



Innovation, education and regenerative agriculture

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GRASSROOTS NEWS & VIEWS

AUGUST 2021

Director's Note - Jerry Baerg

Howdy folks!

Greetings to all of you out there from me and my family here at Swalwell. As a new director, I am still getting a to know the ropes, but will try to write a director's note to introduce myself and discuss what has been happening on my farm. Here it is late July, and the summer is flying by. We are all enjoying the province being open again and getting used to living with no restrictions.

Summer 2021 has been very hot and dry, which has caused some of us to make some hard decisions. Do we each have a drought plan in place? It has been dry here in Swalwell but as I look around, I realize that some places have it much dryer than us and some places have had more moisture than here. I am grateful that I am able to have some feed to put up for the winter. I'm sure many of us have thought back to the '02 drought in comparison. Here at the Ribbon Creek Ranch I planted some swath grazing for winter, but the majority of my winter grazing comes from the crop residue left behind from the grain farm. This year is going to be different though. I have wrapped up a lot of my cereal crops into silage bales for winter feed as the crops are so poor. AFSC has adjusted many crops in this area as almost a write-off and that has allowed much of the livestock sector to at least take it for forage.

Now for a few notes on Foothill Forage & Grazing Association. We had a good field day here at Swalwell on July 14 on Grazing Management. The attendance was around 50, which is great. We had good speakers and it seemed we were all ready to get out and visit with other each other. Jim Bauer shared insights on plants and grazing while Jason Williams with DATAMARS gave us tips on electric fencing. After

lunch we had a producer panel on annual grazing. This was FFGA's first in-person event since October 2020 and it was so nice to spend the day networking. Coming up we have the Regenerative Agriculture for Soil Carbon Tour at the a7 Rancho on August 25 (page 3). Our speakers Dr Kris Nichols and Kimberly Cornish will focus on soil carbon and regenerative agricultural practices while John Cross will discuss how soil carbon has impacted the a7 Rancho and talk about how his extensive watering system has enabled more strategic grazing management.

Going into fall we all hope it will start raining soon. If it does, we would have some late grazing, and if not, we may have to destock?? Hopefully the drought is not a long one. In Alberta the majority of our growth is in 3 months of the year and if we are dry in those 3 months it has effects for us all. Anyways I hope it starts raining soon and we all have happier grazing ahead.

Happy grazing,

Jerry Baerg

Cows grazing on annual grazing crop at Ribbon Creek Ranch. .



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Cutting Annual Crops for Livestock Feed



Photo supplied by Barry Yaremccio

Timing is critical when making greenfeed or silage from drought stressed annual crops. It is better to cut earlier than later. There are a number of reasons not to wait.

- 1) There is generally no yield increase. As the plant deteriorates, the bottom leaves dry and drop from the plant. This reduces both the amount of protein and energy that is in final silage or greenfeed. Any increase in the amount of weight in the grain head is offset by the leaf losses. For canola salvage crops, the blossoms and leaves are the major contributors to plant quality.
- 2) Fibre levels increase rapidly as the plant matures. In dry, hot conditions, the plants will mature two to four weeks earlier than in a normal year. Acid detergent fibre (ADF) increases by approximately 2 % per week. This reduces available energy (digestible energy (DE), total digestible nutrients (TDN), or metabolic energy (ME)) by approximately 1 to 1.5 points per week. Neutral deter-

gent fibre (NDF) increases by 2 to 3 % per week. When the neutral detergent fibre content in the final ration exceeds 60%, feed digestion rates decrease and the animal is not able to eat as much as normal.

3) High fibre rates increase the amount of stem rejected (not consumed) by the animals. This increases feed waste. Chopping or tub grinding the long stems can increase intake, but it is an additional expense that can be avoided if the crop was harvested earlier.

- 4) Moisture content in plants decrease as they mature. If making a chopped silage that requires 60 to 65% moisture, the standing crop may only have 55% moisture or less. The material will need to be cut to a shorter length to improve packing but there is no guarantee that the shorter chopping length will solve the problem.
- 5) More mature cereal crops end up being a chopped straw and grain combination instead of a true silage. This creates more difficulties in feeding due to animal behavior. It is possible that the cows will sort through the feed, pick the grain and leave the straw behind. Acidosis, grain overload, and bloat can occur if the cows overconsume the grain.

