has had isolated rat infestations within the last year and Alberta's Rat-Free status could be called into question if these animals are continually allowed to be brought in for pet food, giving the public the perception that we are not actually rat free.
- WHEREAS** the Province needs to maintain all of its Alberta advantages and must ensure the continuation of an effective Rat Control Program thus retaining its Rat-Free status.

THEREFORE BE IT RESOLVED

THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST

that Alberta Agriculture and Rural Development ban the possession, sales, and imports of dead Norway rats for the purpose of pet food.

Status: Provincial

Response:

Alberta Agriculture and Rural Development Regulatory Services Division

Section 11 of the Pest and Nuisance Control Regulation applies. This Section currently states:

Permit to purchase, keep or sell rats

- 11(1) The Minister may, on application in writing, issue a permit in the form set out in Form 6 allowing a person who operates a research facility or zoo or an inspector to purchase, keep or sell **live** rats if the facility where the rats are to be kept meets the minimum standards required by the Minister.
- (2) A person shall not purchase, keep or sell **live** rats unless the person holds a permit issued under subsection (1).

The purpose of this legislation is to prevent the establishment of a pest (rat) infestation in Alberta. Dead pests (rats) pose no risk in this regard and likely can't be declared a pest at any rate. Pest

Surveillance Branch is currently conducting a regulatory review of the Act and following completion of that the regulations. This should be sent to that branch for inclusion with the review so that it is addressed at that time. Legal opinions from Alberta Justice would be required. The finding of dead rats used for reptile food has occurred in the past but this is not a significant problem.

Provincial ASB Committee Grade: Accept in Principle

Provincial ASB Committee Comments:

ASBs are concerned with the use of frozen rats as pet food because of the time it takes to investigate when one of these rats is found because it is virtually impossible to determine the state the rat was in, frozen as pet food or alive, when they are found. It can take up to two days to properly investigate and determine if it was a frozen pet food rat or not. This causes hardships for the municipalities and it would be helpful if dead rats were prohibited for use as pet food under the *Agricultural Pests Act Regulation*.

Concern was also raised about how and where people were able to purchase rats for pet food. ASBs want assurance that rats are not being raised to be used as pet food in Alberta. They feel that if dead rats continue to be allowed as pet food, then systems should be put into place to track and monitor the suppliers of these animals. ASBs also feel that there are other sources of pet food for snakes and other reptiles that could be used without any consequence to the health of these animals.

Lastly, ASBs are also concerned that people who find these rats will get the perception that the province is not rat free. The outbreak of rats in Medicine Hat has significantly raised awareness of this issue and many Albertans are now questioning Alberta's rat free status. ASBs want to restore Albertan's confidence that the province is rat free and feel that not allowing frozen rats as pet food will assist them in that effort.

Promoting Alberta's Rat Free Status

- WHEREAS** Alberta has the distinction of being one of the few places in the world that is rat free
- WHEREAS** as time goes on residents of Alberta may not be as aware as they once were that this is a rat free province
- WHEREAS** residents may not be aware that they can and should report rat sightings or to whom they should be reporting a sighting to.

THEREFORE BE IT RESOLVED

THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST

that Alberta Agriculture and Rural Development allocate additional resources to the education of the public on the rat control program that exists in the province.

Status: Provincial

Response:

Alberta Agriculture and Rural Development

Regulatory Services Division

ARD and specifically RSD has now dedicated one full time employee, Phil Merrill to the new position of "Alberta Rat and Pest Specialist" for the Province effective April 16th, 2012. This position will be responsible for the "Rat Control Program" and will be dedicated to the coordination, education of the program and related research on infestation control and toxicant use. As such I believe this issue has been or is being addressed.

Provincial ASB Committee Grade: Accept the Response

Provincial ASB Committee Comments:

ASBs were pleased to learn that Phil Merrill has accepted the position of Rat and Pest Specialist for the province. Phil has a lot of experience and ASBs are looking forward to seeing how the role evolves.

ASBs feel that this is a positive step and that there is potential for more to be done. ASBs commented that education and awareness, especially in urban areas, need to be a large component of this position. ASBs also felt that there may be a need to have a second Rat and Pest Specialist dedicated for the north half of the province.

Richardson Ground Squirrel Control

WHEREAS the 2008-2011 Emergency Registration of 2% Strychnine has proven effective in managing the large Richardson Ground Squirrel populations.

WHEREAS the Richardson Ground Squirrel Populations have decreased in several regions of the province because of the ability for producers to utilize Strychnine.

WHEREAS permanent registration will allow proactive management and control of RGS infestations instead of reacting to situations when they are out of control.

WHEREAS there is still no other product available that is as effective as 2% Liquid Strychnine.

THEREFORE BE IT RESOLVED

THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST

Agriculture and Agri-Food Canada permanently register 2% Liquid Strychnine for Richardson Ground Squirrel control, until there is a new product proven to be as effective as 2% Liquid Strychnine available to producers.

Status: Provincial

Response:

Agriculture and Agri-Food Canada

The responsibility for the registration and regulation of pesticides in Canada falls under the jurisdiction of Health Canada's Pest Management Regulatory Agency under the authority of the *Pest Control Products Act* and *Regulations*.

It is my understanding that on February 23, 2012, the Pest Management Regulatory Agency granted registration to several 2 percent liquid strychnine concentrate formulations for use to control Richardson's ground squirrels.

Health Canada

Pest Management Regulatory Agency

The PMRA granted full registration of 2% Liquid Strychnine Concentrate on 23 February 2012. Health Canada is a participant in a working group with stakeholders, including grower groups, provincial extension specialists, researchers and Agriculture and Agri-Food Canada to find alternative solutions to the Richardson's ground squirrel infestation in Alberta. Efforts should continue to ensure that new alternative technologies and integrated pest management strategies are available to users as soon as possible.

Provincial ASB Committee Grade: Accept the Response

Provincial ASB Committee Comments:

ASBs were pleased that PMRA permanently re-registered 2% liquid strychnine in 2012. They thanked the Province and PMRA for trusting ASBs to administer the program responsibly to allow their producers access to 2% liquid strychnine as they felt that Richardson Ground Squirrel (RGS) populations were still significant in parts of the province and strychnine was a needed tool to control them.

ASBs also commented that it seemed like there was a shortage of product this year. Several municipalities were only able to receive approximately half of what had been ordered. The manufacturers have been telling them that there is currently no raw product available to make the concentrate. The ASB Provincial Committee will monitor this situation over the next year and determine if any further action needs to be taken to remedy the shortages.

Wild Boar Eradication Initiative

- WHEREAS** the population of Wild Boar on the loose as a pest in Alberta continues to grow in spite of random hunting and bounties.
- WHEREAS** live Trapping or (pen hunting) has proven to be an effective method of eliminating sizeable herds in Red Deer and in Counties to the North West
- WHEREAS** the ROI (return on investment) at this early intervention date is 1:100. Statistics prove that eliminating a pest before it becomes wide spread and established is the most cost effective. (see attached)
- WHEREAS** the potential is to have a US situation with 2- 6,000,000 hogs in 44 states that cost \$800,000,000 per yr. on property and crop damage.
- WHEREAS** damage in the US has taken the form of 27,000 auto accidents, predation of sheep, cattle, goats, chickens, the destruction of crops, gardens, and carrying disease, upsetting natural environmental balances, water quality and riparian areas.
- WHEREAS** the Provincial Government hired a Professional Pest Control company to rid the Province of rats in the 1950's. The Alberta Rat Program is proof that pests can be controlled. (other than the N and S poles Alberta is, "the only place in the World," that is rat free). Alberta now has a chance to be wild boar free.

THEREFORE BE IT RESOLVED

THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST

Alberta Agriculture initiate a "Provincial Strategy," for a controlled "Live Trapping Program" run by professional trappers to eradicate Wild Boar as a Pest in Alberta.

Status: Provincial

Response:

Alberta Agriculture and Rural Development

Regulatory Services Division

Background:

- In 2008, wild boar were declared to be a pest when at large anywhere in Alberta.
- The primary control measure subsequently implemented for the purpose of reducing their numbers, with a view to eventual eradication, was that of a bounty.
- Pursuant to a funding agreement entered into between Agriculture and Rural Development and agricultural service boards (AgService Board), a payment of \$50 is made to each person

who turns in, to the AgService Board, a pair of wild boar ears. To date, payments have been made for just over 400 pairs of ears.

In response, Agriculture and Rural Development (ARD) is in the early stages of developing a regulation aimed primarily at the identification and containment of farmed wild boar. In November 2011 RSD implemented a working group to start this process of developing a new Wild Boar Regulation and a discussion paper seeking feedback from stakeholders has been completed. RSD views the approach to this problem as a two stage process by first developing a regulation to stop the escape of farmed boars and then secondly enhancing or developing a program to eradicate the wild boar.

Provincial ASB Committee Grade: Incomplete

Provincial ASB Committee Comments:

ASBs feel that the response did not address the resolution. The resolution asked the province to initiate a provincially run “live trapping” program. The response to the resolution focused on the current wild boar ear bounty program in place and work that is ongoing to identify and contain wild boars. While ASBs appreciate the efforts that ARD is making towards identification and containment, they do not feel that this response addresses the resolution as it currently stands. ASBs would like to see an update on the work that is being done towards the identification and containment regulation. They see this as an important component in assisting ASBs but feel that this is only part of the solution for controlling wild boar in the province. They also feel that the Province has been working on this regulation for a long time and that work needs to be completed soon so that it can be implemented.

Clubroot Prevention and *Agricultural Pests Act*

WHEREAS well informed land owners who can make decisions regarding equipment access to their land

WHEREAS well informed energy, utility and public service sectors regarding the impact of equipment sanitation on spread of Clubroot and other economically important diseases

WHEREAS improved legal instruments under the *Agricultural Pests Act* to enable land owners to more effectively deter soil spread onto their land

THEREFORE BE IT RESOLVED

THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST

that Alberta Agriculture and Rural Development strengthen the *Pest Control Act* to set penalties for contraventions of the act and to provide rural municipalities the authority to trace back suspected contaminated implements or vehicles in order to achieve more accountability regarding equipment sanitation

FURTHER BE IT RESOLVED

THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST

that Alberta Agriculture and Rural Development convey to appropriate other ministries a request to take vehicle and equipment sanitation precautions with government equipment and to provide Clubroot information to relevant industry organizations within the oil, gas, utility, wildlife, environment and other appropriate sectors

WITHDRAWN AT THE 2012 ASB PROVINCIAL CONFERENCE

Requiring Seed Cleaning Plants to Test for Fusarium

WHEREAS *Fusarium graminearum* is a pest listed under the *Agricultural Pests Act*

WHEREAS seed cleaning plants are an area where seed from many producers comes together in one place and comes into contact with the same equipment

WHEREAS there is currently no legislated requirement for seed cleaning plants to obtain a fusarium free certificate prior to cleaning the seed.

THEREFORE BE IT RESOLVED

THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST

that all seed cleaning plants including mobile plants be required to obtain a certificate from the producer, for each lot of seed to be cleaned, verifying that the seed is free of *Fusarium graminearum*, prior to accepting the seed into the plant for cleaning.

Status: Provincial

Response:

Alberta Agriculture and Rural Development Pest Surveillance Branch

Agriculture and Rural Development (ARD) has taken numerous steps to communicate to Alberta Seed Cleaning Plants about the importance of requiring a test for *Fusarium graminearum* (Fg). Staff from the Pest Surveillance Branch annually give a presentation at a training day for Seed Plant Managers and there have been numerous meetings with the Association of Alberta Co-op Seed Cleaning Plants to discuss this issue.

Communication between the Agricultural Fieldman and the local Seed Cleaning Plant is the best way to ensure that managers and their Boards understand the importance of preventing the spread of Fg in their municipality. The same can also occur with private and mobile seed cleaning plants.

