

ENFORCEMENT ORDER No. EO 23-02

*Made under section 39 of the
Agricultural Operation Practices Act, RSA 2000, c A-7 (AOPA)*

Date Issued: June 9, 2023

File Number: BP21004

Inspector: Cathryn Thompson

Issued to: Brenda Brandolini (landowner), and
Beverly Wilson (manager of The “5” Freedoms Ranch Rescue and Rehabilitation
operation)
22054 Twp Rd 522
Sherwood Park, AB T8E 1G2

Basis for Order: Inappropriate Disturbance

I, Cathryn Thompson, Inspector appointed by the Natural Resources Conservation Board, issue this enforcement order under section 39(1) of the *Agricultural Operation Practices Act (AOPA)* against:

Brenda Brandolini (landowner), and
Beverly Wilson (manager of The “5” Freedoms Ranch Rescue and Rehabilitation
operation)

because the confined feeding operation (CFO) is causing an inappropriate disturbance due to improper manure management. In addition, this operation has failed to follow the manure management plan that they submitted to the NRCB in April 2023. Specifically, there is evidence that the CFO’s manure will impact surface water quality draining onto the neighbouring property to the west when a rainfall event occurs. The impact is a direct result of the way in which manure in the horse pens is managed.

The CFO is located on the SW-13-52-22-W4 (Block C, Plan 2330RS), in Strathcona County, east of the City of Edmonton, Alberta. The CFO, which is managed by Beverly Wilson, is operated under the name The “5” Freedoms Ranch Rescue and Rehabilitation, which until recently was a registered society. Brenda Brandolini owns the land on which the CFO is operated.

Background

The “5” Freedoms Ranch Rescue and Rehabilitation operation is a horse operation with approximately 70-90 horses which would generate over 500 tonnes of solid manure annually.

Under AOPA, it is considered a CFO as it is a fenced or enclosed land where livestock are being confined for the purpose of growing, sustaining, finishing, or breeding by means other than grazing. Some of the horses are confined and fed all year-round. However, it is considered a below threshold CFO as the number of horses is below the number of animals required for a registration (100 horses). Therefore, no permits under AOPA are required for The “5” Freedoms Ranch Rescue and Rehabilitation operation to operate. Operations that don't require permits under AOPA (e.g. seasonal feeding and bedding sites, livestock corrals) are still required to adhere to manure management practices outlined in the legislation and must not create a risk to the environment or create an inappropriate disturbance.

The “5” Freedoms Ranch Rescue and Rehabilitation operation is located on a 40 acre parcel of land classified by Strathcona County's Land Use Bylaw as Agriculture: General. Strathcona County's Animal Control Bylaw 18-2011 does not apply to land classified as Agriculture: General.

Throughout 2022 and 2023, the NRCB received complaints regarding manure runoff from numerous pens where the horses were being confined, leaving the property where The “5” Freedoms Ranch Rescue and Rehabilitation Society operation operates, and flowing onto a neighbouring property.

Last year, the NRCB issued two Enforcement Orders, EO 22-02 and EO 22-03. It is important to understand the history of the manure-contaminated runoff patterns, and the operation's inadequate compliance with NRCB enforcement action.

Background: Investigation leading up to Enforcement Order EO 22-02

On May 18, 2022, in response to a complaint, a site inspection of The “5” Freedoms Ranch Rescue and Rehabilitation Society was conducted. During 2022, the Society was a registered society. There were a few large manure piles in the pens along the west side of the property, and most of the manure from the winter was still on the ground in these pens. The pens have low-lying areas where manure runoff will likely pool during the spring as well as during any rainfall events. Due to the topography and drainage patterns, the manure runoff in these low-lying areas would then flow onto the neighbouring property to the west of The “5” Freedoms Ranch Rescue and Rehabilitation Society. The two properties share a common fence line with horses in pens on both sides. The neighbour's pens to the west are vegetated with the horses using the pens primarily for grazing.