If possible, cut and harvest the salvage crop early. If placing the silage in a bag or pit, have a 20 L pail and lid next to the unload ar-

ea. Take a hand full of material out of every third or fourth load and place it in the pail. Re-seal the lid. When the pile, pit or bag is completed mix the material and fill a bread bag one third full. Press out the air, seal the bag and freeze it prior to submitting for analysis. If the material is packed properly, and covered with plastic, the quality of the material going into storage should be as good as the silage coming out. This provides a feed test result well before the silage is fed.

Article written & submitted by Barry Yaremccio with Yaremccio Ag Consulting Ltd.

Agronomy & Forage Specialist Support

In partnership with Agriculture Research Extension Council of Alberta, FFGA is pleased to offer Forage & Agronomy Specialist support to Foothills Forage & Grazing Association members across Alberta!

Forage Specialists:

- Grant Lastiwka
- Barry Yaremccio

Agronomy Specialists:

- Bill Chapman
- Neil Whatley

Economic Specialists:

- Ted Nibourg

To access this support please call into the FFGA Office at 403.995.9466 or send an email to: manager@foothillsforage.com or enviro@foothillsforage.com

Not a member yet? Visit <https://www.foothillsforage.com/membership> to purchase a membership online for \$50.00 for your entire operation.



On the Cover: Filming on farm for the Rancher Researcher project. A rancher shows how he uses drones to help move cattle. Photo: Sonja Bloom

Thank you to our municipal supporters!



Regenerative Agriculture for Soil Carbon

TOUR DETAILS

Agenda

- Grazing & pasture management for soil carbon sequestration
- Soil carbon mapping
- Watering systems for grazing management opportunities

Details

- Wednesday August 25, 2021
- 9:30am registration, 3:00pm wrap up
- Outdoors in the morning (dress for the weather), indoors in the afternoon
- \$25.00 FFGA Member, \$35.00 Non-Member (plus GST). Includes lunch.
- Location: a7 Rancho west of Nanton, (see registration page for directions)

Register at www.foothillsforage.com/events
by August 20



MEET OUR SPEAKERS



John Cross
a7 Rancho



Dr. Kris Nichols
KRIS Systems



Kimberly Cornish
Food Water
Wellness



Ag Forward:

managing on-farm plastics



Can the Ag Sector Achieve Zero Plastic Waste on the Farm?

July, 2021

Modern farming utilizes technologies and innovative products that can help farmers operate efficiently with a goal of higher productivity yields in both crops and livestock.

Some of these tools are well known in today's farming operations and include items made of plastic, such as grain bags and baler twine, as well as plastic containers – jugs, drums and totes – that are used to deliver products such as pesticides and fertilizers. While these are convenient and sometimes essential tools around farms, they can be difficult to manage when they are empty. However, innovative ideas from industry and farmers can lead to better outcomes for managing these materials.

Waste analysis studies in the province estimate that Alberta farmers generate just over 14,000 tonnes of various types of ag plastic annually, which is about the same as Saskatchewan, and includes containers, grain bags, plastic baler twine, bale wrap, silage bags and bunker covers.

Many farmers have shared their preference for options that avoid 'use and discard' practices, but admit they are challenged to find alternatives. More

and more, they look to the manufacturers of these products and packaging to offer solutions to the mounting volume of plastics used to deliver crop input products or to store and preserve harvested crop and livestock fodder.

Attitudes about managing these used materials are shifting not only on the farm, but within ag industry circles, as well. Many manufacturers of ag products using plastics fund recycling programs available to farmers through Cleanfarms programs to advance the circular economy for plastics. The circular economy considers all aspects of the product design to minimize unnecessary products, and design materials that can be reused or recycled, keeping them in the economy and out of the environment. The Government of Alberta has already committed to advancing a circular economy for all plastics in the province.