As a last resort, a pest inspector can always go into a local seed cleaning plant, request samples and have them tested for the presence of Fg. If Fg is found, then a notice can be issued to stop the plant from operating until it complies with the notice.

Provincial ASB Committee Grade: Accept in Principle

Provincial ASB Committee Comments:

ASBs feel that the Province needs to provide stronger leadership and assistance to them on this issue. They feel that the Province has been negligent in their duties to enforce their own Act and “downloaded” their responsibilities onto the municipalities.

ASBs would like the Province to appoint Provincial Inspectors to assist them in doing enforcement work with seed cleaning plants. These inspectors must be given the mandate to be able to come with a municipal inspector to do the inspections, issue notices and enforce on those notices.

ASBs would also like to see stronger regulations put in place that require all Seed Cleaning Plants to have a certificate for all seed lots that shows that the seed is Fusarium free prior to entering the plant. ASBs are aware that there is a lot of diversity between the Seed Cleaning Plants and that there is disagreement among the Seed Cleaning Plants regarding this issue. A regulation requiring all Seed Cleaning Plants to have a certificate indicating the seed is free of Fusarium would equalize the plants and mitigate the current concern that if one plant requires testing and another doesn't, the first plant will lose business.

ASBs and municipalities will require assistance and stronger leadership from the Province in order to be able to effectively stop the spread of Fusarium in Alberta.

Herbicide Selection for Noxious Weed Control on Acreages

- WHEREAS** the acreage community has grown significantly in rural Alberta presenting increased challenges with weed management, especially on the agricultural pasture portions of the acreages; and
- WHEREAS** the Government of Alberta, Environmental Code Of Practice For Pesticides, Section 17, under the *Environmental Protection and Enhancement Act* restricts the choices of herbicide for “Acreage and Hobby Greenhouse Use” ; and
- WHEREAS** the list of herbicides listed under Section 17 are ineffective on many species of Prohibited Noxious and Noxious weeds and more related to turf than agricultural use; and
- WHEREAS** the list of herbicides are either not registered for range and pasture or carry grazing restrictions when applied on acreage pastures.

THEREFORE BE IT RESOLVED

THAT ALBERTA’S AGRICULTURAL SERVICE BOARDS REQUEST

that Alberta Environment Pesticide Management Branch review the Environmental Code of Practice for Pesticides with the outcome of making additional herbicides available for effective weed control on acreage pastures.

Status: Provincial

Response:

Alberta Environment and Water

Alberta Environment and Water implemented Section 17 of the *Environmental Code of Practice for Pesticides* to enable acreage owners to obtain limited access to commercial (available only to certified applicators and farmers) products that had comparable domestic product registrations, such as turf maintenance products. It was not intended to provide broad access to commercial products for a wide spectrum of uses. The control of “noxious” and “prohibited noxious” weeds for range and pastures falls outside of the intent of Section 17.

Large acreage owners have the option to take the Farmer Pesticide Certification Program which will provide them with the knowledge and safety considerations required for using commercial products. Alberta Environment and Water is prepared to review this issue with the Agricultural Service Boards in conjunction with product manufacturers and Health Canada, who have jurisdiction over product registration, safety and label instructions.

Provincial ASB Committee Grade: Accept in Principle

Provincial ASB Committee Comments:

ASBs feel that acreage owners should be able to access an increased list of herbicides for weed control but that acreage owners would require some sort of certification. ASBs recommend that a certification be developed specifically for acreage owners or the current Farmers Pesticide Certificate Course be expanded to allow acreage owners access to a broader range of herbicides.

ASBs feel that there needs to be continued work on this initiative and encourages Alberta Agriculture and Rural Development (ARD), Environment and Sustainable Resource Development (ESRD), ASBs and the Association of Alberta Agricultural Fieldmen (AAAF) to work together to develop appropriate solutions.

2011 Provincial Enforcement of the Weed Act

- WHEREAS** Prohibited Noxious and Noxious weeds listed on the new *Alberta Weed Control Act* are being sold online, by flower shops, and by nurseries and greenhouses.
- WHEREAS** online, web sites and mail orders are selling Prohibited Noxious and Noxious weeds that maybe ordered into Alberta
- WHEREAS** other provinces, states and countries are unaware of our weed act and continue to export into Alberta
- WHEREAS** there is no formal Check at customs for weeds and weed seeds, as there is entering the USA.
- WHEREAS** the large portion of Alberta municipalities ASB budgets are focused on weed control and at the same time retail and customs are allowing these invasive plants into Alberta.

THEREFORE BE IT RESOLVED

THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST

the Province of Alberta enhance enforcement measures of the new *Alberta Weed Control Act* at the retail level, as well as enforcing importation restrictions of weeds and weed seeds from other provinces and countries.

Status: Provincial

Response:

Alberta Agriculture and Rural Development Pest Surveillance Branch

The Pest Surveillance Branch (PSB) has for the past three years sent a letter to all retail nurseries and greenhouses in Alberta informing them of the new *Weed Control Act* and the list of prohibited noxious and noxious weeds. They are informed of their obligations under the Act and asked to not import these plants and to destroy any plants they may have.

As for online retailers and seed catalogues selling into Alberta, the PSB will be sending them a letter asking them to include a comment in their catalogues that plants on Alberta's prohibited noxious list are illegal to grow in Alberta.

Provincial ASB Committee Grade: Unsatisfactory

Provincial ASB Committee Comments:

ASBs feel that the Province needs to take stronger leadership on enforcement and do more than send letters to the retailers, greenhouses and urban municipalities. They feel that letters are educational in nature and that it is now time to start doing enforcement. Questions were raised about the effectiveness of these letters and who is doing follow up to see that the *Weed Control Act* is being complied with. ASBs want the Province to appoint provincial weed inspectors who are designated to do inspections and that have authority to issue notices and conduct enforcement. Provincial inspectors would also be critical in educating municipalities, retailers and greenhouse operators in urban settings about the *Weed Control Act* and their associated responsibilities. Provincial inspectors are needed to ensure that the *Weed Control Act* is being complied with consistently across the province.

ASBs also stress the importance of restricting the importation of prohibited noxious and noxious plant species in all forms. ARD needs to work with the online and catalogue retailers and ensure that they are not selling these species into the Alberta. All retailers need to be contacted and a consistent message from the Province needs to be sent.

Requiring labelling of flower seed mixes with all species present

- WHEREAS** the *Seeds Regulations* administered by the Canada Food Inspection Agency (CFIA) requires all flower seed mixes to have all species included on a label;
- WHEREAS** the *Weed Control Act* of the Province of Alberta prohibits the spread of noxious and prohibited noxious weed seeds;
- WHEREAS** current flower seed mixes are not labeled with the list of seeds present within;
- WHEREAS** enforcement of the *Weed Control Act* prohibiting the spread of noxious and prohibited noxious weeds is effectively compromised by the lack of labeling of flower seed mixes.

THEREFORE BE IT RESOLVED

THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST

that Alberta Agriculture and Rural Development (AARD) work with CFIA to ensure that labeling requirements pertaining to flower seed and bird seed for feed mixes are enforced, and further, that Alberta Agriculture and Rural Development, under the *Weed Control Act*, require all noxious and prohibited noxious weeds be reported on flower seed mixes.

Status: Provincial

Response:

Agriculture and Agri-Food Canada

The *Seeds Act* and *Regulations* set out standards and labeling requirements for seed sold in Canada. The *Weed Seeds Order* classifies weed species of concern within a number of categories, including a list of prohibited noxious weed species. The *Seeds Regulations* require all seed in Canada to be free from prohibited noxious weed seeds.

Flower seed mixtures are required to be labelled with the name of each kind or species of seed comprising the mixture. Furthermore, all seed, including wildflower seed mixtures, must be accompanied by a seed analysis certificate and an import declaration at the time of import.

The purity of seed sold in Canada and its compliance with the *Seeds Regulations* are monitored through marketplace sampling and testing and through label reviews, as well as through import conformity assessments and inspections for imported seed.

The Canada Food Inspection Agency's Seed Section would be pleased to work with Alberta Agriculture and Rural Development to address any concerns it may have regarding industry compliance with labelling requirements for flower seed mixtures.

I trust that this information satisfies the requests from the Agricultural Service Board. Thank you for your interest in these matters.

**Alberta Agriculture and Rural Development
Pest Surveillance Branch**

As mentioned in your Resolution, flower seed packages are regulated by the Federal *Seeds Act* and *Seeds Regulation*. The Act does not require seed packages under 50 grams to be labelled for contents.

Agriculture and Rural Development will consult with CFIA to discuss this issue and attempt to come up with a solution acceptable to both parties.

Provincial ASB Committee Grade: Unsatisfactory

Provincial ASB Committee Comments:

ASBs feel that all seed packages, including packages under 50 grams, must include a list of all species contained within the mix. Any packages that contain any species on the provincial or federal prohibited noxious or noxious lists should not be allowed for sale in the Province. ASBs understand that there are currently different labelling requirements for seed but would like to encourage the federal and provincial governments to work together to come up with a more harmonized and consistent system for labelling seed and bird seed packages.

The response from Alberta Agriculture and Rural Development (ARD) indicates that they are willing to work with CFIA and come up with an acceptable solution. ASBs strongly encourage ARD to work with CFIA and develop more stringent labelling requirements. The recommendation has been made that this issue should be taken to the Alberta Weed Regulatory Advisory Committee (AWRAC) for discussion.

Request for Alberta Agriculture and Rural Development (AARD) to take a more forceful approach to the selling of noxious and prohibited noxious weeds at greenhouses and plant retailers

WHEREAS greenhouses and other plant retailers currently sell noxious and prohibited noxious weeds believing them to be ornamentals;

WHEREAS noxious and prohibited noxious weeds threaten the biodiversity of Alberta's native vegetation and negatively impact agricultural crops by competing with desired vegetation and adding significant costs of control to the producer;

WHEREAS Alberta Agriculture, as the regulator of the *Weed Control Act* is uniquely positioned to send a more forceful, ongoing educational message to the greenhouse/plant retail industry, thereby strengthening the ASBs' ability to enforce the *Weed Control Act*;

WHEREAS Alberta has achieved excellent success in the prohibition of the sale of rats through extensive education and enforcement

THEREFORE BE IT RESOLVED

THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST

that Alberta Agriculture and Rural Development continue to show leadership and direction through developing a suitable forceful, ongoing educational program that will ensure the onus for compliance with the *Weed Control Act* rests with the greenhouses and other plant retailers, not with the ASBs to ensure control

FURTHER BE IT RESOLVED

THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST

that the Regulatory Services Division of AARD participate in enforcing the prohibition of the sale of noxious and prohibited noxious weeds, as they do with the Provincial Rat Control Program.

Status: Provincial

Response:

Alberta Agriculture and Rural Development

Pest Surveillance Branch Response

As mentioned in Resolution 8, the Pest Surveillance Branch (PSB) has for the past three years sent a letter to all retail nurseries and greenhouses in Alberta informing them of the new *Weed Control Act* (WCA) and the list of prohibited noxious and noxious weeds. They are informed of their obligations under the Act and asked to not import or sell these plants and to destroy any plants they may have on hand.

Enforcement of the WCA is delegated to the local authority and as such it is their responsibility to ensure that any greenhouses and plant retailers operating within their municipal boundaries are complying with the Act. If assistance is required in dealing with a retailer, then the PSB will assist as needed.

Regulatory Services Division

It is our understanding that the Pest Surveillance Branch (PSB) has also been sent this request and we feel that they are in a better position to respond to this resolution. PSB is responsible for ensuring that the *Weed Control Act* is properly enforced in the province. Regulatory Services Division (RSD) investigators could possibly provide assistance into investigations under the *Weed Control Act* when requested. RSD's responsibility is for vertebrate pests designated under the *Agricultural Pests Act* and associated regulation.