A follow-up inspection was conducted on June 15, 2022. During this inspection, I observed manure runoff flowing from The “5” Freedoms Ranch Rescue and Rehabilitation Society's property and onto the neighbouring property to the west. An inspection report was issued to The “5” Freedoms Ranch Rescue and Rehabilitation Society. This inspection report required the manure to be scraped and removed from all pens along the west side of the property, according to the following schedule (see Appendix A): Pen #1 – June 27, Pen #2 – July 4, Pen #3 – July 11, and Pen #4 & #5 – July 18. The inspection report also required that a manure management plan be submitted to the NRCB by July 18, 2022, outlining future management plans to ensure that minimal manure runoff leaves the property.

On July 8, 2022, and July 11, 2022 site inspections were conducted as a follow up to the inspection report issued on June 15, 2022. During these inspections, it was evident that the manure cleanup of the pens at The “5” Freedoms Ranch Rescue and Rehabilitation Society was

not progressing as required by the inspection report, and Ms. Wilson did not offer a compelling reason for the delay. In addition, manure runoff from the pens was still occurring and was flowing onto the neighbouring property to the west.

On July 28, 2022, an Enforcement Order (EO 22-02) was issued to The “5” Freedoms Ranch Rescue and Rehabilitation Society, Brenda Brandolini, and Beverly Wilson to address the inappropriate disturbance caused by the manure contaminated runoff. Orders #1, #2, and #3 of Enforcement Order EO 22-02 required the parties to scrape manure in five pens, pile manure from the five pens away from the natural drainage course, and depopulate the five pens by August 16, 2022, if the scraping and piling had not been completed. Order #4 required a manure management plan to be submitted to the NRCB by August 18. Enforcement Order EO 22-02 was also posted on the NRCB website.

I confirmed with the NRCB Board that no review of Enforcement EO 22-02 was sought by the deadline of August 22, 2022, or at all.

Investigation leading up to Enforcement Order EO 22-03

My interactions have been with Beverly Wilson by in-person meetings, emails, and text messages. On August 10, 2022, August 19, 2022, and August 29, 2022 site inspections were conducted to follow up on the orders in EO 22-02. Over these three inspection dates it was evident that orders #1, #2, and #3 in EO 22-02 had not been sufficiently followed. About 90 per cent of the manure had been scraped up in the pens, but the manure piles had not been removed.

On August 17, 2022, Ms. Wilson submitted a draft manure management plan to the NRCB, as per order #4 in EO 22-02. In that plan she stated “Before winter hits we will be building berms out of gravel and clay, to stop water from entering the neighbor’s property,…”

On August 19, 2022, Ms. Wilson told me that the tractor was getting repaired on August 24, 2022. On August 25 and 26, Ms. Wilson said the tractor mechanic had come but had to get parts. She said the scraping would be done by the end of the following week. On August 29, I determined that 90 per cent of the scraping had been completed and I texted Ms. Wilson to advise that only about 10 minutes of scraping was left in each pen.

On September 1, 2022, I returned the draft manure management plan to Ms. Wilson including changes that would be required to make it acceptable to the NRCB. On September 7, Ms. Wilson’s text messages indicated she had been sick for a few days but was hoping to finish up the tasks the next day or Friday. I indicated I would attend on site the following week and reminded her to look at the manure management plan changes.

On Wednesday, September 14, 2022, Ms. Wilson texted me to say she would be done by the following week, and that the mechanic was coming on Friday. She wrote that she kept forgetting to send me the “document.” On September 19, I asked Ms. Wilson by text to please send the manure management plan as the berms would need to be started before the ground began to freeze.

On September 21, 2022, Ms. Wilson sent me a text message stating that she had been swamped at work, and she probably wouldn't be able to build the berms this fall (due to cost), and some of the manure piles in the pen areas also would not be removed.

On September 28, 2022, I received another text message from Ms. Wilson stating the scraping [of the manure] was all done, but she was still working on some of the areas throughout the trees.

On October 18, 2022, the NRCB had still not received an acceptable manure management plan.

