



February 22, 2019

Greg De Vos  
Food Safety and Environmental Policy Branch  
1 Stone Road West  
2<sup>nd</sup> floor, SW  
Guelph, Ontario N1G 4Y2

Dear Mr. De Vos,

*Re: ERO # 013-4388: Proposed regulatory amendments to Ontario Regulation 267/03 under the Nutrient Management Act*

---

The Beef Farmers of Ontario (BFO) appreciates the opportunity to provide comments as part of the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) consultation on the proposed amendments to Ontario Regulation 267/03 under the *Nutrient Management Act* (NMA). BFO represents the 19,000 beef farmers across Ontario by advocating in the areas of policy planning, industry development and research, environment, animal health and welfare, and domestic and export market development.

Under current NMA regulation, Ontario's livestock farmers with a nutrient management strategy (NMS) and/or a nutrient management plan (NMP) are required to submit a new NMS/NMP for approval every five years, regardless of whether there have been any changes to their operation or in the applicable regulations. In addition, farmers are also required to review their NMS/NMP and maintain up-to-date records on an annual basis. The development and submission of each new NMS/NMP every five years requires a considerable amount of farmers' time, financial cost and documentation, and quite often provides minimal or no benefits to society, the environment or their farm operation.

BFO believes that any regulatory amendments under the NMA should seek to protect environmental integrity, promote a culture of recordkeeping, reduce red tape/compliance costs for farmers, and reduce program/regulatory administration costs for the taxpayer. Removing the five-year renewal requirement for NMS is a positive and welcome move that meets these objectives and priorities.

BFO supports the proposed regulatory amendment, which would replace the default five-year NMS renewal with a needs-based renewal based on certain triggers that have the potential to change the risk profile of a farm. This will more precisely tie the renewal requirement to a defined set of triggers rather than to a fixed time period, while maintaining all environmental integrity through the trigger mechanism for instances where a farm has a changing environmental risk profile.

Red tape reduction would be achieved for those farmers who have no changes in risk profile, potentially saving farms thousands of dollars in consultant fees typically required to complete the lengthy paperwork. Program administration costs would also be reduced by eliminating redundant registrations



(e.g. redone NMS with no change from the original) and by eliminating the need for related follow-up activities.

This same rationale that supports the removal of the automatic five-year cessation of a NMS also applies to a NMP. Requiring the five-year renewal of a NMP for an operation that has not seen any changes similarly provides minimal or no benefit. The only outcome of the renewal requirement for NMP is additional administrative and financial burden on farmers. BFO recommends that the removal of the automatic five-year cessation for NMP also be included in the regulatory amendments.

BFO would also take this opportunity, as the Ontario government reviews and amends regulation under the NMA, to recommend shortening the planning period for NMP initial approval. New NMPs require a five-year projection of plans for an operation, but feedback from farmers and nutrient management advisors has told us that a three-year projection is more practical and realistic. The five-year planning period for NMP is too long, as crop and livestock plans are dynamic and not typically foreseen over a five-year period. To help make plans more relevant, useful and practical to an operation, BFO recommends that the five-year planning period for NMPs be shortened to three years.

Further to the above recommendations for addressing red tape reduction under the NMA, there are additional non-regulatory changes that would facilitate nutrient management reporting by farmers. The following non-regulatory measures should be considered in addition to the proposed and recommended regulatory changes.

#### Guidance materials:

- Develop practical guidance materials and/or templates that more clearly indicate the information that is required of farmers for annual updates and recordkeeping and are more closely aligned with the information a farm would assemble for business planning/management.
- A good starting point for this would be the current recordkeeping requirements under the industry-led 4R Nutrient Stewardship initiative.
- The guidance materials and/or templates should all be available online for easy, on-demand access to farmers.
- Discussions with farmers and their crop and nutrient management advisers show that attitudes towards annual recordkeeping could be improved if reporting is streamlined and the information collected during the process has practical relevance for farm businesses.

#### Pre-populate NMA records:

- Use information already submitted by farmers to the program administrator (OMAFRA) to pre-populate records that farmers are required to complete under the NMA requirements, e.g. NMS or NMP annual updates.
- The current way for farmers to complete their NMA-related paperwork involves them generating all of the information from scratch. This is an inefficient and old-fashioned way to do business in 2019 when people can pre-populate their current tax return with the previous year's data with a few simple clicks, and when Google can pre-populate a user's information in a wide range of online forms.

#### Streamline farmer certification:

- Streamline the current process for certifying farmers to become eligible to sign-off on an NMS, with the goal of making certification more attainable for farmers and increasing the number of



farmers who are directly familiar with the NMA requirements and what they mean for everyday scenarios on their own farm, rather than relying on third-hand expertise.

- Conversations with farmers indicate that the current length of the certification course is prohibitive for farmers since they can't afford to take that much time away from the farm. A solution would be to provide a condensed farmer-focused online certification module that allows them to sign off on their own farms.

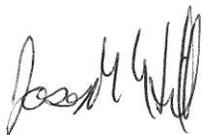
Leverage existing farmer-government interactions:

- Leverage existing interactions between farmers and government by reviewing current interactions and communications that government already has with farmers regulated under the NMA, and consider ways to include relevant NMA information into those existing interactions.
- For example, farmers currently receive several mailed or e-mailed notices from government – and specifically from OMAFRA and/or Agricorp – over the course of a year, including their annual farm business registration notice. Rather than having farmers receive multiple separate notices from various government programs and having to complete similar or identical information on each notice, there is an opportunity for the different program areas mailing or e-mailing these notices to work together and combine notices.
- This measure should not introduce cross-compliance into NMA recordkeeping, but if done right, farmers could receive an annual prompt to complete their annual NMA recordkeeping without requiring multiple separate government notices.

Finally, BFO also recommends the formation of a livestock nutrient management working group focused on continuous improvement and finding efficiencies within the overall nutrient management program. A joint industry-OMAFRA-Ministry of Environment, Conservation and Parks working group would bring further opportunities for red tape reductions, joint outreach and education initiatives, and better recordkeeping tools.

Beef Farmers of Ontario strongly supports the proposed regulatory amendments to Ontario Regulation 267/03 under the NMA and looks forward to further discussions and consultations on the above recommendations. We thank the Ministry of Agriculture, Food and Rural Affairs for the opportunity to provide comments.

Sincerely,



Joe Hill  
President

cc: BFO Board of Directors