Ultimately, the goal is to achieve zero plastic waste in the agricultural sector meaning that for farmers, these materials can be used efficiently, never becoming waste, which contributes to positive on-farm stewardship.



The pilot project is led by the multi-stakeholder Agricultural Plastics Recycling Group; funds were granted by the Government of Alberta and are administered by Alberta Beef Producers.

Davin Johnson, Alberta Program Advisor

johnsond@cleanfarms.ca | 403-942-6012



@cleanfarms | [Cleanfarms.ca](https://www.Cleanfarms.ca)

Connect with the FFGA on social media!





Filling a grain bag at the end of harvest season in Alberta

“The impact for Alberta farmers is two-fold. We can operate our farms with less clutter, keeping both the outbuilding areas and the land free of plastic materials and we can contribute to a more sustainable, environmentally responsible farm operation for ourselves and our families. Recycling

programs are a significant step in protecting the future in the ag sector,” said Dean Hubbard, an Alberta wheat farmer and APRG member.



Find out more:

- ✕ [Alberta Ag-Plastic. Recycle-It!](#)
- ✕ [View published and upcoming editions](#)

Upcoming edition: A look at how ag plastics recycling works in Alberta – the challenges and opportunities

[Cleanfarms](http://cleanfarms.ca) is an agricultural industry stewardship organization that contributes to a healthier environment and a sustainable future for Canadian agriculture by developing and operating programs across Canada specifically for farmers that collect used ag plastics for recycling, as well as other ag-related used and unwanted materials for recycling or safe disposal. cleanfarms.ca

The [Agricultural Plastics Recycling Group](http://aprg.ca) (APRG) was formed in 2017 and comprises more than 20 organizations representing agricultural producers, retailers, manufacturers, municipalities, non-profits and others. The group is committed to finding solutions to manage agricultural plastics. aprg.ca

Why Refusing Land Access to the Orphan Well Association Might be a Bad Idea



Stock Photo: Pixabay

The Orphan Well Association (OWA) has fostered great relationships with landowners on sites where they execute work. However, occasionally, a few landowners feel that by restricting access to the OWA, they may create leverage to obtain overdue surface lease payments from defunct companies or the Land and Property Rights Tribunal (formerly, the Surface Rights Board). In fact, by refusing access to the OWA, landowners may be harming their ability to obtain payments and/or reduce the amount of payment they may ultimately receive. Let's look into this issue a little further.

What Happens When A Company Fails To Make Surface Rental Payments?

When a company fails to make annual lease payments, landowners may apply to the Tribunal to recover the missed payments by submitting a Recovery of Compensation Application under section 36 of the Surface Rights Act (SRA). After a complete application is received and the Tribunal is satisfied with the non-payment, the Tribunal will demand payment from the operator and any working interest participants (WIPs) identified and provide a deadline to comply. Following that, one of two scenarios play out.

- If the operator or WIP responds within the deadline and provides proof of payment to the Tribunal, no further review of the application is necessary.
- If the operator or WIP does not make payment within the deadline, a panel of the Tribunal will consider the application and any evidence provided by the parties in a hearing by written submissions. Following that, the Tribunal will issue a Decision and/or a Direction to Pay Order where it may direct the Minister to pay to the landowner the full amount claimed or a reduced amount. The Tribunal may also suspend and terminate the operator's rights to enter the site, other than for required maintenance or reclamation purposes.

Please Note: Payments directed by the Tribunal and paid by the Minister come from provincial tax dollars and become a

debt owing to the Crown from the operator and any identified WIPs.

It's important to note that this does not terminate the lease or the operator's associated responsibilities for decommissioning (also known as abandonment) and reclamation. Landowners may claim missed lease payments for subsequent years by submitting a *Returning Recovery of Compensation Application* with the Tribunal until a reclamation certification has been formally issued.

How Do Sites End Up In The Orphan Well Program?

Once companies stop making annual surface lease payments, as outlined above, there is a good chance that they are struggling to survive. Unfortunately, in Alberta, over the past several years many oil and gas producers have failed. When this happens, their wells, pipelines, and facilities often end up in the Orphan Well program. For a site to be designated an Orphan, the Alberta Energy Regulator (AER) must first conduct a thorough review to determine that no responsible party remains. After this review the AER provides the OWA regulatory authority to deal with the site.