Provincial ASB Committee Grade: Unsatisfactory

Provincial ASB Committee Comments:

ASBs feel that letters are not adequate for enforcement purposes. Letters are an education tool and not an enforcement tool. ASBs want the Province to take a stronger leadership role in doing enforcement in the retailers and greenhouses as most of them are located in urban municipalities that tend to have weak programs for enforcing the *Weed Control Act*. Provincial inspectors need to be appointed that have authority to do inspections, issue notices and do enforcement of the Act. These inspectors should be able to travel and randomly complete inspections and enforcement at greenhouses and other plant retailers to ensure that they are in compliance with the Act.

The Province also needs to ensure that there are regulations and restrictions in place on the importation and sale of plants.

Cessation of fresh water use by oil and gas industry

WHEREAS there is concern about the enormous waste of fresh water (see Reference1) by the oil and gas industry in the hydrofracturing and water injection processes (see Reference 7 and 8)

WHEREAS injection of 32 million cubic meters of fresh water is permanently removed from the aquatic cycle (see Member Background)

WHEREAS free and easy access to fresh water for Enhanced Oil Recovery acts as a disincentive for oil and gas companies to pursue alternate methods such as CO2 injection, light oil fracturing or to drill deeper to locate and pipe non-potable water (see Reference 3 and 7) for injection purposes

THEREFORE BE IT RESOLVED

THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST

the Government of Alberta implement an immediate reduction schedule on the use of fresh water to the oil and gas industry for the hydro fracturing and water injection process, in all areas of Alberta where fresh water is required for human consumption

Status: Provincial

Response:

Alberta Environment and Water

Alberta Environment and Water has a policy document entitled "Water Conservation and Allocation Policy for Oilfield Injection (2006)" which addresses water conservation for enhanced oil recovery.

The objective of this policy is to improve the conservation and protection of Alberta's water, and to reduce or eliminate the use of fresh water resources for oil field injection.

This policy is being reviewed in 2012 for updating and inclusion of water allocation and conservation issues for all upstream oil and gas water uses (shale gas, tight oil, coalbed methane, thermal in-situ recovery, etc.) and to address water use in multi-stage hydraulic fracturing.

Industry is already moving towards proportionately more use of saline waters for oil field injection, particularly in areas of limited fresh water supply. The 2012 policy review, in conjunction with the natural resource ministries review of the existing regulatory framework for unconventional oil and gas, and ongoing technological improvements, will provide the context for better water management planning to minimize, if not eliminate, the use of fresh water for oil field injection.

Alberta Energy

The government's Provincial Energy Strategy asserts that Alberta's energy future will properly account for cumulative effects on the environment and impacts on water. The strategy commits to developing and deploying technologies for water use efficiency, groundwater protection, and beneficial re-use. Industry has already taken action and is moving toward using proportionately more saline water than fresh water in oil field injection, particularly in areas where fresh water supply is limited.

Further, Alberta Environment and Water's 2006 policy document, *Water Conservation and Allocation Policy for Oilfield Injection*, supports the conservation and management of water. The policy's objective is to reduce or eliminate the use of fresh water resources in oilfield injection. A review of this policy in 2012 will update it to include water allocation and conservation issues for upstream oil and gas water uses (i.e., shale gas, tight oil, coalbed methane, thermal in-situ recovery, etc.). The review will also address water use in multi-stage hydraulic fracturing.

Alberta's current regulatory framework for oil and gas development provides a solid foundation for reducing fresh water use. A review of the existing regulatory framework for unconventional oil and gas, as well as ongoing technological improvements used by industry, will allow for stronger water management planning. In summary, government and industry are already taking steps toward reducing or eliminating the use of fresh water in oilfield injection.

If your staff have any questions, please contact Mr. Derek Volker, Resource Policy Analyst, Environment and Resource Services Branch at 780-638-4645 or derek.volker@gov.ab.ca.

Provincial ASB Committee Grade: Accept the Response

Provincial ASB Committee Comments:

ASBs are satisfied with this response. They will continue to follow the developments in technology and the review of the regulatory framework regarding this issue.

ASBs note that a similar resolution was passed at the Alberta Association of Municipal Districts and Counties (AAMD&C) Convention and that both groups should work together to continue to follow up on this issue.

Sale of Sustainable Resource Development Lease Lands

WHEREAS many long term Grazing Lease disposition holders have invested time and money improving Sustainable Resource Development Grazing leases, based on the terms and conditions of agreements that were originally in place, or that came as a result of policies developed in the early 1980s; and

WHEREAS disposition holders rightfully anticipated that these improvements would benefit their farm businesses in the long term because they would, at a future date, be allowed to purchase their leased land for a fair market price as assessed on unimproved value, and without competition; and

WHEREAS Grazing Lease disposition holders had reasonable assurance that they would have priority of purchase rights when the land was converted to Farm Development Leases or made available for sale; and

WHEREAS policy changes in the late 1980s amended/rescinded earlier public land sales criteria, and this continues to have a negative impact on a number of long term disposition holders who made improvements (as encouraged by the Province) on their leases prior to policy changes.

THEREFORE BE IT RESOLVED

THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST

that Sustainable Resource Development review their current land lease / sale policies to ensure that long term disposition holders be allowed to purchase leased lands at prices assessed on unimproved values, and that they are not disadvantaged by a lack of recognition for development costs and improvements on leased land, by the requirement for competition in the sale process. All leaseholders should be compensated for improvement done to the lease incurred at their own expense.

DEFEATED AT THE 2012 PROVINCIAL CONFERENCE

Liability on Sustainable Resource Development Lease Lands

- WHEREAS** the province (Alberta Sustainable Resource Development) requires that Agricultural Leaseholders provide access to recreational users on leased lands. This includes Grazing and Farm Development Leaseholders, who are required to provide “reasonable” access to the land for recreation; and
- WHEREAS** the province requires that leaseholders provide an explanation of their rationale for denying access to the recreational users, and if disputed, SRD may issue an access order requiring the leaseholder to allow access
- WHEREAS** leaseholders are required to provide access to recreational users, even if livestock are present, and the onus is on the leaseholder to prove the livestock are/may be impacted by the recreational users
- WHEREAS** the leaseholder cannot deny access even if, in his opinion, the fire risk is too high
- WHEREAS** the leaseholder cannot restrict the number of people who can access the lease
- WHEREAS** the leaseholder may be held liable if recreational users become injured while engaged in activities on the leased lands

THEREFORE BE IT RESOLVED

THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST

that the Province of Alberta (Sustainable Resource Development) review their policies concerning liability on leased lands, to ensure that leaseholders are not held liable for any injury or property damage resulting from the activities of recreational users while on leased land. Further, the Province should hold all liability on leased land where access is granted at the discretion of the Province, not the leaseholder.

Status: Provincial

Response:

Alberta Sustainable Resource Development

The Recreational Access Regulation (RAR) was developed to balance the needs of grazing and farm development leaseholders who need to protect their leased land and livestock while allowing recreational users reasonable access to their leased land. Under the regulation leaseholders may deny permission for recreational access under certain circumstances.

The department recommends that agricultural leaseholders obtain their own legal advice regarding their legal risks and liability arising from regulated recreational access on agricultural leases.

In Alberta, liability for recreational users on agricultural dispositions is governed by the *Occupier's Liability Act*. There are two levels of "duty of care" - that which a landowner owes to an invited "visitor" and that which the landowner owes to a "trespasser." Under the *Act*, when a recreational user accesses an agricultural disposition, they enter at their own risk because they have the same legal protections as a trespasser under the *Act*.

Respect for all users of public land would suggest that leaseholders should identify hazards on the land that are known to them. For example, the leaseholder may want to notify all users of any hidden or obscured dangers such as excavations, cutbanks, and unconventional fences that may be on the property.

It is sound practice that agricultural producers carry liability insurance for both private and public land. Leaseholders are encouraged to consult their insurance and legal advisors to address their specific situation.

For more information on the *Occupier's Liability Act* or the Recreational Access Regulations please visit <http://www.qp.alberta.ca/570.cfm>

Provincial ASB Committee Grade: Incomplete

Provincial ASB Committee Comments:

ASBs feel that ESRD did not address this resolution. The resolution asked for ESRD to review their policies regarding liability in regards to recreational users and that ESRD should hold the liability for all recreational users where access is granted at the discretion of the Province.

ASB members understand that it is a good practice to carry liability insurance for both private and public land that they occupy but still feel strongly that the Province should accept liability for recreational users on public lands. They commented that the leaseholder and landowner should be exempt from any legal actions from visitors and trespassers on their lands, should any incident occur. ASBs also feel that ESRD needs to do more awareness and education of public land users to make them aware of their rights and responsibilities on public grazing and forest lands and that more enforcement in these areas is required to ensure appropriate use.

ASBs feel that it is not practical to be able to identify and notify users of all the hazards that may be located on a piece of leased land. The definition of what is a "hazard" would vary by individual leaseholders. Notification would also be extremely difficult as leaseholders are not always aware of who is entering onto their lease and where they could be entering from.

Short term solid manure storage

WHEREAS weather conditions and other mitigating factors make offsite short term solid manure storage a necessary component of confined feeding operations

WHEREAS municipalities have an opportunity to make comment to the NRCB during the application and approval process for new and expanding CFO's, however, the identification of short term solid manure storage sites is not part of this process

WHEREAS short term solid manure storage guidelines are addressed in the *Agriculture Operations Practices Act* Regulations

WHEREAS short term solid manure storage sites may meet all the guidelines of the AOPA Regulations, however, these areas may not be in the best interest of the Municipality

THEREFORE BE IT RESOLVED

THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST

that Sustainable Resource Development (SRD) amend the *Agricultural Operations Practices Act*(AOPA) to make the identification of short term solid manure storage sites an application and approval process for new, expanding and existing CFOs.

DEFEATED AT THE 2012 ASB PROVINCIAL CONFERENCE

Recycling Program for Agricultural Plastics

WHEREAS safe and responsible disposal of agricultural plastics (eg. grain bags and twine) are becoming more of an issue for farmers and ranchers

WHEREAS these producers wish to be environmentally responsible

THEREFORE BE IT RESOLVED

THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST

That Alberta Agriculture and Rural Development establish a program to recycle agricultural plastics similar to the Empty Pesticide Container Recycling Program.

Status: Provincial

Response:

**Alberta Agriculture and Rural Development
Alberta Environment and Water**

NOTE: Response was the same from both departments

Alberta Agriculture and Rural Development (ARD) and Alberta Environment and Water (AEW) recognize that agricultural plastic use is increasing, especially grain bags, and concern over managing it as waste is rising in Alberta. Both ministries are working jointly to scope the issue and collect data on how agricultural plastics are managed in Alberta to help inform future policy options on the issue. A preferred model or approach to waste management has not been identified and both departments agree that more Alberta-specific data is needed before any recommendations are made. ARD is funding the cost of two surveys to collect data, which will be completed by fall 2012, targeting agricultural producers and municipal waste authorities. It is too soon to tell if the Empty Pesticide Container Recycling Program is the best option for Alberta. Alberta's program for pesticide containers is a voluntary initiative funded by industry and managed by CleanFarms.

In addition to the joint work with AEW, ARD is independently working with various municipalities to coordinate agricultural plastic roundup days to educate producers about the processes of preparing plastics for recycling.

A recycling facility currently exists in Hussar, Alberta that accepts sheet plastic and a market exists in the United States for twine. As government works to collect information on the issue, AEW and ARD encourage agricultural producers to use these current recycling markets (when and where appropriate) to dispose of their waste agricultural plastic.

Provincial ASB Committee Grade: Accept the Response

Provincial ASB Committee Comments:

ASBs commented that they were satisfied with the current study that is being undertaken to determine and understand the current situation in Alberta and the work that is being done to find a recycling solution for agricultural plastics. They recognize that there is a need to do surveys and other background work before solutions can be developed.

