

The Agricultural Operations Regulations

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Chapter A-12.1 Reg 1 (effective November 28, 1996) as
amended by Saskatchewan Regulations 34/97.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER A-12.1 REG 1

The Agricultural Operations Act

Title

- 1 These regulations may be cited as *The Agricultural Operations Regulations*.

Interpretation

- 2(1) In these regulations:

- (a) “**Act**” means *The Agricultural Operations Act*;
 - (b) “**earthen manure storage area**” means a structure built primarily from soil, constructed by excavating or forming dikes, and used to contain liquid manure;
 - (c) “**freeboard**” means the vertical distance between the full level of a structure and the level where the structure overflows;
 - (d) “**ground water**” means water beneath the surface of land;
 - (e) “**holding pond**” means a structure built primarily from soil, constructed by excavating or forming dikes, and used to contain contaminated runoff from an intensive livestock operation;
 - (f) “**lagoon**” means a structure built primarily from soil, constructed by excavating or forming dikes, and used to contain, store or treat liquid manure;
 - (g) “**liquid manure storage tank**” means a structure built from a material other than soil, and used to contain liquid manure;
 - (h) “**surface water**” means water that is above the surface of land and in a river, stream, lake, creek, spring, ravine, coulee, swamp, marsh, or other watercourse or body of water;
 - (i) “**water**” includes both surface and ground water;
 - (j) “**watercourse**” means a natural channel in which:
 - (i) surface water flows; or
 - (ii) surface water may flow as a result of runoff.
- (2) For the purposes of the Act and these regulations, “**animal unit**” means the kind and number of animals calculated in accordance with Table 1 of the Appendix.
- (3) For the purposes of subclause 2(n)(iv) of the Act, “**waste**” includes either of the following if they result from the operations of an intensive livestock operation:
- (a) milk house waste; or
 - (b) silage effluent.

A-12.1 REG 1**AGRICULTURAL OPERATIONS****Intensive livestock operations**

3(1) For the purposes of section 19 of the Act, a waste storage plan and a waste management plan approved by the minister are required for an intensive livestock operation that:

- (a) contains an earthen manure storage area or a lagoon;
 - (b) involves the rearing, confinement or feeding of 300 or more animal units for more than 10 days in any 30-day period; or
 - (c) subject to subsection (2), involves the rearing, confinement or feeding of more than 20 animal units but less than 300 animal units, for more than 10 days in any 30-day period, and any part of which is within 300 metres of surface water or 30 metres of a domestic water well not controlled by the person who operates the intensive livestock operation.
- (2) A plan is not required pursuant to clause (1)(c) if the surface water is contained entirely on the property of the person who operates the intensive livestock operation.

7 Jun 96 cA-12.1 Reg 1 s3.

Application for approval

4 Every person who applies for approval of a waste storage plan or a waste management plan shall apply to the minister on a form acceptable to the minister and shall provide the minister with any additional information that the minister considers necessary to determine whether to approve the waste storage plan or waste management plan.

7 Jun 96 cA-12.1 Reg 1 s4.

Waste storage plan, earthen manure storage area

5(1) A waste storage plan for an earthen manure storage area or a lagoon must:

- (a) specify the total days of storage provided and the total storage volume, excluding freeboard;
 - (b) provide for a minimum of 60 centimetres of freeboard;
 - (c) provide drawings and specify all critical dimensions, including length, width, useable depth, overall depth and the interior and exterior side slopes and berm width;
 - (d) provide drawings and specify setback distances from roads, property lines, surface water and watercourses; and
 - (e) provide records that the minister requires of any water wells in the area.
- (2) The minister may require that the waste storage plan for an earthen manure storage area or a lagoon contain the following, if the minister is of the opinion that to do so is necessary in order to determine whether to approve the plan:
- (a) a summary of site conditions, including:
 - (i) the depth to the water table;
 - (ii) the number, depth and location of test holes;

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- (iii) the class of soils, according to the Unified Soils Classification System, including the percentage of clay, sand and silt and the sand fractionation of representative samples;
- (b) details of any proposed ground water monitoring program;
- (c) details of construction techniques to be employed to ensure that ground water contamination will not occur, including specifications for soil preparation, imported clay, compacted clay liners or synthetic liners; and
- (d) any additional information that may be required by the minister.