On October 18, 2022, a second Enforcement Order (EO 22-03) was issued to The "5" Freedoms Ranch Rescue and Rehabilitation Society, Brenda Brandolini, and Beverly Wilson to address the inappropriate disturbance caused by the manure contaminated runoff.

Order #1 of Enforcement Order EO 22-03 required the parties to scrape and pile manure in pens #1 to #5 by October 25, 2022. Order #2 required the manure piles to be removed from the five pens by November 23, 2022, unless clay berms (order #5) are installed. Order #3 prohibited the population of livestock in Pens #2, #3 and #5 unless the manure piles had been removed from these pens or the clay berms had been installed. Order #4 required an annual manure management plan to be submitted to the NRCB by October 25, 2022, and approved in writing by the NRCB. Order #5 required the installation of clay berms in at least pen #1 and pen #4, and in any additional areas throughout pens #1, #2, #3, #4, and #5 that may be an area of manure runoff during rainfall or spring thaw. Order #6 prohibited the population of livestock in Pens #1 and #4 until the berms in order #5 were in place, the manure piles had been removed, and both actions had been approved by the NRCB.

I confirmed with the NRCB Board that no review of Enforcement EO 22-03 was sought by the deadline of November 1, 2022, or at all.

Investigation following Enforcement Order EO 22-03

On Monday October 24, 2022, Ms. Wilson sent me a text message to say that they needed until Friday (October 28) to get the berms done. On October 27, 2022, Ms. Wilson told me that they had the clay and would have everything done with the berms by Monday (October 31). I understood that Ms. Wilson decided to install clay berms to satisfy EO 22-03.

On Monday October 31, 2022, Ms. Wilson emailed me a manure management plan, and told me that she would be working on the berms as the week progressed.

On November 1, 2022, Ms. Wilson texted me a video of a berm that she was building and said that one berm was done and the other two would be done on Saturday (November 5).

I made minor edits to the manure management plan. On November 4, 2022, I emailed Ms. Wilson the NRCB's version of the manure management plan and asked her to accept the changes that the NRCB made and sign and date the plan and email it back to me by November

11, 2022. On November 14, 2022, I emailed Ms. Wilson requesting the plan to be signed and emailed back to me.

On November 23, 2022, Ms. Wilson sent me a text message letting me know she had finished the berms. I sent her a text message requesting the signed manure management plan.

On November 24, 2022, Ms. Wilson sent me a photo of the signed manure management plan over text message. The plan required, among other things, that the piled manure would be hauled to the back pasture in 2022 or dispersed on the land in 2023. The plan also required that the berms be maintained on an annual basis.

On November 24, 2022, a site inspection was conducted. During this inspection I observed that two clay berms had been built in Pen #1, and one clay berm had been built in Pen #4. The berms were built in the areas that contributed to manure impacted runoff entering the neighbouring property. The berms were over one foot in height and looked sufficient to stop manure impacted runoff from leaving the property in the spring.

On November 29, 2022, I emailed Ms. Wilson to inform her that the berms met the requirements of Order #5 in EO 22-03 and therefore EO 22-03 would be closed as of November 29, 2022. I reminded Ms. Wilson that the berms needed to be maintained and that the manure management plan that was signed on November 22, 2022, needed to be adhered to.

Investigation leading up to Enforcement Order EO 23-02

In February 2023 I viewed the operation and noticed that the berms were in poor shape, and needed to be built up and levelled off in order to do their job, and that horses had trampled parts of one berm. The berms were not maintained properly and they became ineffective in preventing runoff from leaving the property.

On March 23, 2023, after consulting with Alberta Environment and Protected Areas, it came to my attention that the areas where the berms were built are considered to be a natural ephemeral waterway, a temporary wetland, or an ephemeral wetland. Therefore, if the berms built in these areas completely blocked the water that naturally flows through these areas, this could be a contravention of the *Water Act*. The operation would need a *Water Act* approval. I advised Ms. Wilson not to move or reconstruct the berms yet.

