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## Media Backgrounder

August 20, 2002

### CONSULTATIONS ON DRAFT REGULATIONS UNDER NUTRIENT MANAGEMENT ACT

*The Nutrient Management Act* received Royal Assent in the Ontario Legislature on June 27, 2002. As part of the Ontario government's Clean Water Strategy, the Act provides for province-wide standards to address the effects of agricultural practices on the environment, especially as they relate to land-applied materials containing nutrients.

The Act addresses the issues and risks identified in the Environmental Commissioner's special report of July 2000, "The Protection of Ontario's Groundwater and Intensive Farming." It aligns with Commissioner Dennis O'Connor's *Report of the Walkerton Inquiry Part Two* and builds on the government's Smart Growth Strategy, which calls for well-planned and environmentally sensitive development.

The legislation represents a comprehensive, clear, province-wide approach that protects water, the environment and the well-being of communities in rural Ontario, while ensuring farmers can invest in and operate their farms with confidence. The need for this approach was confirmed by farmers, municipalities, environmental groups and others during consultations held by the Task Force on Intensive Agricultural Operations in Rural Ontario during early 2000.

The government has pledged to move quickly to develop and implement regulations under the *Nutrient Management Act*.

#### Developing regulations

The government will use the O'Connor report and the results of further stakeholder consultations to develop regulations that incorporate standards and best practices to ensure both the best possible protection for the environment and the continued economic viability of farming in Ontario.

Consultations will be held in at least three stages, with each stage involving the posting of draft regulations on the Environmental Bill of Rights information

registry ([http://www.ene.gov.on.ca/envision/env\\_reg/er/registry.htm](http://www.ene.gov.on.ca/envision/env_reg/er/registry.htm)), as well as the Ministry of Agriculture and Food's and Ministry of Environment and Energy's Web sites ([www.ene.gov.on.ca](http://www.ene.gov.on.ca) and [www.gov.on.ca/omaf](http://www.gov.on.ca/omaf)). These postings will be followed by public consultation meetings:

**Stage one**, beginning August 20, 2002, includes a draft regulation covering:

A. The content of nutrient management plans (NMPs), including farm identification and location; a farm map and site plan; details of the types of nutrients used on the farm; field by field information such as soil tests, nutrient allocations, and crop rotations; manure and biosolids applications; and contingency plans to address such things as spills and severe weather. B. The categories of agricultural operations that will be required to prepare these NMPs, and when. Categories would be based on nutrient units: The number of animals housed or pastured at one time that produce enough manure to fertilize one acre of crops under the most limiting of either nitrogen or phosphorus.

- Category IV livestock operations would have 300 nutrient units or more, meaning more than 150 dairy cows or 1,800 finishing pigs. This requirement for a nutrient management plan would apply to new or expanding operations in March 2003, and to existing operations in 2004.
- Category III livestock operations would have 150 to 300 nutrient units, or 75-150 dairy cows or 900-1,800 finishing pigs. The requirement for a nutrient management plan would apply to new or expanding operations in March 2003, and to existing operations in 2005.
- Category II livestock operations would have 30-150 nutrient units, or 15-75 dairy cows or 180-900 finishing pigs. The requirement for a nutrient management plan would apply to new and expanding operations in March 2003, to existing operations that generate liquid manure in 2005, and to other existing operations in 2008.
- Category I livestock operations would have less than 30 nutrient units, or fewer than 15 dairy cows or 180 finishing pigs. This requirement would apply to new or expanding operations in March, 2003, and to existing operations in 2008.
- All other agricultural operations, including non-livestock, would be required to submit nutrient management plans in 2008.

Locations and times of the public consultation meetings will be posted on the Ministry of Agriculture and Food and Ministry of Environment and Energy internet sites in the near future.

**Stage two** will include other regulations that address the specifics contained in most municipal Nutrient Management Plan by-laws. These include construction and siting of barns and manure storages; land application; biosecurity; local advisory committees; feedlot operations; the content requirements of nutrient management strategies for municipalities and other non-farm industries that

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apply nutrients to land; setback distances for applying nutrients around water ways and other sensitive features; restrictions for spreading nutrients on snow-covered or saturated land; MOEE's land application program review; MOEE's strategy for the five-year phase-out of the application of untreated septage.

Consultation meetings are expected to begin in October, 2002. These regulations are expected to be in force in March 2003.

**Stage three** will include regulations dealing with livestock access to waterways; manure haulage and transfer; and washwater and dead animal disposal.

As continuous improvements are made in nutrient management, with advances in technology and best practices, more regulations may be drafted and consultations held.

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