

Chapter 28

Agriculture—Regulating Livestock Waste

1.0 MAIN POINTS

By September 2019, the Ministry of Agriculture completed its work of reviewing and confirming the existence and operational status of intensive livestock operations it permitted before 1996 (pre-1996). The Ministry verified the compliance of all intensive livestock operations with approved permits. When an operation is not compliant, the Ministry continued to work with the operator to have them comply with approved permits.

Enforcing the intensive livestock provisions under *The Agricultural Operations Act* and regulations helps ensure intensive livestock operations store and manage livestock waste in a manner that protects water resources.

2.0 INTRODUCTION

2.1 Background

The Ministry of Agriculture is responsible for administering the intensive livestock provisions under *The Agricultural Operations Act* and related regulations to ensure intensive livestock operators store and manage livestock waste in a manner that protects water resources.

A critical action in protecting water resources is identifying the risks (contaminated sources, transport paths, and water sources receptors) resulting from the development and operation of an intensive livestock operation.¹

The Ministry inspects waste storage facilities to assess compliance with the requirements of approved plans. The Ministry may undertake enforcement (e.g., fines) when operators do not address potential risks identified.

2.2 Focus of Follow-Up Audit

This chapter describes our third follow-up of management's actions on the status of a recommendation we initially made in 2013.

Our *2013 Report – Volume 2*, Chapter 28, concluded the Ministry had effective processes to regulate waste generated from livestock operations, except for a few areas. We made three recommendations.² By April 30, 2017, the Ministry fully implemented two of three recommendations and partially implemented the remaining recommendation.³

¹ Under the Act, an intensive livestock operation is intensive if the confined livestock inhabit a space per animal unit less than 4,000 square feet. One cow, 200 broiler chickens, or six feeder pigs represent one animal unit.

² We reported the original audit work in *2013 Report – Volume 2*, Chapter 28, pp. 193–203. www.auditor.sk.ca/publications/public-reports.

³ *2017 Report – Volume 2*, Chapter 29, pp. 225–226.



To conduct this audit engagement, we followed the standards for assurance engagements published in the *CPA Canada Handbook—Assurance* (CSAE 3001). To evaluate the Ministry's progress toward meeting our recommendations, we used the relevant criteria from the original audit. The Ministry agreed with the criteria in the original audit.

We interviewed Ministry staff responsible for livestock waste regulation and discussed the actions made to address the recommendation. We also obtained, reviewed and assessed related documentation.

3.0 STATUS OF RECOMMENDATION

This section sets out each recommendation including the date on which the Standing Committee on Public Accounts agreed to the recommendation, the status of the recommendation at September 13, 2019, and the Ministry's actions up to that date.

3.1 Pre-1996 Intensive Livestock Operations Reviewed

We recommended the Ministry of Agriculture confirm that intensive livestock operations, that it approved prior to 1996, have sufficient controls to protect water resources. (2013 Report – Volume 2, p. 199, Recommendation 1; Public Accounts Committee agreement November 26, 2014)

Status—Implemented

The Ministry verified the compliance of all intensive livestock operations with approved permits.^{4,5}

The Ministry considers operations with sufficient controls to protect water resources (e.g., earthen manure storage structure, run-off control dikes and ditches, holding ponds, liner systems) compliant with Ministry-approved permits. As of June 30, 2019, the Ministry found approximately 94% of the operating intensive livestock operations comply with approved permits. As of September 2019, about 700 intensive livestock operators have approved permits including around 330 with permits approved pre-1996.

When the Ministry identifies an operation with an approved permit is not compliant, regional Ministry staff actively monitor and work with the operator of the non-compliant operation to ensure they implement sufficient controls.

Adequate waste storage is key to protecting groundwater and surface water from potential contamination.

⁴ *The Agricultural Operations Act* became law in 1996. Provisions in the Act allow intensive livestock operators that obtained waste storage approval prior to October 1996 (pre-1996) to continue to operate with a previously approved waste storage plan even though waste storage requirements changed under the Act. At August 2013, just over 400 intensive livestock operators operated under permits approved pre-1996.

⁵ The Ministry requires intensive livestock operators to apply to it for approval of proposed waste storage plans. In review of the application, the Ministry considers the operations' size, collected site information (e.g., topographic maps) and completed site visit. It approves the plan/permit when it determines the operator implements sufficient waste management controls.