In fall 2022 Strathcona County had passed a new Responsible Livestock Ownership bylaw. On March 30, 2023, a representative from Strathcona County and I met with Ms. Wilson to conduct a site inspection. During this inspection, we advised Ms. Wilson that the clay berms cannot be built up anymore, reconstructed, or maintained as they are blocking natural waterways and may contravene the *Water Act*. We also gave Ms. Wilson a letter requesting that a new revised manure management plan be submitted by April 6, 2023 in order to minimize the manure impacted run-off from entering watercourses and adjacent properties (Appendix B). The new plan is to not include the use of clay berms that would obstruct a watercourse.

On April 6, 2023, I emailed Ms. Wilson a reminder to submit the updated manure management plan to myself. Ms. Wilson responded to this email on April 6, 2023, and said that she will send it, although it may be later in the day today (April 6, 2023).

On April 8, 2023, Ms. Wilson emailed me the updated manure management plan. It was similar to the earlier manure management plan (November 24, 2022), but without the berms requirement.

On April 14, 2023, I emailed Ms. Wilson additional specific information that the manure management plan needs to include in order for it to be acceptable, as well as a draft version of what the plan should look like. In the draft plan I gave the deadline for all of the manure in the pens and feeding areas to be scraped by April 27, 2023, as well as the deadline for the manure piles in the pens and feeding areas to be removed from these areas by June 1, 2023. Manure piled in the back pasture would need to be spread by June 30, 2023. I asked Ms. Wilson to submit the updated plan to me by 4:30pm on Monday April 17, 2023.

On April 18, 2023, Ms. Wilson responded to my email "Ok let me get this addressed by Wednesday" (April 19, 2023).

On April 19, 2023, Ms. Wilson emailed me the updated manure management plan, which changed the deadlines. She said that the pens would not be scraped by April 27, the main reason being that the frost needs to come out of the piles and ground. She provided a date of May 20, where annually, all pens will be scraped.

On April 20, 2023, I made a few minor changes to the manure management plan that Ms. Wilson submitted to me. I changed the deadline for scraping pens to May 16, I changed the deadline of moving manure piles to the back to June 15 (this is to ensure that the manure is removed from the pens before early summer rains start occurring), and I extended the deadline of spreading manure onto the land from June 30 to July 15. I emailed this updated manure management plan to Ms. Wilson and asked her to accept these changes and sign and date the plan and send it back to me by Monday April 24, 2023.

On April 20, 2023, Ms. Wilson answered my email and said that she would do that.

On April 24, 2023, Ms. Wilson emailed me for clarification on the manure management plan and told me that she would finish the plan and send it to me this evening (April 24, 2023).

On April 25, 2023, Ms. Wilson emailed me that she had a horse emergency and would get it [the manure management plan] to me by tomorrow (April 26, 2023).

On April 28, 2023, I emailed Ms. Wilson asking for the signed manure management plan to be sent to me today. On April 28, 2023, Ms. Wilson submitted the signed manure management plan to me (Appendix C).

On May 15, 2023, I emailed Ms. Wilson requesting to do a site inspection to follow up on Item #1 in the manure management plan ("manure in pens and feeding areas will be scraped and piled from all watercourses by May 16, 2023 due to frost and mud").

On May 16, 2023, Ms. Wilson responded to my email and told me that the manure is not piled due to an emergency with the person that was hired to do the job. Ms. Wilson also said that there is a part arriving Wednesday (May 17, 2023), for her tractor and she will work on cleaning up the manure herself as soon as the tractor is put together.

On May 18, 2023, a representative from Strathcona County emailed myself and Ms. Wilson and stated that we (Strathcona County and I) we will be conducting a site inspection on May 19, 2023. Ms. Wilson responded to this email on May 19, 2023 “that is fine but as I told you there is nothing done yet however it will be soon...”.

On May 19, 2023, a representative from Strathcona County and I met with Ms. Wilson and conducted a site inspection. It was evident that manure in the pens and feeding areas had not been scraped and piled. I reminded Ms. Wilson that, under the manure management plan, the manure needs to be cleaned up by June 15 (scraped, piled and hauled to the back of the property and stored away from water courses). Ms. Wilson said it will be done by then. During this inspection I observed that there was no manure runoff flowing from The “5” Freedoms Ranch Rescue and Rehabilitation operation’s property onto the neighbouring property to the west due to the drought conditions.