Insolvency, Bankruptcy, Receivership, and Inactive

These terms are thrown around a lot, and many landowners find themselves wondering what exactly these terms mean. If the operator on your land is struggling financially, you may have received a letter regarding your surface lease. Let us break it down so you know what's going on:

It is possible that the well on your land has simply been shut-in and is no longer producing (called inactive). In these cases, the company is still viable, and you should continue to receive your rental payment.

A struggling company may enter into what is known as *Companies' Creditors Arrangement Act* or CCAA. At this stage, the company still exists and are attempting to restructure and survive. If CCAA is unsuccessful, companies may become insolvent and fall into bankruptcy.

Bankruptcy is a federally regulated process that may result in a court-appointed receiver taking over the company and selling off assets to pay back creditors. At this stage rental payments will likely cease and as a landowner you would need to file for rental payments from the Land and Property Rights Tribunal.

In some cases, the lease and infrastructure may be sold. This typically happens when the well is still producing or considered to be an asset. In these situations, landowners should receive notice of the sale (but may not). The new owner would have an obligation to pay rentals. As a landowner, it is important to contact the new company and ensure the information on their file is correct, so you continue to receive rental payments going forward.

Wells and facilities that are no longer viable will not sell through the receivership and may ultimately come into the orphan well program or become the responsibility of a WIP that may hold an interest in the well. This process can take several years and can leave landowners frustrated as surface lease payments are not typically paid while sites are in receiverships and must be applied for from the Tribunal. If the wells or facilities on your land have become orphan, you will receive a letter from the OWA. You may also go onto the OWA website to see if any of the wells on your land are listed within the inventory. *(Further info and website links can be found at the end of this article.)*

Can Landowners Deny Access To A Wellsite?

When an operator has missed or reduced an annual lease payment or where the well has become orphaned, landowners often seek clarification on whether they can refuse access to their land. Unfortunately, denying access will not help your situation or speed up the payment process. The best thing to do in this situation is to apply to the Tribunal for payment as soon as possible.

When it comes to the abandonment or reclamation of a wellsite, facility or pipeline on your land associated with a defunct operator, several other parties may legally enter the site. They include the Alberta Energy Regulator, the Orphan Well Association and any WIPs.

Denying access to the AER, OWA, or WIPs may result in the Tribunal stopping all future payments in accordance with Section 36 (8) of the SRA. This section states "The Board may direct the Minister not to make any further payments due to the person if it considers that the person entitled to receive them is refusing access for operations, abandonment or reclamation allowed by law".

The Orphan Well Association

The Orphan Well Association is a not-for-profit organization created from a joint

(Continued on page 7)

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industry and government initiative to manage the abandonment and reclamation of upstream oil and gas "orphans" in Alberta. Orphans are oil or gas wells, pipelines, facilities or associated sites left behind by a defunct company and have been legally deemed as orphans by the AER. The OWA operates under the delegated legal authority of the AER, with funding from the oil and gas industry. This includes the repayable loans provided by the Provincial and Federal Government you may have heard about.

The OWA has the legal authority to access all private and public lands in Alberta to suspend or decommission orphaned oil and gas assets, including wells, pipelines, facilities and associated infrastructure. This authority is based on statutes contained within the *Oil and Gas Conservation Act*. The Association is further authorized to access any Specified Lands for reclamation and remediation under the authority of the *Environmental Protection and Enhancement Act*.

The OWA has a well-earned reputation of working cooperatively with landowners; however, they have been denied access in rare cases. In these cases, the OWA informs the Tribunal and/or the Farmers Advocate, and any potential for surface lease payments from the Tribunal may be suspended or denied until access is granted. The OWA can also seek law enforcement support for access if they feel public safety is at risk or in other cases they simply bypass the site and move on to other areas. This may mean that bypassed sites remain on the land for prolonged periods.

It's also important to know that the OWA does not take the place of the former operator and does not hold any surface lease or license for the well or infrastructure. Therefore, the OWA is unable to compensate landowners for unpaid surface lease payments from defunct companies. So, what can landowners do?

