

# Consultation on Amendments to the Livestock Manure and Mortalities Management Regulation

Spring  
2017

Manitoba is committed to environmental protection and supporting sustainable development in all industry sectors. There are opportunities to amend the current regulations covering livestock operations, specifically the pig industry, while continuing to provide robust environmental protection. This can be done while at the same time removing barriers that have unfairly limited the sustainable growth of that sector.

Manitoba is the largest pig producing province in Canada, with 29 per cent of the nation's pig production, or just over 8,000,000 pigs marketed annually. The estimated value of the pigs produced in Manitoba is over \$1 billion annually. The pig industry is also an important employer in Manitoba. It employs approximately 13,000 people through direct and indirect jobs such as barn workers, veterinarians, truck drivers, nutritionists and equipment manufacturers.

The Manitoba government is proposing changes to the Livestock Manure and Mortalities Management Regulation that will reduce unfair regulatory barriers and will streamline processes to protect the environment and remove duplication within legislation and regulation. The changes are expected to help facilitate growth of the livestock industry and its contribution to economic growth and employment opportunities in Manitoba.

We want to hear from the people of Manitoba to understand their concerns and interests. A summary of the proposed changes and instructions on how to provide your opinion in writing are provided at the end of this document.

## Current State of Requirements for the Livestock Industry

The Livestock industry in Manitoba is regulated under several provincial acts and regulations. The Manure Regulation, under The Pesticides and Fertilizers Control Act, contains requirements for the licensing of manure applicators. The Nutrient Management Regulation, under The Water Protection Act, outlines specific manure application setbacks to ensure surface and ground water is protected. The Livestock Manure and Mortalities Management Regulation, under The Environment Act, prescribes requirements for the use, management and storage of livestock manure in agricultural operations so that manure is handled in an environmentally sound manner.

The Livestock Manure and Mortalities Management Regulation includes a number of requirements for setbacks and design requirements for manure storage facilities. These

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facilities need to be designed by a professional engineer and any construction, expansion or modification to a manure storage facility must be completed under the authority of a permit. The regulation also outlines setbacks for manure application in order to protect surface and ground water quality. Annual manure management plans are required for all operations of 300 animal units or more to ensure manure is applied in accordance with regulatory requirements including residual soil nitrogen limits and phosphorus thresholds.

These acts and regulations are in place to help ensure we regulate Manitoba's livestock industry in an environmentally sustainable manner while also considering and balancing the impacts on businesses and economic growth to the industry.

Although we are looking at making amendments to the current regulation, there are some key environmental protection requirements that will remain:

- Construction permits for manure storage facilities, designed by a professional engineer;
- Prohibition of manure spreading on frozen or snow covered soils;
- Requirements for groundwater monitoring as needed;
- Requirements for annual soil testing and manure management plans for livestock operations with 300 animal units or more;
- Prescribed methods of disposal of mortalities; and
- Ongoing oversight by field Environment Officers to respond to complaints, to assess compliance and to take enforcement action when necessary.

The legislation exists and will continue to prescribe requirements for the use, management and storage of livestock manure in agricultural operations so that manure is handled in an environmentally sound manner.

## Summary of Proposed Regulatory Amendments

Proposed amendments to the Livestock Manure and Mortalities Management Regulation are intended to reduce the duplication of regulatory requirements and increase transparency, while maintaining strong environmental protection and enforcement measures. These changes support parallel amendments being considered to The Environment Act that remove barriers to development that are not necessary to protect the environment.

Proposed amendments to the Livestock Manure and Mortalities Management Regulation include:

- Increased recognition of professional designations;
  - Reducing notification and correspondence requirements with manure storage facility design engineers during the design and construction stage. Design

guidelines have been developed that provide the desired outcome to be achieved while allowing professional engineers to decide how to design and achieve the outcomes. The guidelines are maintained on the government's web site. Regulatory compliance will be maintained by conducting post construction testing and reporting;

- Improving flexibility for design engineers regarding manure storage sizing, and construction equipment to be used. Consideration is being given to increasing the maximum manure storage facility capacity from 500 to 750 days of storage to allow producers greater flexibility in manure management.
- **Minimizing duplication and improving uniformity with other provincial legislation by:**
  - Ensuring the requirements of the Livestock Manure and Mortalities Management Regulation are consistent with the requirements of the Nutrient Management Regulation under The Water Protection Act, which applies to all nutrient sources including manure;
  - Removing the requirement in the Livestock Manure and Mortalities Management Regulation for livestock operators to hire licensed manure applicators. The requirements for manure applicators to be licensed is already regulated by the Manure Regulation out of the Department of Agriculture;
- **Updating definitions such as surface watercourse and confined livestock areas to ensure they are consistent with the definitions in other existing legislation and guidelines as well as clarifying these terms so that they are more easily understood by the persons interpreting the regulation. This change is being proposed as the definitions have caused some confusion during implementation. The clearer the definitions, the more likely the desired regulatory outcome will be achieved.**
- **Delegating field decisions from the Director to a pre-approved, qualified, Environment Officer to improve timeliness of response and:**
  - to authorize requests and provide better front line service to clients;
  - to respond to concerns more quickly in the field to provide increased protection to the environment; and
  - to deal with emergencies that require immediate response.
- **Replacing dates/timelines with consideration of external circumstances and mitigation strategies, for example, allowing for more flexibility to accommodate pick up times of rendering companies.**
- **Allowing increased flexibility in identifying spread field for new and expanding operations by removing restrictions on distance for manure transport to field and focusing on the suitability of the field soils proposed.**

- Removing the requirement to report on livestock drinking water analyses. The requirement for collecting and reporting on livestock drinking water was initially done to see if trends could be established over time. The provision of potable drinking water to livestock themselves is outside the scope of environment and is covered in other regulations protecting the livestock. Drinking water for humans is covered by other legislation and requires different sampling parameters. Persons relying on private wells for human use should conduct their own sampling to ensure the water is tested for the right parameters and is safe for human consumption.
- Rescinding redundant, expired and sunset clauses.
- Leveling the playing field - The pig industry will no longer be required to meet additional costly and unnecessary regulatory requirements that do not apply to other livestock sectors. Pig operations will now be subject to the same robust legislation as other livestock sectors.
- Removing winter setbacks for manure spreading as winter spreading is prohibited for all livestock operations.
- Removal of in-season nitrate limits and requirements that nitrogen limits must be adhered to at any point in the fields in recognition that mineralization influences soil nitrogen.

## Continued Environmental Protection

Manitoba Sustainable Development will continue to administer and enforce regulatory requirements to ensure that livestock operations are managed to minimize environmental impacts. A major concern associated with livestock manure is the potential for nutrients to drain off fields and into the Lake Winnipeg drainage basin. Science has shown that the best way to protect against this environmental risk is through proper manure management and storing it in a safe storage facility until the manure can be spread. The regulations covering livestock will continue to provide this protective oversight.

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## Submit Your Comments

Please note that we will only be accepting written submissions; you may send us your comments by mail, email or fax. Submissions will be accepted until Friday, May 12, 2017.

Please send your comments to:

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