7 Jun 96 cA-12.1 Reg 1 s5.

Holding pond

6(1) A waste storage plan for a holding pond to control contaminated runoff from livestock facilities and solid manure storage areas must:

- (a) specify the total storage volume, excluding freeboard;
- (b) provide a minimum of 30 centimetres of freeboard;
- (c) provide drawings and specify all critical dimensions, including length, width, useable depth, overall depth and the interior and exterior side slopes and berm width;
- (d) provide drawings of the contributing runoff area showing:
 - (i) the size of the contributing area;
 - (ii) the design of retention dikes and diversion ditches;
- (e) provide drawings that specify setback distance from roads, property lines, surface water and watercourses;
- (f) provide details for emptying the holding pond when contaminated runoff utilizes all or a portion of the 30 centimetres of freeboard; and
- (g) provide records that the minister requires of any water wells in the area.

(2) The minister may require that the waste storage plan for a holding pond to control contaminated runoff from livestock facilities and solid manure storage areas contain the following, if the minister is of the opinion that to do so is necessary in order to determine whether to approve the plan:

- (a) a summary of site conditions, including:
 - (i) the depth to the water table;
 - (ii) the number, depth and location of test holes;
 - (iii) the class of soils, according to the Unified Soils Classification System, including the percentage of clay, sand and silt and sand fractionation of representative samples;
- (b) details of any proposed ground water monitoring program;

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- (c) details of construction techniques to be employed to ensure ground water contamination will not occur, including specifications for soil preparation, imported clay, compacted clay liners or synthetic liners; and
- (d) any additional information that may be required by the minister.

7 Jun 96 cA-12.1 Reg 1 s6.

Liquid manure storage tank

7(1) A waste storage plan for a liquid manure storage tank shall:

- (a) specify the total days of storage provided and the total useable storage volume, excluding freeboard;
- (b) provide details on the type of liquid manure storage tank and the materials used in the construction of the storage tank;
- (c) provide a minimum of 15 centimetres of freeboard;
- (d) provide drawings and specify all critical dimensions, including length, width, diameter and depth of the storage tank;
- (e) provide drawings and specify setback distances from roads, property lines, surface water and watercourses; and
- (f) provide records that the minister requires of any water wells in the area.

(2) The minister may require that the waste storage plan for a liquid manure storage tank contain the following, if the minister is of the opinion that to do so is necessary in order to determine whether to approve the plan:

- (a) a summary of site conditions, including:
 - (i) the depth to the water table;
 - (ii) the depth of the storage tank below grade level;
 - (iii) the number, depth and location of test holes; and
 - (iv) the class of soils, according to the Unified Soils Classification System, including the percentage of clay, sand and silt and sand fractionation of representative samples;
- (b) details of the materials used to construct the liquid manure storage tank to ensure ground water contamination will not occur, including specifications for concrete placement, concrete reinforcement, design criteria for placement of synthetic liners, sealing materials, or any other material used to form the liquid manure storage tank; and
- (c) any additional information that may be required by the minister.

7 Jun 96 cA-12.1 Reg 1 s7.

Waste management plans

8(1) A waste management plan for land utilization of manure produced from an intensive livestock operation must:

- (a) provide the annual volume of manure produced, based on accepted standard values or specific management practices;