Reasons for the Enforcement Order

Considering all the information collected (listed above) I have formed the opinion that when it rains, manure contaminated runoff will certainly flow from The “5” Freedoms Ranch Rescue and Rehabilitation operation to the neighbouring property, therefore creating an inappropriate disturbance. History, including two enforcement orders in 2022, has shown this. Moreover, it is certain that this runoff pattern will continue every year during spring runoff and during rainfall events until the manure management at the site changes or until livestock is removed.

An inappropriate disturbance must be both a disturbance, and inappropriate in the sense that it must be beyond what one might reasonably expect the community to tolerate. In my view, the disturbance to the neighbour to the west is inappropriate because:

- the disturbance has been going on since 2021 with no reliable effort to improve the disturbance
- the neighbour to the west also has horses along the shared fence line which are also impacted by the manure impacted runoff.

I also find that Beverly Wilson, and Brenda Brandolini are jointly responsible for the way manure is managed at the horse operation.

I am issuing this third enforcement order, to supplement Enforcement Orders EO 22-02 and EO 22-03 as it has taken considerable time and effort to get any manure clean up done at this CFO. The owners and operator have not been cooperative. Manure management is a major recurring issue at this site, and I am of the opinion that if the manure is not cleaned up in the next few weeks, manure contaminated runoff will be an issue again this summer and fall when it rains. Efforts to manage the disturbance had little success, given that the berms were not maintained properly. Limiting the use of the pens to confine livestock until the accumulated manure is removed from the pens is the only way to reduce manure runoff from impacting the neighbouring property.

Under Section 39(1) of the *Agricultural Operation Practices Act*, if in the opinion of the Natural Resources Conservation Board, a person is creating a risk to the environment or an inappropriate disturbance or is contravening or has contravened an approval, registration, authorization, AOPA, or the regulations, the Board may issue an enforcement order directing the person to stop engaging in anything that is described in the enforcement order, subject to any terms or conditions set out in the order or specifying the measures that must be taken in order to effect compliance with the Act or the regulations. This enforcement order is being issued because previous enforcement orders were not fully complied with, numerous verbal directions were not followed, commitments were not kept, and deadlines have been essentially ignored. The deadlines in this enforcement order are those that the operator made and agreed to in the April 28, 2023 manure management plan.

The Board has delegated me, as an Inspector, to form opinions and issue enforcement orders under section 39.

ORDERS:

In order to address the extent and severity of the inappropriate disturbance, Brenda Brandolini, and Beverly Wilson shall undertake the following measures:

- 1) by June 15, 2023, scrape and pile manure in pens #1, #2, #3, #4, and #5 (see Appendix A)
- 2) by June 15, 2023, remove manure piles from pens #1, #2, #3, #4, and #5 and either
 - a) store the manure in the back pasture area and follow AOPA's short-term solid manure storage requirements (Standards and Administration Regulation, section 5),
 - or
 - b) spread manure onto non frozen and non snow-covered land
- 3) by June 18, 2023, if orders 1 and 2 have not fully been complied with to the NRCB's satisfaction, depopulate pens #1, #2, #3, #4 and #5
- 4) pens #1, #2, #3, #4 and #5 shall remain depopulated until all required work (manure scraped and removed from the five pens) is completed to the satisfaction of the NRCB in writing
- 5) follow the manure management plan for The "5" Freedoms Ranch Rescue and Rehabilitation operation that was signed on April 28, 2023 (see Appendix C).

Any of the deadline dates contained above may be extended in writing, but only by the NRCB, at the sole discretion of the NRCB. The fact that a deadline has been extended in the past does not mean a deadline will be extended in this Enforcement Order.

Brenda Brandolini, and Beverly Wilson shall allow the NRCB access at any reasonable hour, with or without advance notice, to the land and structures for the purpose of assessing compliance with the orders contained in this enforcement order.