ASBs feel that this needs to be a provincial program and that industry needs to be involved in any solution that is developed. Several municipalities have been working with their waste transfer stations and recycling organizations to do pilot projects for recycling agricultural plastics but would like to see this work expanded to a provincial scale.

Funding for Agricultural Research and Extension Council of Alberta (ARECA) Member Groups

WHEREAS these groups are being encouraged and expected to provide more extensive and intensive support for local agricultural producers; and

WHEREAS funding sources have been limited and fragmented for these groups.

THEREFORE BE IT RESOLVED

THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST

that the Government of Alberta provide stable and appropriate funding to the ARECA member groups to allow them to maintain staff and pursue longer term strategic planning.

Status: Provincial

Response:

Alberta Agricultural and Rural Development

The Agriculture Opportunity Fund (AOF) has provided stable funding to ARECA member organizations since 2003 when the fund was established. The AOF has \$1.5 million dollars it allocates annually to ARECA member organizations. ARECA member organizations have also been able to access an additional \$450,000 in environmental component funding for the past two years bringing the total annual funding to \$1.95 million dollars. These funds are approved on a three year basis. ARECA member organizations are able to plan their activities on a three year cycle because the base grant and environmental component dollars do not change over the course of the three year grant agreement.

Alberta Agriculture and Rural Development (ARD) appreciates the contribution that ARECA member organizations make to the province and has recognized their contribution by providing them with additional funding. Additional funding that has been provided in the past six years:

- \$1.5 million dollar grant to support capital funding
- \$700,000 AESA grant to support environmental projects
- \$300,000 Extension grant to support improvements in how ARECA and its members deliver extension programming.
- \$1.3 million dollars to enhance their capacity to deliver on all their programs. Specifically to help maintain staff through compensation, training and program delivery.
- \$700,000 to supplement the first \$1.3 million dollars to increase capacity and program delivery.

These grants have been made available because of the excellent work that ARECA and its members provide in rural Alberta and we look forward to continuing this support.

Provincial ASB Committee Grade: Accept the Response

Provincial ASB Committee Comments:

ASBs accepted that funding for ARECA groups is now more stable with the change to a three year grant agreement but they would like to ensure that consistent funding is available to them on a long term basis.

ASBs commented that the current level of funding is inadequate and that these groups need to receive an increase in funding.

Agricultural Pests Act Review

WHEREAS the *Agricultural Pests Act* is currently being reviewed by Alberta Agriculture and Rural Development

WHEREAS other government ministries have requested that Alberta Agriculture and Rural Development consider adding additional non-agricultural invasive species to the *Agricultural Pests Act*

WHEREAS Agricultural Service Boards want to maintain responsibility to enforcement for only agricultural pests under the *Agricultural Pests Act*

WHEREAS Agricultural Service Boards want to ensure that responsibility for enforcing the *Agricultural Pests Act* for other non-agricultural pests lies with the government ministry that requested the addition of that pest to the Act

THEREFORE BE IT RESOLVED

THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST

that the *Agricultural Pests Act* review process include the option of adding different Government Ministries to administer parts of the Act not covered by Alberta Agriculture and Rural Development. In the event that this change is implemented, non-agricultural pests including terrestrial, aquatic and semi aquatic pests and their administration will fall under Sustainable Resource Development or Alberta Environment.

Status: Provincial

Response:

Alberta Agriculture and Rural Development

Agriculture and Rural Development (ARD) is consulting with both Sustainable Resource Development and Environment and Water on this option as the APA is being reviewed. Although advancement has been slow, some progress has occurred and ARD will continue to push hard for this option to be included in the revised Act.

Alberta Environment and Water

Alberta Environment and Water recognizes that there are risks to Alberta's natural resources and infrastructure from non-agricultural invasive species (primarily aquatic and semi-aquatic pests), and that these risks are not dealt with under the current *Agricultural Pests Act*. Discussions around appropriate regulatory frameworks for agricultural and non-agricultural pests and invasive species should continue between the Agricultural Service Boards, the Interdepartmental Invasive Alien Species Working Group, and interested stakeholders. These discussions would help to address concerns around roles and responsibilities, resourcing, and implementation for successful prevention and/or management of all agricultural and non-agricultural pest species.

Alberta Sustainable Resource Development

There is currently no stand alone legislation that covers the specific control and management of invasive species in Alberta. This means that other existing legislation, like the *Agricultural Pests Act* should be examined for its potential to provide support for measures that may be used to control and manage some invasive species.

This resolution may be associated with concerns about other invasive species that have been discussed at meetings of the Interdepartmental Invasive Alien Species Working Group. The membership of this working group has discussed possibilities to address a broader range of invasive species using provincial laws such as the *Agriculture Pests Act* or through the creation of new legislation.

Sustainable Resource Development suggests that new invasive species listings or legislation to address invasive species would need to consider the impact of the listing(s), including which agency/agencies would be responsible for the legislation.

Please contact my office if you have any further questions.

Alberta Transportation

As a member of the Interdepartmental Invasive Alien Working Group, Alberta Transportation concurs that there is a gap in how invasive species are currently managed in Alberta.

We agree with the resolution that a review of the *Agricultural Pests Act* should include the option of adding different government ministries to administer parts of the *Agricultural Pests Act* not covered by Alberta Agriculture and Rural Development. This would help address non-agricultural pests, including terrestrial, aquatic and semi-aquatic invasive species.

Alberta Transportation recommends one refinement to the resolution. The resolution states that the government ministry requesting the addition of a pest of the Act shall have the responsibility for enforcing the Act for that pest. We propose rather that each department managing land should be responsible for enforcing the Act for any pest that occurs on that land, regardless of which department requested the addition of that species to the Act.

The addition of non-agricultural invasive species to the *Agricultural Pests Act* would strengthen the effectiveness of the control of all invasive species in Alberta, and is supported by Alberta Transportation.

Provincial ASB Committee Grade: Accept in Principle

Provincial ASB Committee Comments:

ASBs feel that it is important for other government departments to work together for the management of invasive species and that it is important that each government department have individual responsibility for enforcing different sections of the Act if additional invasive species are added to it. ASBs will continue to follow the progress of this Act as it is being reviewed.

Compound 1080 Review by Pest Management Regulatory Agency

WHEREAS Pest Management Regulatory Agency (PMRA) initiated a Special Review of Compound 1080 under Section 17(1) of the *Pest Control Products Act* on December 23, 2011, and

WHEREAS livestock producers in the provinces of Alberta and Saskatchewan have used Compound 1080 safely for decades to control problem coyotes as part of their Integrated Pest Management Plan, and

WHEREAS the removal of any one part of an Integrated Pest Management Plan only weakens the entire plan, and

WHEREAS Alberta Agriculture and Rural Development (AARD) holds the registration for Compound 1080, and through licensing and careful monitoring in collaboration with the employees of the ASBs, ensures public safety and reduces the risks to non-target species while reducing the predation losses of livestock.

THEREFORE BE IT RESOLVED

THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST

that the Provincial ASB Committee lobby PMRA to maintain the current registration and usages of Compound 1080 for its use in the reduction of coyote predation in Alberta.

FURTHER BE IT RESOLVED

that Agriculture and Rural Development's Minister and Regulatory Services Division contact PMRA regarding Special Review REV2100-06, supporting their present registration of Compound 1080.

Status: Provincial

Response:

Pest Management Regulatory Agency

In consideration of the comments received speaking to the critical need to maintain access to predator control products, the PMRA will consider any additional information you may wish to submit that is relevant to the scope of this special review of compound 1080. If you plan to submit additional information, please include a summary description of the supporting materials and an index if multiple documents are provided. A copy of all supporting documentation must also be attached to the submission.

Please submit any additional information for the review of compound 1080 as one package no later than May 31, 2012 and address correspondence to the attention of:

Margherita Conti, Director General, Re-evaluation Management Directorate, Pest Management Regulatory Agency, 2720 Riverside Drive, Ottawa, Ontario K1A 0K9.

Please note that once the special review of compound 1080 is completed, a proposed decision document will be available for public consultation on Health Canada's website before a final decision is made. The Agricultural Services Board is encouraged to submit any comments they may have regarding the proposed decision during this consultation period as well.

Alberta Agriculture and Rural Development

RSD was advised of this Special Review on December 21, 2011. Upon notification RSD has contacted PMRA and determined the process this review will take. The attached Briefing Note has been submitted and RSD will continue to monitor this matter as it unfolds. Once a decision is made PMRA will seek input from the registrants (ARD and Sask Environment).

Briefing Note:

- On December 19, 2011, Alberta was notified that Health Canada's Pest Management Regulatory Agency (PMRA) was initiating a "Special Review" on Compound 10-80. This review was triggered at the request of a member of the general public pertaining to the risk associated to non-target species when 10-80 is used as bait.
- Agriculture and Rural Development (ARD) and the Saskatchewan Ministry of Environment are the only two registrants for this toxicant in Canada.
- ARD uses this toxicant as a last resort in our Coyote Predation Control Program and only when all other management controls have failed.
- ARD's registered formulations consist of a solid tablet (used in bait) and a liquid contained within a Toxic Collar (used on livestock).
- The Coyote Predation Control Program is administered by ARD and delivered through the County's Agricultural Fieldman.
- PMRA advises that they will review current mitigation measures relating to potential exposure of non-target species when using these baits to determine whether the environmental risks continue to be acceptable. Once the review has been completed, a proposed decision will be available for public consultation before a final decision is made.
- This notification has been posted on the PMRA website and has come to the attention of the Alberta Association of Agricultural Fieldmen (AAAF), who have indicated that they will be preparing an emergent resolution supporting continued use of this product. This resolution will be brought forward at the Agricultural Service Board Convention at the end of January 2012.

RECOMMENDATIONS:

- ARD monitor this review and should it lead to public consultation, submit supporting documentation for continued registration and use.

I hope that the information provided will assist in your response back to the Ag Service Board Provincial Committee. If you require further clarity please let me know. Thanks.

Provincial ASB Committee Grade: Accept in Principle

Provincial ASB Committee Comments:

ASBs will continue to follow this review as it progresses and provide support to Regulatory Services Division (RSD) as required. 1080 is an important component of an integrated management strategy for predation management and ASBs want to ensure that they have continued access to it.

Special Areas Water Supply Project

WHEREAS the Government of Alberta has committed to a 3 year Environmental Assessment of the Special Areas Water Supply Project; and

WHEREAS such assessments include potential impact on all municipalities and their current and future agricultural water accessibility and use.

THEREFORE BE IT RESOLVED

THAT SOUTHERN ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST

that the Southern Region ASBs express full support for the Special Areas Water Supply Project, including all offstream water storage, during the Environmental Assessment process.

Response:

Alberta Environment

Several Alberta ministries are actively working on developing the Special Areas Water Supply Project. The project is currently at the engineering and environmental stage, conducting the preparation of the information required to move the project through the Environmental Assessment phase.

Once the terms of reference for the Environmental Impact Assessment report have been completed, the report will be prepared for technical review by Alberta Environment and Water, other provincial ministries, the Natural Resources Conservation Board, and the Canadian Environmental Assessment Agency. Following completion of the technical review, Alberta Environment and Water will submit the report to the Natural Resources Conservation Board, who will make the determination about the project's status with consideration for the social, economic and environmental implications resulting from the project.

The support of the provincial Agricultural Service Boards for this project reflects the widely held value of this initiative to the Special Areas.

FOR INFORMATION ONLY

AFSC Seeding Intention Dates

WHEREAS the province of Alberta has several distinct agricultural areas, and the dates when seeding is completed may vary significantly between these areas, especially from South to North, and

WHEREAS seeding in the Southern areas of the Province is often completed with crops emerged and establishing prior to April 30th, the AFSC deadline to specify seeding intentions and coverage levels for crop insurance, and

WHEREAS in the Peace Region, it is exceedingly rare that seeding has commenced by April 30th, and

WHEREAS the Southern agricultural producers are often at a distinct advantage due to their crops being established, as it aids in their ability to decide on whether to apply for crop insurance or to elect for higher or lower coverage levels, reducing their risk and if choosing lower coverage levels, reducing their premiums.

