

### 10.4.3 Livestock

#### Definition

The use of land for livestock grazing or pasturing, an outdoor confinement area or a farm-animal yard are prescribed drinking water threats listed in Regulation 287/07 under the *Clean Water Act, 2006* and are defined as follows:

- **Livestock** includes dairy, beef, swine, poultry, horses, goats, sheep, ratites (flightless birds), fur-bearing animals, deer, elk, game animals and birds, and other animals identified in the Minimum Distance Separation Guidelines ([http://www.omafra.gov.on.ca/english/landuse/guide\\_toc.htm](http://www.omafra.gov.on.ca/english/landuse/guide_toc.htm)).
- **Grazing and pasturing land** is considered to be the land on which livestock eat growing herbaceous plants.
- An **outdoor confinement area** is an enclosure for livestock, deer, elk or game animals, and is further defined in O. Reg. 267/03 under the *Nutrient Management Act, 2002* as follows:
  1. It has no roof, except as described below in #3;
  2. It is composed of fences, pens, corrals or similar structures;
  3. It may contain a shelter to protect the animals from the wind or another shelter with a roof of an area of less than 20 square metres;
  4. It has permanent or portable feeding or watering equipment;
  5. The animals are fed or watered at the enclosure;
  6. The animals may or may not have access to other buildings or structures for shelter, feeding or watering; and
  7. Grazing and foraging provides less than 50 percent of dry matter intake.
- **Farm-animal yards** are outdoor livestock areas lined with concrete other than those meeting the definition of an outdoor confinement area. Food and water are not provided in farm-animal yards. They are generally used as outdoor exercise areas or as holding areas when barns are being cleaned.

### Why is Livestock Grazing, Pasturing and Outdoor Confinement a Threat to Drinking Water Sources?

Livestock threats can be on large or small farms – those regulated by the *Nutrient Management Act, 2002* (producing more than 300<sup>4</sup> nutrient units or phased-in) and those not regulated by the *NMA* (less than 5 nutrient units). Chemicals and pathogens from the use of land as livestock grazing, pasturing, outdoor confinement, or farm-animal yards could make their way into drinking water sources. The Ministry of the Environment and Climate Change's *Tables of Drinking Water Threats* identifies the following sub-threat activities:

- Use of land as livestock grazing or pasturing, an outdoor confinement area or farm-animal yard
  - Livestock/grazing (see circumstances #200-205, 1945)
  - Outdoor confinement (see circumstances #206-211, 1946)

Under certain conditions, specific chemicals and pathogens can make their way from livestock grazing, pasturing, outdoor confinement, or farm-animal yards into groundwater drinking sources. The Ministry of the Environment and Climate Change's *Tables of Drinking Water Threats* identifies the following chemicals and pathogens as potential concerns:

- Nitrogen
- Total phosphorus
- Pathogens

Nitrogen is a concern for both surface and groundwater, while phosphorus is a concern primarily for surface water. Generally speaking, the greater the number of livestock kept in a space, the greater the accumulation of manure, and the greater the risk of contaminating water sources with these nutrients and pathogens. Accordingly, the assessment of the potential threat to drinking water sources from use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard is dependent on the concentration of manure in a given area.

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<sup>4</sup> The requirements of the *Nutrient Management Act, 2002* are being phased in by the province. Initially all farms with more than 300 nutrient units were required to comply. Remaining farms with more than 5 nutrient units become subject when they undertake a change which requires a municipal approval such as a building permit for a new structure or expansion.

See **Table 10-6** for when and where livestock may be a significant drinking water threat.

Note: to determine if a specific activity is a significant drinking water threat consult the *Tables of Drinking Water Threats* for the specific circumstances that must be met for the activity to be a threat. These activities may also be significant drinking water threats anywhere within an Issue Contributing Area (ICA) for Nitrates or Pathogens. If the activity meets the description in Column 2 of the *Tables of Drinking Water Threats* it is a significant drinking water threat irrespective of vulnerability score.

Prescribed Drinking Water Threat	Livestock Threat Sub-Category	Area and Vulnerability Score (VS)
The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard	The use of land as livestock grazing or pasturing land	<ul style="list-style-type: none"> <li>• WHPA-A</li> <li>• WHPA-B (VS = 10)</li> <li>• WHPA-E (VS ≥ 8)</li> <li>• Anywhere in an ICA for Nitrates or Pathogens</li> </ul>
	The use of land as an outdoor confinement area or a farm-animal yard	<ul style="list-style-type: none"> <li>• WHPA-A</li> <li>• WHPA-B (VS = 10)</li> <li>• WHPA-E (VS ≥ 8)</li> <li>• Anywhere in an ICA for Nitrates or Pathogens</li> </ul>