All actions required above shall be in compliance with AOPA and its regulations and shall not violate any other law. Compliance with another agency's directions does not necessarily mean compliance with this Enforcement Order or with AOPA.

These requirements remain in effect until otherwise directed by the NRCB in writing.

CONSEQUENCES OF NOT COMPLYING WITH THIS ORDER

If any person to whom this enforcement order is directed fails to comply with any part of this enforcement order, the Natural Resources Conservation Board may apply to the Court of King’s Bench for an Order of the Court directing those persons to comply with the enforcement order, under section 42 of the *Agricultural Operation Practices Act*.

When an enforcement order is issued to more than one person, all persons named in the Order are jointly responsible for carrying out the terms of the Order, under section 43 of the *Agricultural Operation Practices Act*.

NOTE: Under section 39(3), if a person to whom this enforcement order is directed complies with the Order, no prosecution may be commenced under the *Agricultural Operation Practices Act* for the offence with respect to the facts that gave rise to this enforcement order.



Cathryn Thompson
Inspector, Compliance and Enforcement Division
Natural Resources Conservation Board

Appendix:

- A. Apple Maps, June 2022 Imagery: SW-13-52-22-W4 (Block C, Plan 2330RS). Labeled by Cathryn Thompson.
- B. Letter from the Natural Resources Conservation Board and Strathcona County. March 30, 2023.
- C. Manure Management Plan. Signed on April 28, 2023.

SERVICE OF ORDER:

Delivered to: Beverly Wilson	Delivered to: Brenda Brandolini
Method of Delivery: Email: bevwilson@legacypetfoods.com	Method of Delivery: Regular mail and placed in the mailbox on site
Date of Delivery: June 9, 2023	Date of Delivery: June 9, 2023

INFORMATION: RIGHT TO REQUEST A REVIEW OF THIS ENFORCEMENT ORDER

Under section 41 of AOPA, you may request that the NRCB’s board members (the “Board”) “review and confirm, vary, amend or rescind” this enforcement order. The Board has discretion whether to hold a review or not.

Please note that, under section 41(2), this enforcement order takes effect at the time prescribed in the order. This enforcement order will remain in effect unless the Board suspends the operation of this enforcement order.

Under section 13 of the AOPA Administrative Procedures Regulation, AR 106/2017, your request, must include:

- a) a clear and concise statement of the facts relevant to your request
- b) the grounds on which your request is made
- c) a brief explanation of the harm that has resulted or will result from the enforcement order addressed in your request
- d) a brief description of the remedy you seek; and
- e) the name, address in Alberta and telephone number, and the fax number and email address, if any, of you or your representative (if you have one).