THEREFORE BE IT RESOLVED

THAT THE PEACE REGION'S AGRICULTURAL SERVICE BOARDS request

the Agricultural Financial Services Corporation change the annual April 30th deadline for the Peace Region to May 20th for producers to apply for crop insurance or make changes to 'elected options' from the previous year to allow more equitable coverage and choices to be made by our producers.

Response:

Agriculture Financial Services Corporation

Thank you for your 2011 resolution regarding AFSC seeding intention dates and your request to change the annual deadline to May 20 for Peace Region producers.

The April 30th deadline to apply for crop insurance or make changes to elected options is in place to spread the risk of insuring equally between the clients and AFSC. This deadline is set before clients can predict with some certainty what the growing conditions will be. If the deadline was moved out further, many clients would be able to evaluate the quality of their crop stand and may decide to accept the risk themselves or insure depending on the loss potential. By committing to insure early in the year, the clients and AFSC share the risk more equally and because of this, premium rate volatility is minimized. AFSC has actually considered making this date earlier; but for now, it remains at April 30th for annual crops.

AFSC's seeding date data shows that on average 93.4 percent of crops are seeded in the province after April 30. In southern Alberta, the majority of seeding is completed after May 1st with only 14% of acres seeded by April 30. Clients in other parts of the province have no distinct advantage over other clients in the Peace Region in deciding their crop

insurance options as on average 6.6% of acres provincially are seeded by April 30th (in the Peace Region 4.8% of acres are seeded by April 30th).

AFSC's data shows that over 64% of acres in the Peace Region have been seeded by May 20th. Extending the annual deadline to May 20th for Peace Region producers would increase the risk of clients deciding to insure based on loss potential in that area. Having two different deadlines in the province would create less sharing of risk among clients and premium rates would need to increase with a later deadline to reflect the added risk.

AFSC will continue to be flexible with crop seeding deadlines if inclement weather delays spring seeding. In the past two years, AFSC has extended the seeding deadline for many crops when wet weather prevented planting.

I recognize the importance of the Peace Region to AFSC and to crop production in the province. Thank you for bringing this issue forward for consideration.

FOR INFORMATION ONLY

Update on Previous Years Resolutions

2011

Resolution 1-11: Agricultural Service Board Funding (Accept in Principle)

This resolution requested an annual pro-rated increase in budget for the Agricultural Service Boards. The response to this resolution was that there was no additional funding available at that time and it would be unlikely that the ASB Grant Program budget would have an annual, pro-rated increase to its overall budget, but that this could be looked at as part of the “program review” that was scheduled for 2012.

In 2012, the ASB Grant program received an additional million dollars in funding to support the Legislative Funding Stream of the grant. Each ASB received approximately an additional \$13,500 for their programs to assist with offsetting rising costs due to inflation.

ASBs were also asked to provide input into the ASB Grant Program in 2012. 2012 was one year after implementation of the merged ASB/AESA Grant program and ARD wanted to know what was working well and if there were changes that needed to be made for the implementation of the merged ASB Grant Program for the 2014 grant cycle. ASBs were asked to attend a series of meetings held in August to review the program and recommend changes that would improve the program. Specifically ASBs were asked to provide recommendations regarding program reporting and how the Environmental Funding Stream should be allocated. The ASB Task Team is currently in the process of reviewing the information received from the August and Regional ASB meetings and developing a set of recommendations for ARD on how the program could be improved for the next grant cycle.

It is unlikely that there will be additional funding available for the ASB Grant Program in 2013 with the additional funds that were added to the ASB Grant Program budget in 2012. The additional \$1 million dollars allocated to the Legislative Funding Stream is long term and ASBs can expect to receive an additional \$13,500 (approximately) to assist with costs related to the Legislative Funding Stream of the ASB Grant Program. The current total of funds for the ASB program is \$13.26 million for the Legislative (\$11.5 million) and Environmental Funding Streams (\$1.76 million).

Resolution 2-11: Eradicable Weeds Program Funding (Accept in Principle)

ARD staff from the ASB Program and Pest Surveillance Branch (PSB) met with municipalities impacted by meadow and orange hawkweed in the fall of 2011 to discuss the situation and determine possible strategies to eradicate these weeds. Each municipality invited had an opportunity to talk about the current level of infestation in their area and programs they had in place for managing the infestations. ARD staff took the information from that meeting and

presented it to the Minister as a possible pilot program to determine if an Eradicable Weed Fund would be effective for eradicating prohibited noxious weeds throughout the province. The request for initiating the pilot project was denied because there were no funds available for doing this pilot project. When the ASB Grant Program was awarded an additional \$1 million dollars to its budget, the ASB Program staff recommended to the Minister that a portion of the additional funding should be withheld to fund this pilot for the 2012 and 2013 years of the ASB Grant Program. The Minister reviewed the proposal and replied that the funds should be equally distributed between the ASBs and that they could use the additional funds received to fund their own eradicable weeds programs within their municipalities.

The ASB and PSB staff have continued to try and find funding for an Eradicable Weeds Program Fund pilot project. PSB recently submitted a proposal to ACIDF requesting funds for a pilot program. The Interdepartmental Invasive Alien Species Working Group (IASWG) has also been working on a similar project with a wider scope than invasive hawkweeds. They are currently developing a business case to go forward to Environment and Sustainable Resource Development (ESRD) requesting funding for an Eradicable Invasive Species Fund. This business case is currently being reviewed and should be submitted soon for consideration by ESRD.

Resolution 4-11: Monitoring of Groundwater Wells (Accept in Principle)

The Natural Resources Conservation Board is continuing to move ahead with its Risk Based Compliance Program for Alberta's Confined Feeding Operations. NRCB feels that its tool provides clear, scientific evaluation of environmental risk to groundwater and is useful in determining whether corrective action is required to address any risk. Permits are being modified based on information derived from the environmental risk screening tool. According to the NRCB:

“The environmental risk screening tool has been successfully used to evaluate the risk to groundwater at confined feeding operations that have groundwater monitoring requirements in their permits. The results have enabled the NRCB to amend permit conditions by reducing, maintaining or increasing the monitoring requirements to reflect the actual environmental risk at the site.”

Additional information on the NRCB and this program is included in the Appendix and the following websites:

- <http://www.nrcb.gov.ab.ca/compliance/RBC.aspx>
- <http://www.nrcb.gov.ab.ca/Downloads/documentloader.ashx?id=12597>
- <http://www.nrcb.gov.ab.ca/application/applicationsLDP.aspx>

Resolution 7-11: Disposal of Agricultural Plastics (Accept in Principle)

Please refer to the response for resolution 15-12 for an update on this issue. Information from the Agricultural Plastics Recycling Pilot Project Summary Report from the Recycling Council of Alberta

can be found in the Appendix of the 2011 Resolution Report Card. New survey information will be circulated to all ASBs once it is finalized and released to the public.

2010

Resolution 1-10: Inquiry into Developing Agricultural Products for Market

This resolution requested ARD and AAFC work to investigate the reason for the price gap between the farm gate and consumer. The response to this resolution indicated that ARD had several initiatives in place to assist farmers and consumers to connect directly with each other and do business with each other.

The “Explore Local” initiative was established to increase growth opportunities in the local food market. Information about their programs and initiatives can be found at the following website: [http://www1.agric.gov.ab.ca/\\$department/deptdocs.nsf/all/explore13596](http://www1.agric.gov.ab.ca/$department/deptdocs.nsf/all/explore13596)

The Alberta Livestock and Meat Agency (ALMA) also has programs in place to increase demand for Alberta meat and livestock products through research and collaboration. Information about their programs can be found at the following website: <http://alma.alberta.ca/cs/groups/alma/documents/document/mdaw/mdew/~edisp/agucmint-010401.pdf>

Information about these programs can also be found in the Appendix.

Resolution 8-10: Cosmetic Pesticide Bans

This resolution requested the federal and provincial governments develop a strategy to educate the general public about the scientific process behind approving pesticides and the proper use and handling of pesticides. This resolution was brought forward because of the trend of urban municipalities to ban pesticides for “cosmetic” purposes. There has been a legal suit brought against the government of Ontario regarding the cosmetic pesticide ban that has been put in place in that province and the Provincial Committee continues to follow the progress of this case as it works its way through the court system.

The Provincial Committee has been encouraged that cities in the province of Alberta, such as Edmonton, are carefully considering this issue when it has been brought forward to them and encourages the urban and rural municipalities to carefully consider the science behind pesticide approvals when making their decisions regarding “cosmetic” pesticide bans.

Resolution E1-10: Agricultural Service Board Act Review regarding the impact of the Agrology Profession Act

This resolution requested that the ASB Act include a provision to exempt municipal staff from mandatory membership in the Alberta Institute of Agrologists (AIA) as stated by the *Agrology Profession Act*. The response from Alberta Employment and Immigration indicated that municipal staff would not be required to register with AIA as they provide agrological services under the

authority of another enactment, the *Agricultural Service Board (ASB) Act*. However, the Provincial Committee encourages ARD to continue to consider this request from the ASBs as it reviews the *ASB Act* to ensure that municipal staff continue to be exempted from registration and give municipalities the autonomy they require to hire staff that meets their needs.

The Committee understands that the review of the *ASB Act* has been delayed until 2016 and will be prepared to bring this item forward at that time to be considered for inclusion in the Act.

2009

Resolution 2-09: “Operation Clean Farm” Obsolete/Unwanted Pesticide Collection

CleanFarms Canada ran an Obsolete/Unwanted Pesticide Collection program in Rocky View County in 2011 and expanded it to southern Alberta in 2012. The 2012 collection program ran from October 29th to November 2nd at various locations in southern Alberta. A collection program is scheduled for northern Alberta in 2013.

ASBs appreciate this program but were disappointed by the lack of communication from CleanFarms about sites and dates for 2012. Information was sent to all ASBs in mid-October, just prior to the actual dates of collection. This did not allow ASBs to assist CleanFarms with advertising this event to their local area producers. ASBs hope that CleanFarms will send information to them earlier in 2013 so they can assist them with informing their local producers of dates and times for the obsolete/unwanted pesticide collection.

Resolution 3-09: Alberta Agriculture and Rural Development: Agricultural Service Board Funding Program

Please see the response to resolution 1-11.

Resolution 13-09: Wild Boar Confinement

Please see the response to resolution 4-12.

2008

Resolution 1-08: Alberta Rat Control Program

This resolution requested appointment of a provincial rat inspector, adequate funding and leadership from the province in developing, upgrading and funding new awareness materials. The Committee feels that this resolution has been resolved with the appointment of Phil Merrill as the Provincial Rat and Vertebrate Pest Specialist. Please see the response to Resolution 1-12.

Resolution 2-08: Monitor Canadian Food Inspection Agency

The Committee feels that this resolution has been resolved because of the ease with which individuals and municipalities can connect directly with different government agencies through the use of social media and other technology. For example, CFIA has many tools to allow municipalities to stay connected directly with them about food recalls, food safety, animal health and plant health. ASB members can sign up for direct email updates, RSS feeds, Twitter or embed “widgets” onto their municipal website, blog or social media page to monitor information from CFIA.

ARD feels that it is more effective for an individual ASB member or municipality to use the tools available on the CFIA website directly as they can then determine the information that is of the most value and relevance to them.

Information to connect directly to CFIA to receive the latest updates can be found at this website address:

<http://www.inspection.gc.ca/about-the-cfia/newsroom/stay-connected/eng/1299856061207/1299856119191>

Resolution 8-08: Natural Resources Conservation Board (NRCB) Approval Process

This resolution requested that NRCB take a holistic approach to approving applications for Confined Feeding Operations. Please refer to the 2011 Resolution Report Card for additional information as there are no further updates on this issue at this time. The Agricultural Operation Practices Act (AOPA) is still under review at this time and information will be provided to ASBs once the review has been completed.

