

The Corporation of the Township of Ekfrid

MANURE MANAGEMENT BY-LAW

By-Law Number 2-99

A BY-LAW TO REGULATE MANURE IN THE TOWNSHIP OF EKFRID

WHEREAS the Council of the Corporation of the Township of Ekfrid deems it in the public interest to regulate manure in the municipality;

AND WHEREAS the Municipal Act, R.S.O. 1990, as amended from time to time, enables councils of local municipalities to pass by-laws to regulate the location, erection and use of manure storage facilities;

AND WHEREAS the Council of the Corporation of the Township of Ekfrid enacts this By-law for the purpose of reducing conflicts between normal farm practices in connection with livestock operations and non-agricultural uses on adjacent lands, and for the purpose of protecting neighbouring lands from the effects of poor manure management practices;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF EKFRID ENACTS AS FOLLOWS:

SECTION 1. TITLE

This By-law may be cited as the “Manure Management By-law”.

SECTION 2. SCOPE

This By-law shall apply to all lands within the limits of the Corporation of the Township of Ekfrid.

SECTION 3. DEFINITIONS

For the purpose of this By-law, the definitions and interpretation given in this section shall govern:

- 3.1 Agricultural Use, shall mean the cultivation of land, the production of crops and the processing and selling of such products on a lot, and the breeding, raising, and care of livestock and the selling of such livestock or the products of such livestock raised on a lot and, without limiting the generality of the foregoing, may include animal husbandry, aquaculture, fur farming and the raising and harvesting of field, bush, tree or vine crops, market gardening, greenhouses, sod farming and mushroom farming.
- 3.2 Alter, when used in reference to a building or structure, or portion thereof, shall mean to change any one or more of the internal or external dimensions of such building or structure or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word “alter” means to decrease the width, depth or area thereof or to decrease the frontage, depth, or area of any required yard, setback, or parking area, or to change the location of any boundary of such lot with respect to a road, whether such alteration is made by conveyance or alienation of any portion of the said lot, or otherwise.
- 3.3 Aquifer, shall mean a geological formation containing a subterranean reservoir of ground water capable of providing commercial quantities of water to a well.
- 3.4 Building, shall include any structure, whether temporary or permanent, designed, used or intended for sheltering any use of occupancy but shall not include a boundary wall, fence, travel trailer, camping trailer, truck camper, motor home or tent.
- 3.5 Building By-law, shall mean a building by-law adopted by the Township within the meaning of the Ontario Building Code Act, as amended from time to time.
- 3.6 Building Inspector, shall mean the Chief Building Official or other employees or agents of the Township for the time being charged with the duty of enforcing the provisions of the Building By-law and the Ontario Building Code, which shall mean any by-law of the Township from time to time in force regulating the erection, alteration or repair of buildings and structures, including this By-law.