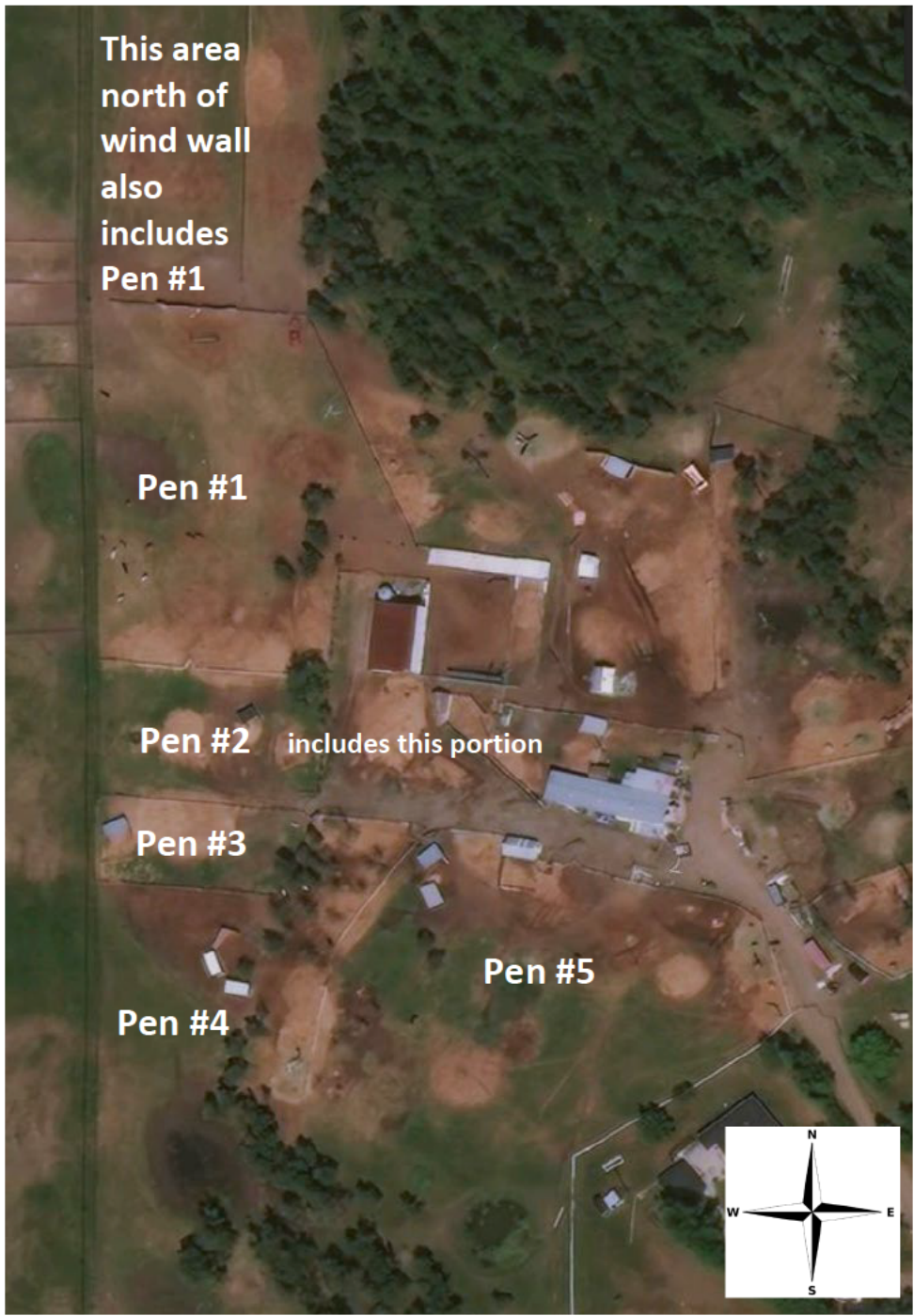
If you want the enforcement order suspended until the Board's review is completed, you must also be clear about this in your written request for review, and provide your reasons for asking for a suspension of this enforcement order.

Under section 15(2) of the AOPA Administrative Procedures Regulation, a request for a review of the enforcement order must be filed with the Board within 10 working days of the date you received the enforcement order or by any later date specified in the order. I am giving you 15 working days from the date you received the enforcement order.

Because this enforcement order does extend the 10 working day deadline in section 15(2) of the Regulation, by 5 working days the deadline for you to file a request for review by the Board is **June 30, 2023**.

If you wish to have the Board review this order, please submit a written request to Laura Friend, Manager, Board Reviews by email at laura.friend@nrcb.ca. If you have any questions about requesting a review or about the review process please call Ms. Friend at 403-297-8269.

Appendix A: Apple Maps, June 2022 Imagery: SW-13-52-22-W4 (Block C, Plan 2330RS)
Labeled by Cathryn Thompson.



Appendix B: Letter from the Natural Resources Conservation Board and Strathcona County.
March 30, 2023.



March 30, 2023

The "5" Freedoms Ranch Rescue and Rehabilitation Society
Brenda Brandolini (landowner), and
Beverly Wilson (manager)
22054 Twp Rd 522
Sherwood Park, AB T8E 1G2

Re: The "5" Freedoms Ranch Rescue and Rehabilitation Society Manure Management Plan

On March 30, 2023 the NRCB (Cathryn Thompson) and Strathcona County (Lori Morgan) met with Beverly Wilson and inspected the agricultural operation run by The "5" Freedoms Ranch Rescue and Rehabilitation Society.