2007

Resolution 4-07: Cattle Identification – Credit to Herd of Origin

This resolution requested that producers receive final grade information transfer back to the herd of origin upon implementation of the mandatory traceability system. Canadian Cattle Identification Agency (CCIA) continues to work with industry and government to improve the traceability system in Canada but the primary focus of their work appears to be developing a trace back system for the containment and eradication of animal disease.

Producers who want to be able to receive grade information on their cattle are encouraged to go to the BIXS (Beef InfoXChange System) at <http://bixs.cattle.ca>. The BIXS program is a national voluntary web-based database designed to capture and exchange data linked to an individual animal’s unique RFID tag. BIXS allows everyone within the beef chain the ability to track and share animal production, performance, health, genetic and carcass data to improve efficiencies at the ranch, feedlot and processing levels.

An overview of the BIXS program is included in the Appendix for review.

Resolution 6-07: Tax Code Amendments to Facilitate Sale of Farm Assets

This resolution requested that the Federal Department of Finance amend the tax code regarding sale of farm assets. The ASB Provincial Committee established a working group that came up with several recommendations for the federal government on how the tax code could be amended. The Committee sent a letter to the Honourable Jim Flaherty early in 2012 with these tax strategies outlined in it. The Committee received a response to their letter in July 2012 and felt that there was very little effort that came back from the federal minister. The Committee is currently working with ARD staff to build a business case as to why farmers need these tax code amendments in comparison to the rest of the business community. The Committee also circulated the response letter from the Minister to all ASBs requesting comments on the letter. To date, no responses have been received by the Committee but all ASBs are encouraged to review the letter in the Appendix and provide their comments to the Committee through your regional representative or the ASB Program Office.

General Updates

Richardson Ground Squirrel and 2% Liquid Strychnine

Resolutions 10-11, 8-10

Please refer to the response to resolution 3-12. This issue has been resolved as PMRA has granted permanent registration for 2% liquid strychnine starting in 2012.

Clubroot Awareness and Enforcement

Resolution 8-11

Resolution 8-11: Enforcement of Clubroot Infestations (Unsatisfactory)

ARD is currently working on updating information to increase clubroot awareness and new information should be available through Ropin' the Web in the near future.

If municipalities wanted the Clubroot Management Plan to have more authority and to be enforceable across the province, municipalities would need to request that this be added into the *Agricultural Pests Act* Regulation. This would mean that municipalities would lose autonomy as far as enforcement for this pest as the requirements stated in the regulation would have to be followed. For example, if the Clubroot Management Plan was integrated into the *Agricultural Pests Act* Regulation, it could require that if clubroot was found that a notice shall be issued and that you would have to have a four year rotation between canola crops.

All municipalities would lose ability to set policy for their ratepayers that works best for them if the Clubroot Management Plan was incorporated into the Act as the document then becomes legally enforceable as the standard that all municipalities have to meet for enforcement of the Act regarding clubroot.

Wildlife Damage Mitigation

These resolutions were first passed at the 2008 Provincial Conference. The Committee continues to work with ARD to receive a copy of the report by ESRD that looked at their compensation and livestock feed depredations programs. The Committee worked with John Knapp in 2012 to request that ESRD release this report to them and discussed it with the Minister in August 2012. No response has been received to this request to date.

APPENDIX

NRCB Risk Based Compliance Program

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Risk based compliance program

The risk based compliance program was implemented to identify and look at confined feeding operations that may pose risk to groundwater.

Operations are identified for the risk based compliance program if they meet all three of the following criteria:

1. The operation uses an earthen liquid manure storage facility. These facilities can pose a risk to groundwater quality, particularly if they are not properly constructed or maintained.
2. The facility was constructed before 2002. Facilities built before 2002 were constructed under a wide variety of standards, and in some cases the construction standards are unknown.
3. The operation is located in a high groundwater vulnerability area. These areas are determined using geological and hydrogeological maps developed by Agriculture and Rural Development, and by Agriculture and Agri-Food Canada.

Operators whose operations meet the criteria for the program are contacted by the NRCB. A site visit is set up in coordination with the operator, and information about the program is provided to the operator in advance of the site visit.

The program adds a proactive component to the NRCB's compliance and enforcement policy, updated in 2010, which previously focused on responding to complaints.

Results to date

In 2010 the NRCB identified 172 operations on its database that met the criteria for the program. As of September 2012, 83 operations have been reviewed and environmental risk screenings have been conducted on those that are still operating. Of the 83 operations, 36 have been identified as no longer in operation, 34 have been identified as posing a low risk to the environment, seven a moderate potential risk and six a high potential risk. Of these one was identified as a moderate risk and three as a high potential risk to surface water. In all cases follow up actions are underway to mitigate and or monitor the risk at the facility.

The program is expected to run until 2015.

How the program was developed

In 2006 the Natural Resources Conservation Board (NRCB) adopted the Risk Management Framework, designed to balance environmental risk with appropriate mitigation measures. The framework was developed jointly with industry members and was endorsed by the Policy Advisory Group (PAG). The NRCB's environmental risk screening tool, leak detection program and risk based compliance program were developed under the guidance of the framework.

The risk based compliance program focuses primarily on risk to groundwater, but does also deal with surface water risks when they are identified. PAG was updated on an ongoing basis during the design of the program. In 2009 the NRCB's management team met with the Intensive Livestock Working Group, Alberta Pork and Alberta Milk to discuss the program. Final details were presented to PAG at its October 21, 2009 meeting.

The program is consistent with the compliance programs of other regulators, and responds to the Auditor General's 2006-07 recommendations for a proactive component within the NRCB's approach to compliance.

The program was field tested in southern Alberta in late 2009 and was fully implemented in 2010.

For information about the risk based compliance program, contact the NRCB field office nearest you.

NRCB field offices (dial 310-0000 to be connected toll free):

Fairview	780-835-7111
Morinville	780-939-1212
Red Deer	403-340-5241
Lethbridge	403-381-5166

NRCB 24 hour, toll free response line: 1-866-383-6722

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NRCB Fact Sheet: Risk Based Compliance Program for Alberta's Confined Feeding Operations



FACT SHEET

RISK BASED COMPLIANCE PROGRAM FOR ALBERTA'S CONFINED FEEDING OPERATIONS

About the program

- The Natural Resources Conservation Board (NRCB) has introduced a new risk based compliance program as part of its updated Compliance and Enforcement Policy.
- The risk based compliance program uses the science-based, environmental risk screening tool designed by the NRCB in 2007-08 in consultation with Agriculture and Rural Development, Alberta Environment and industry experts. The tool is being successfully used in the NRCB's leak detection program to review groundwater monitoring requirements at approximately 300 facilities (for example, manure storage facilities and catch basins) at confined feeding operations that have monitoring conditions in their permits.
- The development of the environmental risk screening tool, the leak detection program and the risk based compliance program are steps in implementing the Risk Management Framework adopted by the NRCB in 2006, following its endorsement by the NRCB's multi-stakeholder Policy Advisory Group (PAG). PAG includes representatives from the confined feeding industry, municipalities, Agriculture and Rural Development, Environment and non-government environmental organizations.

Benefits of the risk based compliance program

- The program provides operators involved in a risk based inspection with clear, consistent, science-based information about environmental risk at their site and the rationale for any corrective action that might be required.
- The program also provides a mechanism to document any environmental risks associated with confined feeding operations selected for assessment in the risk based compliance program.

How operations will be identified

Operations are identified for the program if they meet the following three criteria:

1. The operation uses a liquid earthen manure storage facility. These facilities can pose a

potential risk to groundwater quality, particularly if they are not properly managed or constructed.

2. The facility was constructed before 2002. Facilities built before 2002 were constructed under a wide variety of standards, and in some cases the construction standards are unknown.
3. The operation is located in a high groundwater vulnerability area. These areas are determined using geological and hydrogeological maps developed by Agriculture and Rural Development, and by Agriculture and Agri-Food Canada.

How environmental risk will be assessed

- The NRCB will use the environmental risk screening tool to assess operations selected for the risk based compliance program. The tool provides transparent, consistent and science-based evaluations of environmental risk to groundwater. The tool is also useful for determining whether corrective action is required to address any risk.
- The environmental risk screening tool has been successfully used to evaluate the risk to groundwater at confined feeding operations that have groundwater monitoring requirements in their permits. The results have enabled the NRCB to amend permit conditions by reducing, maintaining or increasing the monitoring requirements to reflect the actual environmental risk at the site.

Impact on operators

- If the risk based program determines that there is a significant risk to the environment at a site, the NRCB will work with the operator to determine the best course of action to remedy the situation. The NRCB anticipates that in most cases, minor operational changes or enhancements to existing monitoring requirements may be the most appropriate response.
- It is important to note that not all operations located in high groundwater vulnerability areas will require corrective action. For example, an operation with an earthen storage facility for liquid manure may be located in a high groundwater vulnerability area, but the risk assessment may conclude that the facility was

Balanced decision making in the public interest

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constructed and is being managed to standards that address the risk at the site. In this case additional actions would not be required.

Timelines and notification of operators

- The risk based compliance program was introduced in late fall 2009. Full implementation of the program is scheduled for 2010.
- Operators whose confined feeding operations are in geographic areas with higher groundwater vulnerability, and who use earthen storage facilities that were constructed before 2002 to store liquid manure, will be contacted by the NRCB in writing. An NRCB inspector will meet with the operator to explain the risk based compliance program, outline information that will be required, and respond to any questions.
- The inspector will consult with the operator to set the date for the inspection. Inspections will mainly be conducted in spring, summer or fall. Winter inspections are unlikely unless the weather allows.

AOPA requirements

- Confined feeding operations that have an NRCB-issued permit are required to meet *Agricultural Operation Practices Act (AOPA)* standards.
- Operations that are grandfathered are not required to meet AOPA construction standards, but are required to address any potential issues that may pose a risk to the environment.

Anticipated findings of the risk based compliance program

- Recent research conducted by Agriculture and Rural Development suggests that manure storage facilities have the potential to affect groundwater quality, however, the potential impact is believed to be minimal. This is mainly due to the protective layer of clay that covers much of the province and limits the downward movement of manure constituents.
- The NRCB's experience is that most operators are committed to environmental stewardship. Based on its experience with the leak detection program, the NRCB anticipates that the majority of operators are already addressing environmental risk, and that only a small number will be required to take new steps to mitigate risk.

Compliance policy

- Under the compliance policy, the NRCB does not conduct site inspections unless responding to a complaint or to an issue that requires a site inspection, or as part of the risk based compliance program.
- The NRCB receives complaints about approximately 250 confined feeding operations each year. The majority of complaints are about odour. The NRCB logs and responds to every complaint received.
- Site visits are conducted when necessary to investigate a complaint. Comprehensive inspections are not conducted unless an issue is identified during the site visit that requires further investigation.
- Most issues that are identified through a site visit or an inspection are addressed through education and voluntary compliance.

For further information

- For more information about the risk based compliance program, please contact Jim McKinley, Project Manager, Risk Based Compliance, NRCB at 403-340-5241 (dial 310-0000 to be connected toll-free).

NRCB field offices:

Fairview	780-835-7111
Morinville	780-939-1212
Red Deer	403-340-5241
Lethbridge	403-381-5166

Fact sheets and other NRCB publications are available at: www.nrcb.gov.ab.ca

Updated May 24, 2011

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Leak detection program



The leak detection program was a one-time project to ensure that groundwater monitoring requirements in permits for confined feeding operations were appropriate for the environmental risk at the sites. The program was introduced in 2008 and concluded in 2011. In August 2011 it was recognized with a Gold Premier's Award of Excellence and in September 2011 with an Excellence Canada Award of Merit. Both awards recognize the business practice of how the project was created and managed, and its outcome.