- 3.7 Consultant In Agriculture, shall mean a professional agrologist or engineer with accreditation and/or specialization in the assessment of soils, manure and nutrient management, or a person who has successfully completed a training course in the preparation and review of nutrient management plans either offered by or endorsed by the Ministry of Agriculture, Food and Rural Affairs.
- 3.8 Drain, Buried, shall mean any sub-surface conduit for receiving and/or conveying water.
- 3.9 Drain, Open, shall mean a channel or passage for water which is bounded by visible bed and banks, which may be man made or natural.
- 3.10 Dwelling, shall mean a building, occupied or capable of being occupied exclusively as a home, residence or sleeping place by one or more persons, but shall not include hotels, boarding houses, rooming houses, motels, institutions or mobile homes.
- 3.11 Erect, shall mean to build, construct, reconstruct, alter and relocate and without limiting the generality of the foregoing, shall include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.
- 3.12 Existing, shall mean existing as of the date of the passing of this By-law.
- 3.13 Grade, shall mean:
- a) when used with reference to a building or structure, the average finished ground elevation immediately adjoining the wall or walls in question;
 - b) when used with reference to a road, the finished elevation of such road as established by the Municipality or other authority having jurisdiction.
- 3.14 Grassed Spillway shall mean a shallow, seeded channel or passage constructed to provide an additional length of flow between a manure storage facility and a watercourse.
- 3.15 Guide to Agricultural Land Use, shall mean a set of guideline, published by the Ontario Ministry of Agriculture, Food and Rural Affairs and the Ontario Ministry of Environment and Energy (March 1995) as amended or replaced from time to time, used to assist persons in reducing the potential of livestock operations to pollute air, soil and water, and to provide for the rational use of land in relation to the livestock industry.
- 3.16 Intensive Livestock Operation, shall mean an agricultural use accommodating greater than one hundred and fifty (150) livestock units, or greater than fifty (50) livestock units on a land base exceeding five (5) livestock units per tillable hectare available to the operation for the application of livestock manure.
- 3.17 Legal Agreement, shall mean an agreement entered into between the applicant and the owner of land rented by the applicant, for the purpose of applying livestock manure, the said agreement to be in the form as laid out in Appendix B to this By-law and registered on the title of the rented land in the Middlesex Registry Office.
- 3.18 Livestock, shall mean farm animals kept for use, for propagation or intended for profit and includes dairy, beef and veal cattle, horses, swine, sheep, laying hens, chicken and turkey broilers, turkeys, goats, ducks, emu/ostrich, mink, rabbits, ratites, elk and deer.
- 3.19 Livestock barn shall mean a building used for the housing, feeding and/or keeping of livestock and shall include any new building, expansion, renovation or alteration thereto.
- 3.20 Livestock Unit, shall mean equivalent values for various types of animals and poultry based on the Guide to Agricultural Land Use.
- 3.21 Lot, shall mean a parcel of land, described in a registered deed or other document legally capable of conveying land, or shown as a lot or block on a registered plan of subdivision including any of its parts which are subject to right-of-way or easement, but does not include a lot or a block

- deemed not to be a registered plan of subdivision under a by-law duly passed pursuant to the Planning Act as amended or revised from time to time.
- 3.22 Lot frontage, shall mean the horizontal distance between the side lot lines or the extension thereof of a lot measured at right angles, but where such lot lines are not parallel, the lot frontage shall be measured perpendicularly to the line joining the center of the front and the centre of the rear lot lines at a point six (6.0) metres back from the front lot line, and where such lot lines meet, the lot frontage shall be measured perpendicularly to the line joining the apex of the triangle formed by the side lot lines at a point six (6.0) metres back from the front lot line.
- 3.23 Lot Lines, shall mean the boundary lines of a lot defined as follows:
- a) Front Lot Line, shall mean, except in the case of a corner lot, the line dividing the lot from the street. In the case of a corner lot, the shorter boundary line abutting the street shall be deemed to be the front lot line and that longer boundary line abutting the street shall be deemed to be the side lot line. In case each of such lot lines should be equal length, the front lot line shall be deemed to be the front lot line as established in the block by prior construction. In the case of a through lot, the shorter boundary dividing the lot from the street shall be deemed to be the front lot line and the opposite longer boundary shall be deemed to be the rear lot line. In case each of such lot lines should be equal length, the front lot line shall be deemed to be the front lot line as established in the block by prior construction.
 - b) Rear Lot Line, shall mean the lot line farthest from or opposite to the front lot line. In the case of a lot abutting a street on more than two sides, the rear lot line shall mean the rear lot line as established by prior construction.
 - c) Side Lot Line, shall mean a lot line other than a front or rear lot line. An Exterior Side Lot Line shall mean a side lot line abutting a street line while an Interior Side Lot Line shall mean a side lot line abutting a lot line.
- 3.24 Manure, Livestock, shall mean livestock feces and urine and may include bedding material and water.
- 3.25 Manure, Liquid Livestock shall mean livestock manure that has a dry matter content not exceeding 15 percent by weight.
- 3.26 Manure, Solid Livestock shall mean livestock manure that has a dry matter content of 15 percent or greater by weight.
- 3.27 Manure Storage Facility shall mean a steel or concrete containment system, with or without a roof or covering enclosing the surface area of the container, used for the storage of liquid or solid livestock manure.
- 3.28 Municipal Drain shall mean a drainage works as defined by the Drainage Act, R.S.O., 1990, as amended or revised from time to time.
- 3.29 National Farm Building Code (1995) shall mean a guide for the design, construction, remodeling and evaluation of farm buildings other than living quarters, including measures designed to obtain safe and efficient performance and economy within such buildings.
- 3.30 Non-Complying shall mean a manure storage facility permitted by this By-law which does not meet the provisions required by this By-law.
- 3.31 Non-Conforming shall mean a lawfully existing manure storage facility not permitted by this By-law.
- 3.32 Nutrient Management Plan, shall mean a report prepared by either the owner or a consultant in agriculture for an intensive livestock operation that evaluates existing manure handling systems

and provides recommendations on, amongst other matters, the appropriate application of nutrients (manure) and other management techniques to ensure environmentally safe application of manure as may be set out in Appendix A to this By-law.