Both the NRCB and Strathcona County determined that The "5" Freedoms Ranch Rescue and Rehabilitation Society, located at SW-13-52-22-W4 (Block C, Plan 2330RS), is required to submit a new, revised annual manure management plan by **April 6, 2023** in order to minimize the manure impacted run-off from entering watercourses and adjacent properties. The previous manure management plan, submitted to the NRCB in 2022, included the use of berms along the property line to contain any manure impacted runoff from flowing off the property. In consultation with Alberta Environment and Protected Areas, the NRCB has learned that the areas where the berms were placed are considered natural ephemeral waterways or wetlands and their drainage course can not be obstructed. Therefore, a new, revised annual manure management plan is required.

The manure management plan must be approved in writing by both the NRCB and Strathcona County and shall include plans and management techniques to:

- 1) minimize the manure impacted run-off from entering watercourses and adjacent properties during run-off events in Spring and Summer 2023,
- 2) remove all the accumulated manure piles on SW-13-52-22-W4 (Block C, Plan 2330RS) and spread manure onto non frozen and non snow-covered land in accordance with *Agricultural Operation Practices Act (AOPA)*,
- 3) manage manure accordingly, on a regular basis, to prevent manure impacted run-off from entering watercourses and adjacent properties at any time throughout a year.

The manure management plan must not involve the construction of berms that would obstruct a watercourse on SW-13-52-22-W4 (Block C, Plan 2330RS). However, berms can be constructed around livestock feeding sites on the property in order to prevent manure impacted run-off

from leaving the feeding area and entering a watercourse.

Manure management must meet the requirements of both AOPA and Strathcona County's Responsible Livestock Ownership Bylaw 53-2022.

AOPA requires manure collection areas (your feeding pens) to be located not less than 30 metres from a common body of water. If they are located within the 30 metre setback, the owner of the facility must demonstrate that:


- (a) the natural drainage from the facility or area is away from the common body of water (natural ephemeral waterways or wetlands), or
- (b) a berm or other secondary protection for the common body of water is constructed to protect the common body of water from contamination.

Any berms built must be constructed of sufficient material (clay) and built to a quality standard (compacted, proper: height, length, and width) to contain and prevent any contaminated manure runoff from by-passing the berms.

Strathcona County's Responsible Livestock Ownership Bylaw 53-2022 supports AOPA by:

- a) requiring manure management techniques are in place that minimize runoff onto or into adjacent properties, riparian areas, ground water, and watercourses; Section 12
- b) prohibiting the accumulation of (excessive) livestock waste, or material contaminated by livestock waste. Section 53

Please contact the NRCB and/or Strathcona County if you have any questions.



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Lori Morgan
Livestock Inspector, Strathcona County
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Enclosure: Responsible Livestock Ownership Bylaw 53-2022

Appendix C: Manure Management Plan. Signed on April 28, 2023.

MANURE MANAGEMENT PLAN FOR:

The "5" Freedoms Ranch Rescue and Rehabilitation Society on SW-13-52-22-W4 (Block C, Plan 2330RS) 2023/2024

1. Manure in pens and feeding areas will be scraped and piled from all watercourses by May 16, 2023 due to frost and mud.
2. Manure piles in pens and feeding areas must be moved to the back areas by June 15, 2023
3. The manure that is now in the back will be leveled nicely with grass planted on the top of it this manure is now 3 years old and is now mostly dirt. This is the composted manure.
4. During winter we will manage some scraping of manure into piles and will feed as much as possible away from the bad sloping areas maintaining the 30 metre distance from where water accumulates in the feeding area.
5. Due to frost and frozen manure it will be impossible for it to all be scraped prior to spring run off however we will maintain it in the winter months as much as possible. All pens will be scraped annually by May 15th.
6. Frozen manure piles will be removed to the back by June 15 annually, and spread in the back once they are thawed or by Oct 31 annually
7. New berms will not be placed in water ways however existing ones will be maintained.

Bev Wilson April 28/23 
Name Date Signature