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- (b) estimate the nutrient level of nitrogen, phosphate and potassium in the manure as determined by accepted standard values or by specific manure testing;
 - (c) specify whether the form of the manure is solid or liquid;
 - (d) specify the method of manure application and the season of application;
 - (e) specify the expected crop nutrient requirements based on the crop production area or on specific cropping practices;
 - (f) specify the annual rate of manure application based on estimated crop nutrient requirements and accepted manure utilization factors;
 - (g) specify the land area available for the annual application of manure;
 - (h) provide written agreements to spread manure on land other than land controlled by the person who operates the intensive livestock operation where that person does not control sufficient land for the safe utilization of the manure from the intensive livestock operation;
 - (i) provide a map to identify the location of lands to be used for manure application; and
 - (j) provide any additional information that may be required by the minister.
- (2) A waste management plan for utilization of manure produced by an intensive livestock operation other than by land utilization must provide any information that may be required by the minister.
- (3) A waste management plan for management of dead animals from an intensive livestock operation must:
- (a) specify the expected annual death losses in animal units based on accepted standard values or specific values;
 - (b) specify the method of disposal;
 - (c) specify the frequency of disposal and interim storage procedures; and
 - (d) if utilizing burial, identify sites, including information on:
 - (i) the location of the burial site, including the setback distances from roads, property lines, surface water and watercourses;
 - (ii) the composition of the soil and the depth to the water table at the burial site;
 - (iii) the depth of the burial pit;
 - (iv) the management of the burial pit; and
 - (v) any additional matters that may be required by the minister.

7 Jun 96 cA-12.1 Reg 1 s8.

Fees

- 9(1) No fees shall be charged to a person submitting an application for approval of a waste storage plan or a waste management plan to the minister.

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- (2) Subject to subsection (3), for the purpose of section 13 of the Act, every person applying to the board shall pay an application fee of \$100.
- (3) Where more than one person joins in an application, the fee is \$100 per person joining in the application, to a maximum of \$1,500.
- (4) The application fee shall be refunded if:
 - (a) the dispute is resolved before the board makes a decision; or
 - (b) the board makes a decision pursuant to clause 17(1)(b) of the Act.

7 Jun 96 cA-12.1 Reg 1 s9; 27 Jne 97 SR 34/97.

Included animals

10 For the purpose of subclause 2(g)(vii) of the Act, the following animals are prescribed:

- (a) elk;
- (b) mule deer;
- (c) white-tailed deer;
- (d) fallow deer; and
- (e) bison.

7 Jun 96 cA-12.1 Reg 1 s10.

Exemption

11 The following are exempted from the application of Part II of the Act:

- (a) a mechanical repair shop repairing, manufacturing, fabricating or servicing machinery, automobiles or trucks for remuneration, gain or reward;
- (b) a commercial or custom seed cleaning or seed processing operation operated by a person licensed pursuant to the *Canada Grain Act* or by an agent of a person licensed pursuant to that Act;
- (c) an alfalfa dehydration plant;
- (d) stockyards required to be licensed pursuant to *The Livestock Dealer Regulations, 1995*; and
- (e) the keeping of dogs.

7 Jun 96 cA-12.1 Reg 1 s11.

R.R.S. c.P-16.1 Reg 1 repealed

12 *The Pollution (By Livestock) Control Regulations, 1991* are repealed.

7 Jun 96 cA-12.1 Reg 1 s12.

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Appendix

TABLE 1

[Section 2]

Animal Unit

Type	Kind of Animal	Number that equals One Animal Unit
1	Poultry	
	a) Hens, cockerels, capons	100.0
	b) Chicks, broiler chickens	200.0
	c) Turkeys, geese, ducks	50.0
2	Hogs	
	a) Boars or sows	3.0
	b) Gilts	4.0
	c) Feeder pigs	6.0
	d) Weanling pigs	20.0
3	Sheep	
	a) Rams or ewes	7.0
	b) Lambs	14.0
4	Goats	7.0
5	Cattle	
	a) Cows or bulls	1.0
	b) Feeder cattle	1.5
	c) Replacement heifers	2.0
	d) Calves	4.0
6	Horses	
	a) Colts or ponies	2.0
	b) other than colts or ponies	1.0
7	Bison	
	a) Cows or bulls	1.0
	b) Calves	4.0
8	Fallow Deer	
	a) Fallow deer	8.0
	b) Fallow deer fawns	32.0

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a) Elk	5.0
b) Elk calves	20.0
c) White-tailed deer	8.0
d) White-tailed deer fawns	32.0
e) Mule deer	8.0
f) Mule deer fawns	32.0

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