- 3.33 Permitted, shall mean permitted by this By-law.
- 3.34 Person, shall mean an individual, an association, a firm, a partnership, an incorporated company, municipal corporation, agent or trustee and their heirs, executors, or other legal representatives of a person to whom the context of this By-law applies according to law.
- 3.35 Regulatory Flood Line, shall mean the standard used by the conservation authority having jurisdiction in a particular watershed to define the limit of the flood plain for regulatory purposes.
- 3.36 Renovation means the repair and restoration of a manure storage facility to good condition within existing external walls but shall not include its replacement.
- 3.37 Road Allowance, shall mean a publicly owned property used as a roadway.
- 3.38 Site Plan, shall mean a scaled drawing showing the relationship between a manure storage facility and neighbouring land uses including areas designated or zoned in a non-agricultural category; non-conforming uses; neighbouring residences; road allowances and lot line.
- 3.39 Tillable Hectares shall mean the total area of land, including pasture and hay land, that is capable of being cultivated, as determined by the Building Inspector.
- 3.40 Township, shall mean the Corporation of the Township of Ekfrid.
- 3.41 Use, shall mean, when used as a noun, the purpose for which any land, building or structure is designed, used, or intended to be used, or for which it is occupied, used or maintained. When used as a verb, or as in the expression “to use”, shall mean anything done or permitted to be done by the owner or occupant of any land, building or structure, directly or indirectly, or by or through any trustee, tenant, servant, or agent, acting for or with the knowledge or consent of such owner or occupant, for the purpose of making use of the said land, building or structure.
- 3.42 Watercourse, shall mean a natural channel of a stream of water, but does not include a drain as defined under the provisions of the Drainage Act, R.S.O., 1990, as amended or revised from time to time.
- 3.43 Well, shall mean a dug or drilled hole made in the ground to locate or obtain ground water or to test or to obtain information in respect of groundwater or an aquifer, and includes a spring around or in which works are made or equipment is installed for collection or transmission of water and that is or is likely to be used as a source of water for human consumption.
- 3.44 Zoning By-law, shall mean the Township’s comprehensive Zoning By-law No. 17-78, as amended or replaced from time to time.

SECTION 4 APPLICATION AND ENFORCEMENT

4.1 APPLICATION

No person shall erect, alter or use any livestock barn or manure storage facility or part thereof within the Township except in conformity with the provision of this By-law and the Zoning By-law.

4.2 ADMINISTRATION

This By-law shall be administered and enforced by the Building Inspector.

4.3 INSPECTION

The Building Inspector is hereby authorized to enter upon any lot or premises or structure for the purpose of discharging his duties and obligations under this By-law, or if there is reason to believe that the provisions of the By-law are not being complied with in whole or in part having regard to on-farm bio-security requirements.

4.4 APPLICATION FOR PERMIT

No person shall erect, alter or use any livestock barn or manure storage facility or part thereof within the limits of the Township unless a permit has been issued by the Building Inspector.

In addition to the requirements of the Building By-law, the Ontario Building Code, and any other applicable law, every application for a permit for a livestock barn or manure storage facility shall include:

- a) a plan, drawn to scale which includes the following:
 - i) the dimensions of the lot to be built upon or otherwise used;
 - ii) the proposed type, location, and dimensions of the livestock barn and/or manure storage facility proposed for such lot and its distance relative to:
 - the lot lines;
 - the adjacent public road;
 - the nearest drilled, dug or communal well;
 - the nearest watercourse, pond, drainage ditch, lake river, stream or water body;
 - the nearest field drainage tile;
 - any area zoned in the Township's Zoning By-law for residential or institutional purposes and located within 300 metres of the proposed structure, or the minimum distance as may be set out in the Minimum Distance Separation (MDS) in the Zoning By-law, whichever is the greater.
 - iii) the location and dimensions of any existing buildings or structures on such lot used for the purpose of breeding or caring for livestock, poultry or fur-bearing animals, or the storage of manure;
 - iv) the location and dimensions of all existing buildings or structures within a 300 metre radius of the proposed building, structure or use and the separation distances to, and existing use of those building and structures;
 - v) the type and number of livestock, poultry, or fur-bearing animals existing and proposed on such lot;
 - vi) the amount of tillable land (hectares) owned and rented by the applicant that is required under Section 6.1.
- b) a statement, signed by the owner of the property, disclosing the exact use proposed for each aforesaid building and providing all other information necessary to determine if such building, structure or use, conforms to the requirements of this By-law;
- c) a nutrient management plan, if required, in accordance with Section 6.5 of this By-law;

- d) baseline water testing for nitrate, nitrite, ammonia, bacteria, sodium chloride and phosphorus of the nearest drilled, dug or communal well;
- e) an odour control plan, to include the method(s) by which the owner plans to control odour produced on the building site;
- f) any other information deemed necessary by the Building Inspector, to carry out the duties and responsibilities set out under this By-law.

4.5 ISSUANCE OF PERMIT

Odour control plans for intensive livestock operations and for all liquid manure storage facilities may be submitted to OMAFRA for comment prior to issuance of the building permit.

Upon receipt of an application for permit in accordance with paragraph 4.4 above, the building inspector shall issue a permit for the livestock barn and/or manure storage facility described therein unless such manure storage facility would contravene the provisions of this By-law, the Zoning By-law or any other applicable law.

4.6 EXPIRATION OF PERMIT

A permit issued under this By-law shall lapse in accordance with the provisions of the Ontario Building Code Act.

4.7 FEES

Fees shall be accordance with the fee established by the Township for a building permit.

4.8 VIOLATION AND PENALTIES

Every person who uses, erects or alters any livestock barn or manure storage facility in a manner contrary to any requirement of this By-law or who causes or permits such use, erection, or alteration or who violates any provision of this By-law or causes or permits a violation, shall be guilty of an offence and upon conviction thereof shall forfeit and pay a penalty not exceeding two thousand dollars (\$2000.00) (exclusive of costs) for each offence, and each day of the occurrence of the offence shall be deemed to be a separate occurrence, or to imprisonment for a term not more than (6) six months for each such offence, and every such penalty shall be recoverable under the Municipal Act, R.S.O. 1990, and the Provincial Offences Act, R.S.O., 1990., as amended or revised from time to time.

4.9 VALIDITY

If any section, clause or provision of the By-law, including anything contained in the schedules attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining section, clauses or provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

4.10 REMEDIES

In case any building or structure is to be erected, altered, reconstructed, extended or part thereof is to be used, or any lot is to be used, in contravention of any requirement of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Township pursuant to the provisions of the Municipal Act, RSO 1990, as amended or revised from time to time, in that behalf.

SECTION 5. INTERPRETATION

- 5.1 For the purposes of this By-law, words used in the present tense include the future; words in singular number include the plural and words in the plural include the singular number; the word “shall” is mandatory; the word “used” shall include the words “intended to be used” and “designed to be used or occupied”.

SECTION 6. GENERAL PROVISIONS

6.1 TILLABLE HECTARES REQUIREMENT

Tillable hectares (land base) must be available for applying livestock manure for the entire barn capacity on the building site as follows:

- a) a maximum of one livestock unit per 0.4 hectares of tillable land or as required by the Nutrient Management Plan;
- b) the land base must be identified by legal description and as owned or rented and, in the case of rented land, by the owner's name;
- c) the land base shall consist of a minimum of sixty percent (60%) owned land.
- d) for any rented land used in the land base calculation, the application must be accompanied by an agreement, prescribed in Schedule B to this by-law, and registered on the title to the rented property.
- e) the above land base may not be duplicated for any other barn capacity in any other location.

6.2 APPLICATION OF OTHER BY-LAWS, REGULATION, LEGISLATION

Nothing in the By-law shall operate to relieve any person from the obligation to comply with the requirements of the Ontario Building Code Act, R.S.O., 1990 as amended or revised from time to time, the Township's Zoning By-law or any other by-law of the Township in force from time to time or the obligation to obtain any other licence, permit, authority or approval lawfully required by a governmental authority having jurisdiction to make such restrictions.

