

Getting My Barn Built –The NRCB Process in Alberta

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■ Introduction

Under the Part 2 of the *Agricultural Operation Practices Act (AOPA)*, the Natural Resources Conservation Board (NRCB or Board) assumed responsibility on January 1, 2002 for regulating for confined feeding (livestock) operations (CFO's) and manure management.

The *Agricultural Operation Practices Act (AOPA)* defines a confined feeding operation (CFO) to be: "an activity on land that is fenced or enclosed or within buildings where livestock are confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing, but does not include seasonal feeding and bedding sites".

The legislation now prohibits anyone from establishing a new CFO or manure storage facility or expanding an existing CFO or manure storage facility without first receiving the approval of the NRCB.

Producers interested in developing such facilities must now submit an application to the NRCB. The NRCB will then review the application, and determine whether it is consistent with AOPA and the associated regulations and standards.

This paper provides a summary of the application process for CFO's as well as an overview of how this has worked in the first ten months of 2002.

■ Overview of the Process

An approval under AOPA may be only one of several permits and approvals that a livestock producer may be required to obtain before they can expand an existing CFO or develop a new one. Depending on the proposed development, a producer may also need one or more of the following:

- A licence under the *Water Act* for the diversion of water (water supply).
- An approval under the *Water Act* for changes to surface run-off or activities in water bodies.
- An approval under the *Environmental Protection and Enhancement Act* (AEPEA).
- An agreement with an irrigation district or water co-op to convey water under the producer's own licence.
- An authorization under the *Public Lands Act* for activities and or structures on public lands.
- A permit under the *Public Highways Development Act*.
- Quota for the production of poultry or dairy.

To simplify the overall process the NRCB has worked with Alberta Environment, Alberta Sustainable Resource Development, Alberta Transportation and other authorities to develop a one-window application and approvals process. This means that producers will only have to deal with one agency (the NRCB).

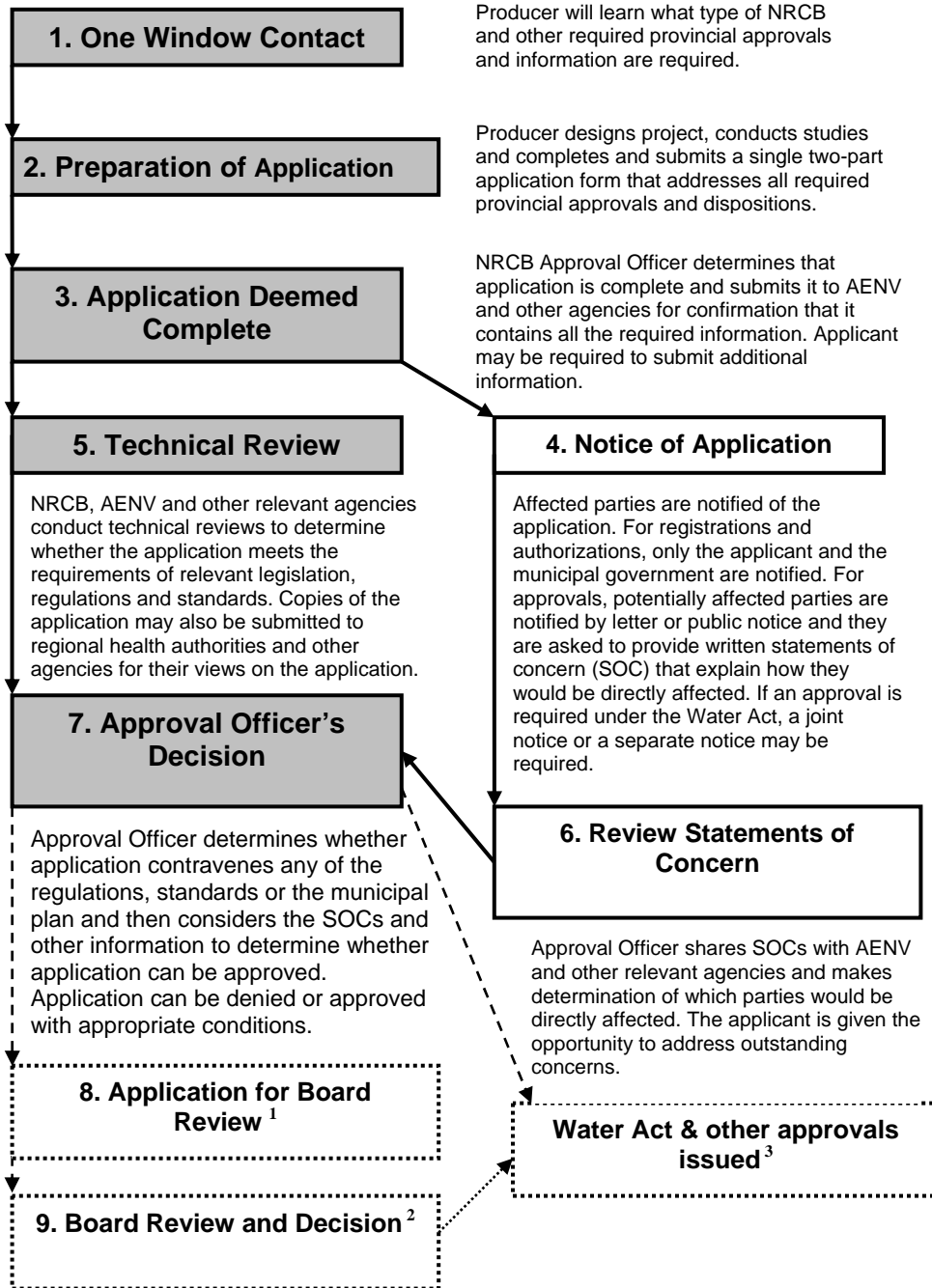
Under the one-window approach, the technical review of a completed application will be undertaken by the relevant provincial agencies at the same time and all approvals will be issued at one time. By having a single, coordinated application and review process, the total time required to apply for and receive all the necessary approvals is minimized.