While it may seem in your best interest to refuse access to your land, doing so will

only impact future work and will not get you the compensation you're looking for.

Working Together

It's important to note that the OWA will work alongside landowners and communicate openly about the process and timelines in place. Stakeholders will also be engaged during the decommissioning and reclamation process.

Keep in mind that the OWA only receives sites that were owned completely (i.e., 100%) by the defunct company. The OWA will then contact landowners and let them know the well site has been designated an orphan. The OWA is not responsible for rental payments, only the care, management, decommissioning and reclamation of the site.

Taking Care of Landowners

Although the OWA requires access to sites year-round, it's important to know that they will do their best to communicate openly with landowners before accessing their land. They will also consider landowners' perspectives and concerns but may not be able to delay work and therefore some land-

owners may be impacted minimally. Again, these impacts should be documented and provided to the Tribunal as part of the application.

Interested in learning more?

- For additional information about applying to the Tribunal for missed payments under a Surface Lease or Compensation Order, please visit www.alberta.ca/surface-rights-board.aspx.
- For additional information on the Farmers Advocate, please visit <http://www.alberta.ca/farmers-advocate-office.aspx>.
- For additional information on the Alberta Energy Regulator, please contact inquiries@aer.ca
- For additional information on the Orphan Well Association, please visit <http://www.orphanwell.ca/>

This article was written as a collaboration between the Orphan Well Association and Farmer's Advocate Office with input from the Land and Property Rights Tribunal. We thank all participating parties involved.

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Farming The Web (FTW) is a not-for-profit online marketplace serving agriculture product and service providers and consumers. Created through a Canadian Agricultural Partnership (CAP) government grant, FTW is managed by the Alberta Forage and Industry Network (AFIN). All proceeds go to maintaining, hosting & promoting the site.

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Applying the Cows and Fish Process in the Eastern Slopes

With current dry conditions, water security and the importance of Alberta's head waters, has been front of mind for many producers. The Alberta Riparian Habitat Management Society (more commonly known as Cows and Fish) is happy to announce potential funding support for producers, on both private and public land, in the Eastern Slopes of Alberta's Rockies to support riparian areas, the areas connecting land and water. Preserving and improving riparian areas along the shorelines of the Eastern Slopes is critical for drought and flood resiliency and the security of Alberta's drinking water—approximately 90% of Southern Alberta's drinking and irrigation water originates here. Riparian areas act like a sponge to hold water and slowly release it later into the season, which is especially critical in dry years. Healthy riparian vegetation enhances water security by slowing, capturing, and filtering water, providing a cleaner more consistent supply for you, your herd, and neighbors and communities downstream.

The area funded for Eastern Slopes projects reaches from the Montana border in the south to Grande Prairie in the north, from the BC border on the west, and Highway 2 (South of Edmonton) past HWY 22 and HWY 43 on the east.

Examples of projects that could be supported to protect or enhance riparian health include but are not limited to: temporary or permanent fencing of riparian areas around wetlands, springs, creeks, ponds, or lakes; installation of beaver co-existence tools, such as pond levelers or exclusion devices; and/or establishment of off-site watering units to benefit your herd while also helping your water security. On top of riparian management, we are always eager to discuss grazing practices, beaver management, and we would be happy to discuss projects you might just be curious about. If you think your project aligns with the grant opportunity, we look forward to hearing from you and we'll be happy to plan a landowner visit to discuss your ideas.

If you are south of Nanton, HWY 533 or Chain Lakes Provincial Park Contact Erik Cline - (587) 821-5429 ecline@cowsandfish.org and if you fall north of this line contact Jonathon Fearn (587) 821-9031 jfearn@cowsandfish.org for more information. You can also find more information about this program and our organization on our website www.cowsandfish.org or call our Main Office at (403) 381-5538.



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Mission: Assisting producers in profitably improving their forages and regenerating their soils through innovation and education.

Vision: We envision a global community that respects and values profitable forage production and healthy soils as our legacy for future generations.

This Publication is made possible by our major funder—Results Driven Agriculture Research



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