6.3 NON-COMPLYING MANURE STORAGE FACILITIES

Where a manure storage facility was lawfully established prior to the date of the passing of this By-law, and is of a type permitted by this By-law, but does not meet the provisions prescribed by this By-law, the facility may be enlarged, extended or renovated provided that:

- a) the enlargement, extension or renovation does not further reduce the compliance of the manure storage facility with the provision(s) of the By-law to which it does not comply; and
- b) all other applicable provisions of this By-law and the Zoning By-law are complied with.

6.4 NON-CONFORMING MANURE STORAGE FACILITIES

Where a manure storage facility was lawfully erected prior to the day of the passing of this By-law and is of a type not permitted by this By-law, the said manure storage facility may be used or renovated provided that:

- a) the manure storage facility continues to be used for the same purpose; and
- b) all other applicable provisions of this By-law and the Zoning By-law are complied with.

The provisions of this By-law shall not apply to prevent the erection or use of a manure storage facility prohibited by the By-law, the use for which has, prior to the day of the passing of the By-law been approved by the Building Inspector, so long as the manure storage facility when erected is used and continues to be used for the purpose for which it was erected and provided the erection of such manure storage facility is commenced within two years after the day of the passing of the By-law and such manure storage facility is completed within a reasonable time after the erection thereof is commenced.

Where a manure storage facility or existing lagoon has been destroyed to the extent of more than fifty percent (50%) of its value as at the date of damage and which does not conform with the requirements of the By-law, it shall not be restored except in conformity with the requirements of this By-law and the Zoning By-law.

6.5 NUTRIENT MANAGEMENT PLAN

A nutrient management plan, consistent with the Terms of Reference attached as Appendix A to this By-law, shall be submitted to and approved by the Township prior to the issuance of a building permit for a new or an expanded manure storage facility to serve an intensive livestock operation, including operations which are less than 150 livestock units and are expanded by twenty (20) percent or more to exceed 150 livestock units.

The said nutrient management plan shall be submitted to a third-party review co-ordinated by the Ontario Ministry of Agriculture, Food & Rural Affairs (OMAFRA) and shall be amended to comply with any OMAFRA recommendations prior to acceptance by the Township.

6.6 SEPARATION DISTANCES

Separation distances for the establishment of livestock barns and manure storage facilities shall be in accordance with Section 5 of the Township's Zoning By-law.

6.7 AREAS PERMITTED

Livestock barns and manure storage facilities shall be permitted on all land zoned Agriculture (A1) by the Zoning By-law provided all other requirements of the Zoning By-law and this By-law are satisfied. All livestock barns and manure storage facilities shall be prohibited below the regulatory flood line.

6.8 MAINTENANCE

All components of a manure storage facility, including all safety fences as regulated in Section 8.3, shall be maintained to the satisfaction of the Building Inspector. All abandoned manure storage facilities shall be drained of liquid and filled to the satisfaction of the Building Inspector.

SECTION 7. PROVISIONS FOR COVERED, CONCRETE MANURE STORAGE FACILITIES

No covered, concrete manure storage facility shall hereafter be constructed or altered except in accordance with the following provisions:

7.1 CONSTRUCTION STANDARDS

Covered concrete manure storage facilities shall:

- a) be designed and constructed in accordance with the provisions of the Ontario Building Code with specific reference to CAN/CSA A23.3-M "Design of Concrete Structures and Buildings".
- b) have a cover designed to support loads as specified in the National Farm Building Code.
- c) have openings for equipment access designed to prevent the possibility of dropping the cover through the opening, otherwise, the cover should be secured with a safety chain. Access covers should weigh not less than 18 kgs (40 lbs.) and should not float.

7.2 STORAGE CAPACITY

Minimum storage capacity shall be for 240 days, based on:

- a) the manure production quantities shown in Table 1 and Table 2; or

- b) the land base requirements for spreading manure as established by a nutrient management plan.

SECTION 8. PROVISIONS FOR OPEN CONCRETE AND OPEN STEEL MANURE STORAGE FACILITIES

No open concrete or open steel manure storage facility shall hereafter be constructed or altered except in accordance with the following:

8.1 CONSTRUCTION STANDARDS

- a) open concrete manure storage facilities in accordance with the provisions of the Ontario Building Code with specific reference to CAN/CSA A23.3-M “Design of Concrete Structures and Buildings”.
- b) open steel manure storage facilities in accordance with the provisions of the Ontario Building Code with specific reference to CAN/CSA S16.1-M “Limit States Design of Steel Structures”.