The program supported the objectives of the Risk Management Framework for confined feeding operations and used an environmental risk screening tool designed by the NRCB's Science and Technology division, Agriculture and Rural Development, Environment and industry experts. The tool continues to be used for the NRCB's risk based compliance program, and to assess applications for new or expanding confined feeding operations. It provides consistent, science-based assessments of risk to groundwater.

A total of 257 confined feeding operations were involved in the project. Based on the results of their site assessments using the environmental risk screening tool, the NRCB found that nearly 80 percent of the operations posed a low risk to groundwater. In these cases the NRCB was able to suspend the groundwater monitoring requirements. Approximately 16 percent were assessed as moderate risk, and four percent were assessed as high risk. In a small number of cases, the monitoring requirements were increased.

The NRCB used the Approval Officer Amendments provision in section 23 of the *Agricultural Operation Practices Act* to amend the permit conditions where appropriate and worked with operators to ensure environmental risks were addressed. Non-flexible monitoring conditions were replaced by flexible conditions to ensure that monitoring requirements can be amended more easily in the future if. The NRCB notified municipalities of all proposed amendments.

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For more information about the content of this document, contact [Eileen Kotowich](#).
This information published to the web on May 5, 2011.
Last Reviewed/Revised on October 25, 2012.

Phone the [Ag-Info Centre](#), toll-free in Alberta at 310-FARM (3276), for agricultural information.

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Research & Development

Increasing demand for Alberta meat and livestock products through healthy initiatives

Boosting demand for local products, improving market access for Alberta's producers and processors, and making the livestock and meat industry more productive and competitive are all vitally important to continued success. A unique initiative supported by Alberta Livestock and Meat Agency (ALMA) is helping to do all three while bringing agricultural and health communities together.

The Quality Food for Health initiative strengthens collaborations within the province's research and innovation system and could lead to important food and health innovations. Research and development projects funded by this initiative contribute to the following:

- New and healthier products, ingredients, beverages or supplements
- Healthier reformulation of existing foods
- Development of innovative food processing or packaging technologies
- Preparation for health claims or other responses to regulatory requirements
- New ways of encouraging healthier food consumption



These projects provide opportunities for local product development and increased demand for livestock and meat products. They also promote synergy and collaboration in research in the area of quality food and health.

Under the Quality Food for Health initiative, ALMA has co-funded six projects for a total of \$1,032,975. Funding partners include Alberta Innovates - Bio Solutions, Alberta Innovates - Health Solutions, ALMA, Alberta Crop Industry Development Fund, Alberta Canola Producers Commission, Alberta Milk and Alberta Pulse Growers. Additionally, other funders and commodity groups on all projects helped to advance knowledge in the healthfulness of livestock products.

Alberta's livestock and meat producers and processors, as well as other stakeholders in the industry, stand to gain significant benefits. For instance, projects might help stakeholders identify and promote the healthy attributes of livestock and meat products, contribute to knowledge about nutritional value to support evidence-based changes in policy and standards, or support the development and commercialization of new products that improve quality and enhance consumer acceptance. They may also encourage the consumption of Alberta-based products through consumer education.

about ALMA

ALMA provides ideas, information and investment to help Alberta's livestock and meat industry become more profitable, sustainable and internationally respected. Learn more at www.alma.alberta.ca. Contact: Nicole Paradis, ALMA Communications, 780-638-1932 or email: nicole.paradis-clancy@almaltd.ca.

Ideas. Information. Investment.



alma.alberta.ca

The more you know, the better you eat.™

Research & Development

Grant Recipients

- Dr. Mirko Betti, University of Alberta. Project: Innovative functional ingredients from underutilized poultry proteins: salty and “kokumi” peptides.
- Dr. Jonathan Curtis, University of Alberta. Project: Choline – the forgotten essential nutrient. New opportunities for innovation in the Albertan meat, dairy and egg industries.
- Dr. Prasanth Chelikani, University of Calgary. Project: Bioactive Components from Milk Protein: Beneficial Effects on Body Weight, Diabetes and Cardiovascular Health.
- Dr. Leo Dieleman, University of Alberta. Project: Personalized Dietary Therapies for Treating Inflammatory Bowel Disease.
- Dr. David Wishart, University of Alberta. Project: The Alberta Food Metabolome Project – Comprehensive Micronutrient Characterization of Alberta-Grown Foods.
- Dr. Charlene Elliot, University of Calgary. Project: Media Literacy and food marketing: Packaging, taste preference and children’s perception of healthy foods.

about ALMA

ALMA provides ideas, information and investment to help Alberta’s livestock and meat industry become more profitable, sustainable and internationally respected. Learn more at www.alma.alberta.ca. Contact: Nicole Paradis, ALMA Communications, 780-638-1932 or email: nicole.paradis-clancy@almaltd.ca.



BIXS Overview

Canadian beef producers have long understood the potential in capturing, exchanging and tracking the specific individual animal data and information made possible through the national animal ID program. The Beef InfoXchange System, or BIXS, leverages that data to benefit producers by improving communications and individual animal information sharing across the entire beef chain.

BIXS is a national voluntary web-based database designed to capture and exchange data linked to an individual animal's unique electronic ID tag number, known as the CCIA (Canadian Cattle Identification Agency) tag or RFID (radio frequency identification) tag.

BIXS is a tool to assist in the gathering, tracking and exchanging of useful individual animal information across the beef chain. The system enables participants to communicate, build business opportunities and hone marketing programs based on accurate and reliable individual animal data.

BIXS' query function maintains cow-calf producer confidentiality yet empowers the system so beef supply chain participants can source cattle on specification and creates communication channels across the supply chain based on individual animal information.

The ability to track and share relevant animal production, performance, health, genetic and carcass data will help improve efficiencies at the ranch, feedlot and processing levels. It will also lead to more precise targeting of beef for specific domestic and international market prospects, and increase the overall quality of beef nationwide.

The Canadian Cattlemen's Association (CCA) spearheaded the development of BIXS as part of the Canadian Beef Advantage (CBA) program, the branding of Canadian beef for domestic and international markets.

The BIXS is now launched to cow-calf producers across Canada and work continues to enable feedlots to begin submitting animal data to BIXS. The system is designed to work efficiently at high speed and for dial-up users with reliable and higher connective speeds. Those users on slow dial-up are urged to access BIXS through a third party they authorize (third party authorization forms are downloadable from the main page of this website).

Interested producers can register and log on to the BIXS database program via the BIXS website by clicking the 'Registration' button. In addition, full instructions on how to register onto BIXS are also provided as a PDF link on the home page of BIXS. Further, links are also provided on websites of organizations partnering with BIXS, like Beef Improvement Opportunities, BeefBooster, Pfizer Animal Health's Pfizer Gold Program, among others.

BIXS will also platform or partner on an information sharing basis with other industry participants including veterinary pharmaceutical firms, veterinarians, IT firms and more. As these agreements are completed BIXS will provide links to these partners on the BIXS main web site.

Letter from ASB Provincial Committee to Federal Minister of Finance

Patrick Gordeyko
Chairman
Provincial Agricultural Service Board Committee
Room 200, 7000 113 Street
Edmonton, AB T6H 5T6

January 5, 2012

Minister of Finance
The Honourable James M. Flaherty
Department of Finance Canada
140 O'Connor Street
Ottawa, Ontario K1A 0G5

Dear Mr. Flaherty:

RE: PROPOSED TAX CODE AMENDMENTS TO FACILITATE SALE OF FARM ASSETS

Canada's agriculture industry will face significant challenges over the next decade as older farmers retire and pass down the family farm to the next generation of farmers. Alberta's Agricultural Service Boards (ASBs) recognize these challenges and passed a resolution at the 2007 Provincial ASB Conference called Tax Code Amendments to Facilitate Sale of Farm Assets. This resolution calls for changes to Income Tax policy to ease the transfer of assets from retiring farmers to new farmers. In response to this resolution, the Provincial ASB Committee, Association of Alberta Agricultural Fieldmen (AAAF) and Alberta's Provincial Tax Specialist worked together to develop three recommendations for your consideration.

The proposed recommendations are:

1. Extend the 10 year Capital Gains Reserve to 20 years for farm property transactions to both family members and non-related individuals.
2. Amend the Income Tax Act to address the transfer of depreciable property over a period of time.
3. Amend the Income Tax Act to utilize the definition of breeding herd as found under the Drought Deferral Program for the sale of breeding livestock.

A detailed explanation of these recommendations is attached to this letter. The Provincial ASB Committee requests that Department of Finance review these recommendations and consider incorporating them into the Income Tax policy to assist Canada's farmers.

Sincerely,

Patrick Gordeyko, Chair
Provincial Agricultural Service Board Committee

Attachment

Cc: Honourable Evan Berger, Minister, Alberta Agriculture and Rural Development
John Knapp, Deputy Minister, Alberta Agriculture and Rural Development
Jason Krips, Assistant Deputy Minister, Alberta Agriculture and Rural Development
Gerry Ritz (federal ag minister?)

The Agricultural industry in Canada over the next decade will face one of its largest challenges: passing down the family farm to the next generation of farmers. The facts are simple; the average age of the Canadian farmer is increasing with the majority approaching retirement age and facing large tax liabilities, while the decreasing numbers of young farmers are unable to finance the purchase of necessary farm assets due to a lack of equity. These issues, and the solutions derived to address them will determine how agriculture will look in twenty years.

There are a number of proposals that may be considered with respect to amending Income Tax policy to address the ability of retiring farmers to enable the transfer of assets to the new generation of farmers that will address both their tax liability and the ability of the new farmer to acquire assets.

One. It is proposed that the 10 year Capital Gains Reserve be extended to 20 years for farm property transactions to both family members and non-related individuals. In a lot of situations farmers who have no children who actively farm wish to transfer part of their farming assets to either related parties like nephews and nieces. In certain situations the recipient party may not even be related. In implementing this strategy both the retiring farmer and the new entrant would benefit. The ability of the retiring farmer to spread capital gains over a longer period of time would reduce their tax liability and reduce Old Age Security claw back and the Alternative Minimum Tax. The new producers would benefit by extending their debt over a longer period of time and reducing their annual payments and their dependence on traditional financing.

In addition under estate planning a 20 year reserve will allow for the sale of land where no proceeds are actually paid but a demand promissory note is established forgivable on death. This note gives the parents a form of security that if the children sell the land before their death, get divorced, etc then they can call the note in. Upon their death there are no adverse tax rules upon forgiveness of debt. In many cases a 20 year reserve will eliminate the Alternative Minimum Tax and the OAS claw back and yet allow the parents to utilize their Capital gains exemption and the children a bump in their adjusted cost base (ACB).

Two: It is proposed that amendments to the Income Tax Act be undertaken to address the transfer of depreciable property over a period of time. The successful transfer of depreciable property is critical for the successful transition of the operating assets of a farm business. This is more important than the land as beginning farmers need equipment and buildings to operate their farms.

If amendments to permit the transfer of depreciable property are not undertaken accountants will continue to form partnerships and corporations in order to utilize provisions within the Income Tax Act that force producers to use complicated structures to accomplish the same end result. For example if a producer were to transfer equipment to a company then he can sell the shares over time and utilize the capital gains reserve. Although this strategy is effective in most cases the practicality of small farms using a partnership or corporation is not feasible. It makes sense to utilize a reserve on recaptured depreciation on the sale of equipment over time.

Three. It is proposed that the Income Tax Act be amended to utilize the definition of breeding herd as found under the Drought Deferral Program for the sale of breeding livestock. Presently if a producer sells breeding livestock over time the vendor is deemed to have arranged a financing contract. Under this reasoning the vendor is taxed on the entire proceeds of the sale and the purchaser is deemed to have paid for the cattle and receives an offsetting deduction. For new farmers this large deduction is probably not needed in the year of the purchase. In addition if the purchaser has off-farm income he still cannot use the deduction because of the Mandatory Inventory Adjustment rules (MIA) which restricts the creation of a farm loss through the purchase of inventory. These rules once again require business structures to "get around" the adverse taxation of breeding herds.