**Table 10-6: When/where NASM may be a significant drinking water threat**

APPROVED SOURCE PROTECTION PLAN: CTC Source Protection Region

Policy ID	Threat Description	Implementing Body	Legal Effect	Policy	Where Policy Applies	When Policy Applies	Related Policies	Monitoring Policy
LIV-1	The Use of Land as Livestock Grazing or Pasturing Land (O. Reg. 385/08, s.3)	RMO	G	<p><b>Part IV, s.57, s.58</b></p> <p>Where the use of land as livestock grazing or pasturing land is, or would be, a significant drinking water threat, the following actions shall be taken:</p> <p>1) The use of land as livestock grazing or pasturing land (with an animal density &gt;1 Nutrient Unit per acre) is designated for the purpose of s.57 under the <i>Clean Water Act</i>, and is therefore prohibited where the threat is, or would be significant, in any of the following areas:</p> <ul style="list-style-type: none"> <li>• WHPA-A in an Issue Contributing Area for Nitrates or Pathogens (existing, future).</li> </ul>	See Maps 1.1 - 1.21	<p>Future: Immediately (T-5)</p> <p>Existing: 180 days (T-4)</p>	GEN-1	MON-2
			H	<p>2) The use of land as livestock grazing or pasturing land is designated for the purpose of s.58 under the <i>Clean Water Act</i>, requiring risk management plans, where the threat is, or would be significant, in any of the following areas:</p> <ul style="list-style-type: none"> <li>• WHPA-A not in an Issue Contributing Area for Nitrates or Pathogens (existing, future); or</li> <li>• WHPA-A in an Issue Contributing Area for Nitrates or Pathogens with an animal density &lt;1 Nutrient Unit per acre (existing, future); or</li> <li>• WHPA-B (VS = 10) (existing, future); or</li> <li>• WHPA-E (VS ≥ 8) (existing, future); or</li> <li>• the remainder of an Issue Contributing Area for Nitrates or Pathogens (existing, future).</li> </ul>		<p>Future: Immediately (T-7)</p> <p>Existing: 1 year/ 5 years (T-6)</p>		

APPROVED SOURCE PROTECTION PLAN: CTC Source Protection Region

Policy ID	Threat Description	Implementing Body	Legal Effect	Policy	Where Policy Applies	When Policy Applies	Related Policies	Monitoring Policy
LIV-2	The Use of Land as an Outdoor Confinement Area or a Farm-Animal Yard (O. Reg. 385/08, s.3)	OMAFRA	C	<p><b>Prescribed Instrument</b></p> <p>1) The use of land as an outdoor confinement area or farm-animal yard shall be prohibited where the activity would be a significant drinking water threat in any of the following areas:</p> <ul style="list-style-type: none"> <li>• WHPA-A (future); or</li> <li>• WHPA-B (VS = 10) in an Issue Contributing Area for Nitrates or Pathogens (future); or</li> <li>• WHPA-E in an Issue Contributing Area for Nitrates or Pathogens (future).</li> </ul>	See Maps 1.1 - 1.21	Future: Immediately (T-3)	N/A	MON-4
				<p>2) Where the use of land as an outdoor confinement area or farm-animal yard is in an area where the activity is, or would be, a significant drinking water threat, the Nutrient Management Plan or Strategy that governs the activity shall be reviewed or established to ensure appropriate terms and conditions are included so that the activity ceases to be, or does not become, a significant drinking water threat in any of the following areas:</p> <ul style="list-style-type: none"> <li>• WHPA-A (existing); or</li> <li>• WHPA-B (VS = 10) which is not in an Issue Contributing Area for Nitrates or Pathogens (existing, future); or</li> <li>• WHPA-E (VS ≥ 8) which is not in an Issue Contributing Area for Nitrates or Pathogens (existing, future); or</li> <li>• WHPA-B (VS = 10) in an Issue Contributing Area for Nitrates or Pathogens (existing); or</li> <li>• WHPA-E in an Issue Contributing Area for Nitrates or Pathogens (existing); or</li> <li>• the remainder of an Issue Contributing Area for Nitrates or Pathogens (existing, future).</li> </ul>		Future: Immediately (T-3) Existing: 3 years (T-1)	GEN-3	MON-4

APPROVED SOURCE PROTECTION PLAN: CTC Source Protection Region

Policy ID	Threat Description	Implementing Body	Legal Effect	Policy	Where Policy Applies	When Policy Applies	Related Policies	Monitoring Policy
LIV-3	The Use of Land as an Outdoor Confinement Area or a Farm-Animal Yard (O. Reg. 385/08, s.3)	RMO	G	<p><b>Part IV, s.57, s.58</b></p> <p>For lands that do not require a Nutrient Management Plan or Strategy, where the use of land as an outdoor confinement area or farm-animal yard is, or would be, a significant drinking water threat, the following actions shall be taken:</p> <p>1) The use of land for an outdoor confinement area or farm-animal yard is designated for the purpose of s.57 under the <i>Clean Water Act</i>, and is therefore prohibited where the threat would be significant in any of the following areas:</p> <ul style="list-style-type: none"> <li>• WHPA-A (future); or</li> <li>• WHPA-B (VS = 10) in an Issue Contributing Area for Nitrates or Pathogens (future); or</li> <li>• WHPA-E in an Issue Contributing Area for Nitrates or Pathogens (future).</li> </ul>	See Maps 1.1 - 1.21	Future: Immediately (T-5)	GEN-1	MON-2
			H	<p>2) The use of land as an outdoor confinement area or farm-animal yard is designated for the purpose of s.58 under the <i>Clean Water Act</i>, requiring risk management plans, where the threat is, or would be significant, in any of the following areas:</p> <ul style="list-style-type: none"> <li>• WHPA-A (existing); or</li> <li>• WHPA-B (VS = 10) which is not in an Issue Contributing Area for Nitrates or Pathogens (existing, future); or</li> <li>• WHPA-E (VS ≥ 8) which is not in an Issue Contributing Area for Nitrates or Pathogens (existing, future); or</li> <li>• WHPA-B (VS = 10) in an Issue Contributing Area for Nitrates or Pathogens (existing); or</li> <li>• WHPA-E in an Issue Contributing Area for Nitrates or Pathogens (existing); or</li> <li>• the remainder of an Issue Contributing Area for Nitrates or Pathogens (existing, future).</li> </ul>		Future: Immediately (T-7) Existing: 1 year/ 5 years (T-6)	GEN-1 GEN-2	MON-2