8.2 STORAGE CAPACITY

Minimum storage capacity shall be for 240 days based on:

- a) the manure production quantities shown in Table 1 and Table 2, plus an increase in volume equal to 0.7, over the surface area of the storage inside the top of the tank to account for precipitation and evaporation.
- b) the land base requirements for spreading manure as established by a nutrient management plan.

8.3 SAFETY FENCE

Liquid manure storage facilities without fixed covers shall be enclosed with a permanent safety fence or wall extending to not less than 1.5m above adjacent grade or floor level, adequately secured at ground level and having gates with latches to deter access by children and livestock.

- 8.4 By-laws 25-97, 27-97 and 11-98 of the Township of Ekfrid are hereby rescinded.

THIS BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED

THIS 25th DAY OF JANUARY, 1999.

Reeve: Tom Jeffery

Clerk: Janneke Newitt

APPENDIX A

Terms of Reference for a Nutrient Management Plan

The following (*in italics*) is derived from the Guide to Agricultural Land Use (OMAFRA & MOEE, 1995)

All manure should be applied in accordance with a nutrient management plan. A nutrient management plan is a written plan of action to handle manure in a way that does not harm the environment. A detailed plan should include manure nutrient testing, safe application rates, crop nutrient needs, area required for application, appropriate reductions in commercial fertilizer applications, and emergency actions in case of spills or system failures.

Available cropland is land that is planted and harvested with crops or improved pasture. It does not include land that is too far away or unsuitable for manure application. The available cropland should be owned or controlled by the livestock operation. An alternative to owning the land is to have an agreement with a neighbour to utilize the manure. When manure is spread on leased or neighbouring farmland, formal written agreements, satisfactory to the Township, will be required to ensure that the land is available when needed for spreading. A nutrient management plan is the best way to determine safe application rates.

More specifically, a nutrient management plan shall address the following:

A. On-Site Review

An on-site visit shall be made by a consultant in agriculture or their designate, where necessary, to gather and interpret information about the existing and/or proposed new intensive livestock operation which would be relevant to the development of a nutrient management plan.

As a guide for an individual collecting information through an on-site review, the nutrient management plan shall include but not be limited to the following components:

- i) identification of conditions on the farm which require immediate attention to minimize present pollution concerns.
- ii) description of current and/or expected manure (e.g. annual volumes – include all waste waters generated – condition)
- iii) description of existing and/or proposed manure management system (e.g. type, lay-out, capacity, any pollution prevention strategies in place, land application equipment)
- iv) description of available cropland (e.g. maps identifying soil types and locations of any watercourses and other potentially sensitive areas, soil capacity to absorb expected manure, soil compaction tolerance, topography, crop rotations)

B. Recommendations

After consideration of all relevant information, a manure management strategy shall be prepared including, but not limited to, the following components.

- i) spreading rate/timing/location estimates for environmentally safe application.
- ii) estimates of lands required to apply manure generated by facility on the building site.
- iii) maximization strategy of available and supplementary nutrients.

- iv) development of an emergency action plan in the event of a spill or system failure.
- v) applicable law(s) pertaining to manure management.
- vi) documentation system to provide evidence of due diligence.

C. Certificate Signed by Person Preparing the Nutrient Management Plan

The person who prepared the nutrient management plan shall append the following statement to the report.

I, _____, hereby certify that, based on relevant information that was gathered in good faith and excluding unforeseen or uncontrollable circumstances, the recommendation contained in the attached report will, if implemented, result in acceptable management practises. Acceptable management practices refer to normal farming practises that do not contravene any applicable law.

Signature

Date

D. Certificate Signed by Person Applying for Permit for Livestock Barn and/or Manure Storage Facility

The person who is applying for a permit for a livestock barn and/or manure storage facility and who is required to prepare a nutrient management plan shall append the following statement to the report.

I, _____, hereby certify that I have reviewed the nutrient management plan prepared by _____ and shall in good faith attempt to follow and implement the recommendations as set out within the said plan.

Signature

Date

APPENDIX B

TABLE 2