Response Received from Federal Finance Minister to Provincial Committee



JUL 11 2012

2012FIN365671

Mr Patrick Gordeyko
Chair
Provincial Agricultural Service Board Committee
J.G. O'Donoghue Building, Room 200
7000 113 Street
Edmonton, AB T6H 5T6

Dear Mr Gordeyko:

Thank you for your correspondence of January 5, 2012, written on behalf of the Provincial Agricultural Service Board Committee, and for providing the Committee's ideas and recommendations regarding Budget 2012, *Canada's Economic Action Plan*. Please excuse the delay in replying.

The Committee has submitted several detailed proposals for consideration, which would allow farmers to defer the recognition of the proceeds from the sale of capital assets, the sale of depreciable property or the sale of breeding animals.

Farmers are already entitled to various benefits not enjoyed by other taxpayers, including some that apply in respect of the transfer of farm assets, such as the \$750,000 Lifetime Capital Gains Exemption. Farmers can also defer tax on intergenerational transfers of farm assets, generally to the extent that actual proceeds received are less than the value of the assets. Where actual proceeds exceed a farmer's cost bases, certain existing tax deferral provisions may still apply. In particular, farmers are entitled to a 10-year capital gains reserve on the sale of farm property to a child in comparison to a five-year capital gains reserve on the sale of capital property more generally.

Any consideration with regard to providing more generous tax treatment for the sale of farm assets would need to be considered in light of the tax treatment provided on the sale of business assets generally.

Thank you for writing.

Yours sincerely,

A handwritten signature in blue ink, which appears to read "James M. Flaherty".

James M. Flaherty

Canada



Liability of Recreational User on
Staff Directive 2010-03

Lands Division
Rangeland Management
September 21, 2010

Liability of Recreational Users on Agricultural Public Land

Purpose

This document is intended to provide general information about the Recreational Access Regulation which pertains to Alberta public land administered under grazing lease or farm development lease. It is not intended to address specific situations. **The department recommends that agricultural leaseholders obtain their own legal advice regarding their legal risks and liability arising from regulated recreational access on agricultural leases.**

Context

In 2003, the Alberta Government clarified the rules for recreational access on agricultural dispositions. Enacted under the *Public Lands Act*, Section 62.1, the Recreational Access Regulation encourages communication, cooperation, and respect among disposition holders and recreational users. Leaseholders' liability arising from regulated recreational access is limited by changes made to the *Occupier's Liability Act*, also in 2003.

What is the agricultural leaseholder's liability for a recreational user?

As an agricultural leaseholder, your liability to recreational users is limited by law. Unless the leaseholder intentionally or recklessly injures a recreational user, the legal duty owed to a recreational user is the lowest duty owed by a legal occupier of land. Recreational users are responsible for their own personal safety, and enter the lease land at their own risk.

Which legislation applies to liability?

In Alberta, liability for recreational users on

agricultural dispositions is governed by the *Occupier's Liability Act*. There are two levels of "duty of care" – that which a landowner owes to an invited "visitor", and that which the landowner owes to a "trespasser". Under the Act, when a recreational user accesses an agricultural disposition, they enter at their own risk because they have the same legal protections as a trespasser under the Act.

Is the leaseholder responsible for defining all hazards, including natural hazards?

Respect for all users of public land would suggest that leaseholders should identify hazards on the land that are known to them. For example, the leaseholder may want to notify all users of any hidden or obscured dangers such as excavations, cutbanks, and unconventional fences that may be on the property.

Does the leaseholder need any additional liability insurance?

It is sound practice that agricultural producers carry liability insurance for both private and public land. Leaseholders are encouraged to consult their insurance and legal advisors to address their specific situation.

Background

Portions of the *Occupier's Liability Act*

Liability of Occupier to Trespassers

Liability of Agricultural Disposition Holder

11.1 The liability of a holder of an agricultural disposition issued

under the *Public Lands Act* in respect of a person who, under section 62.1 of the *Public Lands Act* and the applicable regulations, enters and uses the land that is subject to the agricultural disposition shall be determined as if the person entering the land were a trespasser.

2003 c11 s1

Trespassers

12(1) Subject to subsection (2) and to Section 13, an occupier does not owe a duty of care to a trespasser on the occupier's premises.

(2) An occupier is liable to a trespasser for damages for death or injury to the trespasser that results from the occupier's wilful or reckless conduct.

RSA 1980 cO-3 s12

Child trespassers

13(1) When an occupier knows or has reason to know:

- (a) that a child trespasser is on the occupier's premises, and
- (b) that the condition of, or activities on, the premises create a danger of death or serious bodily harm to that child,

the occupier owes a duty to that child to take such care as in all the circumstances of the case is reasonable to see that the child will be reasonably safe from that danger.

(2) In determining whether the duty of care under subsection (1) has been discharged, consideration shall be given to

- (a) the age of the child,
- (b) the ability of the child to appreciate the danger, and
- (c) the burden on the occupier of eliminating the danger or protecting the child from the danger as compared to the risk of the danger to the child.

(3) For the purposes of subsection (1), the occupier has reason to know that a child trespasser is on the occupier's premises if the occupier has knowledge of facts from which a reasonable person would infer that a child is present or that the presence of a child is so probable that the occupier should conduct himself or herself on the assumption that a child is present.

RSA 1980 cO-3 s13

For more information on the *Occupier's Liability Act* or the *Recreational Access Regulation* please view the Queen's printer website at: www.qp.alberta.ca

Authorities

Public Lands Act
Occupiers Liability Act
Recreational Access Regulation

Contacts

Rangeland Management Branch
Lands Division
4th Floor Great West Life Building
9920-108 Street
Edmonton, Alberta T5K 2M4
(780) 427-3595

Did you know not all agricultural dispositions require contact prior to access?

No Contact Required

Grazing licences are longer term tenure commonly found in forested areas.

Head tax permits, grazing permits, hay permits, and cultivation permits are dispositions issued annually.

These dispositions require basic conditions be followed but contact is not required. Some licences and permits have specific conditions placed on them by a local settlement officer for management reasons. The basic conditions and local settlement officer conditions are posted at www.srd.alberta.ca/AccessAgPublicLand.

Contact Required

Grazing Leases and Farm Development Leases are long-term tenures and require recreational users to contact the leaseholder prior to access. Contact and condition information can be found at www.srd.alberta.ca/AccessAgPublicLand. The majority of agricultural public land is under lease.

Always respect the land, fences, livestock and other leaseholder assets.



In Case of Disagreement

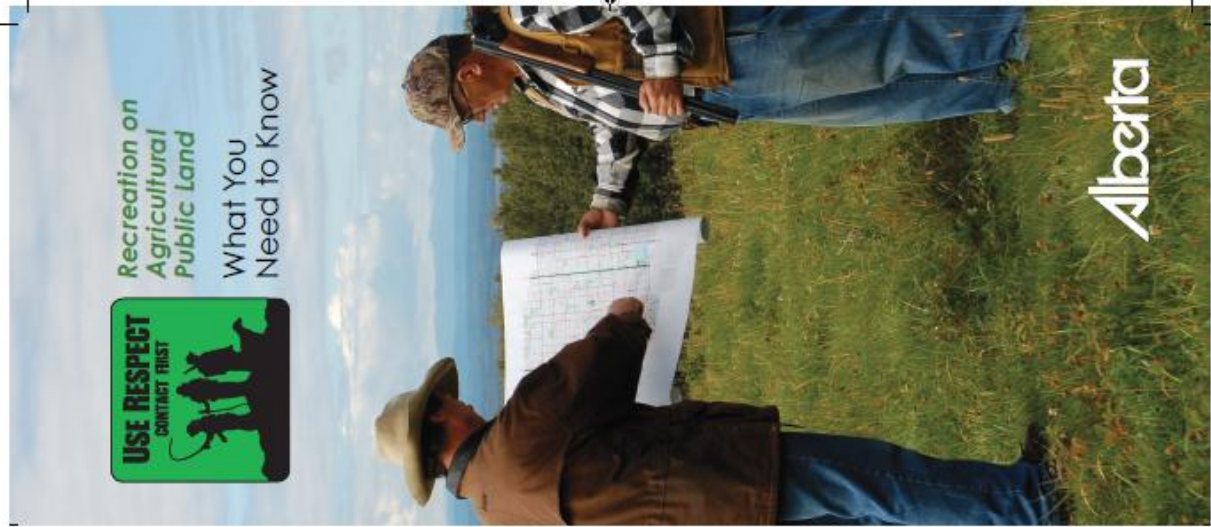
If you cannot resolve a disagreement with a leaseholder, contact your nearest Lands office. They can be reached by calling 310-0000. A staff member will try to assist you in reaching an agreement.

This process is designed to be informal and flexible, with the goal of resolving the issue quickly and effectively. If an agreement cannot be reached, a dispute resolution process is available to both parties through a local settlement officer.

Did You Know

Riparian areas are the green areas around lakes, rivers and streams. They are popular areas for animals, and humans, to spend their time. Make sure to limit your impact on these very sensitive areas.

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Two Steps to Accessing Public Lands

There are two steps you need to go through before you travel on agricultural public land:

1. Find out if the land you're planning to visit is privately or publicly owned

It's your responsibility to know the land ownership before you go onto a piece of property. Detailed maps, leaseholder contact information and access conditions are available for leased land on the Alberta Sustainable Resource Development website: www.srd.alberta.ca/AccessAgPublicLand.

Or you can receive assistance by telephone, toll free at 1-866-279-0023.



2. Contact the Leaseholder

If the land is under an agricultural lease you must contact the leaseholder before you go onto his or her lease. Talking to the leaseholder will allow you to discuss important information, for example, there may be sensitive areas, hazards or livestock that you need to avoid.

Guidelines for Recreational Users

When visiting agricultural public lands, please observe the following basic guidelines:

- Park vehicles clear of driveways and access routes
- Obtain consent from the leaseholder to light a fire
- Leave gates the way you found them — opened or closed
- Pack out all litter
- Take care not to damage land or property

Introducing Agricultural Leaseholders

Agricultural leaseholders are individuals who lease public lands from the Alberta government for agricultural purposes. They are required to allow public access to the land as long as it poses no harm to the land or to their investment in crops or livestock. Leaseholders are stewards of the land, and as such, they manage our land resources in a way that benefits us all.

Did You Know

Alberta has about 100 million acres of public land, including over five million acres of land leased for grazing and/or cultivation.

A leaseholder can refuse access if ...

- Access is by anything other than foot
- Livestock are present in a fenced pasture
- A crop has not yet been harvested
- A fire ban has been issued by a municipal or provincial authority
- You intend to camp
- The proposed use is disallowed by the recreational management plan or a condition set by the government

Contact the leaseholder at least 2 weeks prior to your trip to confirm your plans.

About Provincial Grazing Reserves

There are 32 provincial grazing reserves in Alberta. They are used primarily for cattle grazing during the summer. To prevent conflicts with grazing operations, some grazing reserves have restricted use during certain times of year. For information on grazing reserve restrictions, contact the grazing reserve office in the area you wish to visit.

Provincial Grazing Reserves Contact Information

- Southeast Grazing Reserves — (403) 381-5486, (403) 529-3677
- Northeast Grazing Reserves — (780) 645-6336
- Southwest Grazing Reserves — (780) 542-6616
- Northwest Grazing Reserves — (780) 835-7525

Guidelines for Recreational Users of Grazing Reserves

- Access is not allowed in pastures where live-stock are present or through locked gates
- All motorized vehicles are required to stay on designated roads or trails
- Gates must be left as they are found — opened or closed
- Camping is prohibited unless authorized by the grazing office
- Organized recreational groups require a letter of authority from the grazing reserve office to use grazing reserves

For further guidelines on recreational access to provincial grazing reserves, visit Alberta Sustainable Resource Development online at www.srd.alberta.ca/pgro or contact your grazing reserve office.