A nine-step application and approvals process has been developed to meet all of the requirements of the relevant legislation. It should be noted, however, that not all applications will have to go through each of the nine steps.

Please note:

- Applications for **Registrations** and **Authorizations** will be processed using Steps 1, 2, 3, 5 and 7 (shaded boxes).
- Applications for **Approvals** will be processed using Steps 1 through 7.
- Steps 8 and 9 will apply only if a Board review is requested and obtained.

Figure 1. Summary of Nine-Step Application and Approvals Process



¹ Parties can seek Board review of any of Approval Officer's decision by submitting a letter within 10 working days of receiving that decision. If no concerns are received, the decision stands.

² Board can choose whether to hold a review, and what issues and who will be heard if it decides to conduct a review. Parties will be asked to provide written submissions and evidence, and will be allowed to ask questions of others. The Board can decide to confirm or reverse the Approval Officer's decision and add or modify any terms and conditions.

³ AENV and other relevant agencies will only issue their approvals or dispositions after the NRCB has made its decision and there are no further opportunities for Board reviews of that decision.

■ Application Summary January to October 2002

Between January 1st 2002 and October 31st 2002 the Board had received a total of 151 CFO applications for the province. These applications are split up as follows:

Number for Approval	70
Registration Number	43
Authorizations	38

These applications are in various stages of the process of review. A summary is as follows:

54 decisions have been issued comprising:

45 Approved

9 Denied

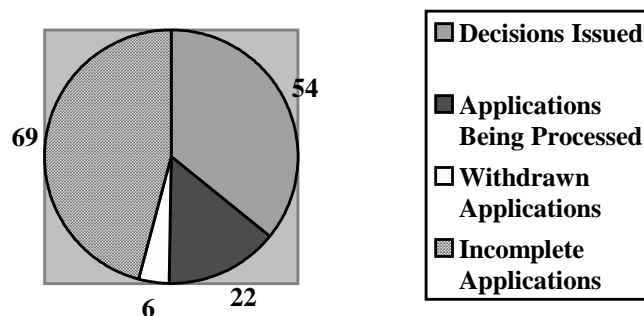
1 Other (was not required to go through application process)

22 are technically complete and being processed

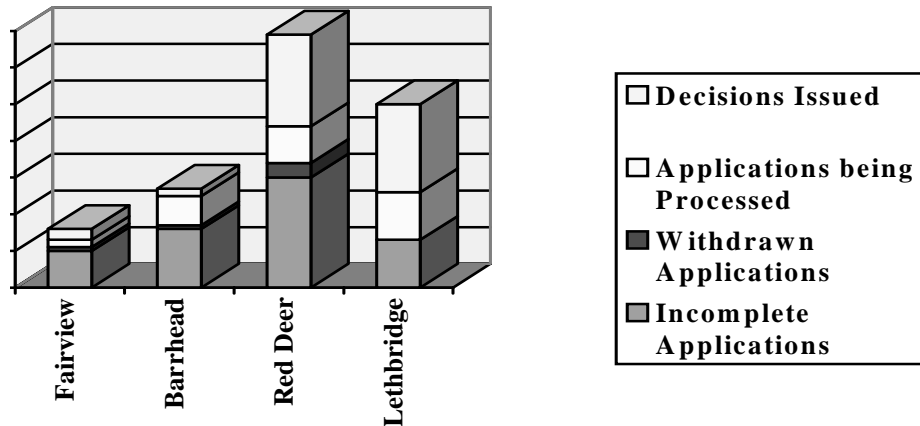
69 are still incomplete

6 applications were withdrawn by the applicants

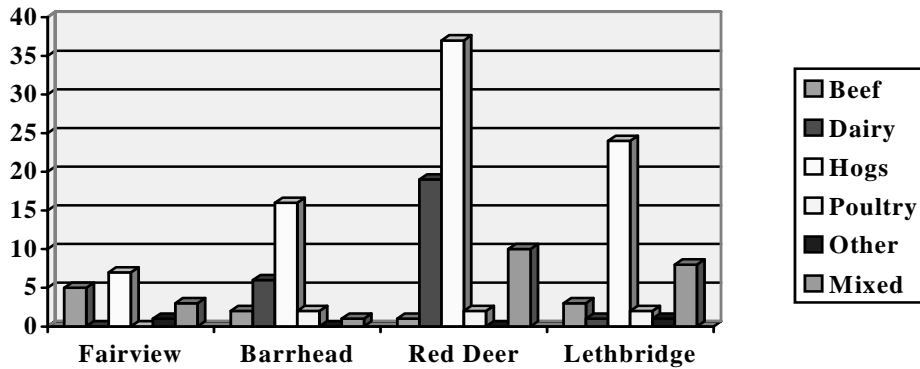
The Application information is more easily shown in the following pie chart:



When the Application information is looked at on a regional basis it shows where the CFO industries are focusing development:



Another interesting way of looking at the applications the NRCB has received is to look at the species split by region. This is illustrated in the graph below.



This information clearly shows that the majority of applications in each of our regional offices are for hog developments.

The workshop presentation will provide a more detailed insight on the Application process as well as providing an overview of the compliance and

enforcement process including details on the work carried out over the last year.