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Policy Title Agricultural Pests - Clubroot Control	Date: March 12, 2019	Resolution No. 91/19

Purpose:

The purpose of this policy is to provide enforcement of the *Agricultural Pests Act* (the "Act"), as amended from time to time, and to provide a procedure for fulfilling the duties of Kneehill County under the Act in relation to controlling or eradicating Clubroot (*Plasmodiophora brassicae*) ("Clubroot") listed within the *Pest and Nuisance Control Regulation*.

Policy Statement:

This policy recognizes that Clubroot is a serious pest problem and supports the principle to control the spread of Clubroot which has been declared a pest under the Act. Under the Act, Section 10 (1) states, "The local authority of a municipality shall appoint a sufficient number of inspectors to carry out this Act and the regulations within the municipality." In addition, as per Section 6 of the Act, "A local authority of a municipality shall take active measures (a) to prevent the establishment of, or (b) to control or destroy, pests in the municipality."

Definitions in this Policy

- a) **Act** means the *Agricultural Pests Act*, as amended from time to time.
- b) **Agricultural Fieldman** means the person employed by Kneehill County in that role.
- c) **Agricultural Service Board** means the Kneehill County Agricultural Service Board as established pursuant to the *Agricultural Service Board Act*, as amended from time to time.
- d) **Best Management Practices** means those guidelines set out by Alberta Agriculture and Food in the Clubroot Management Plan (Agdex 140/638-1).
- e) **Clubroot** means Clubroot (*Plasmodiophora brassicae*) as listed within the *Pest and Nuisance Control Regulation*, as amended from time to time.
- f) **Clubroot Inspection Guidelines** means the Alberta Clubroot Management Plan and the Guideline for ASBs for Clubroot as developed by Alberta Agriculture and Rural Development, as amended from time to time, and any other inspection guidelines as developed by the Agricultural Fieldman.
- g) **Crucifer Crop** means any species within the *Brassicaceae* family, including but not limited to canola and mustard.
- h) **Cruciferous Weeds** means any species within the *Brassicaceae* family, including but not limited to shepherd's purse, stinkweed, flixweed and ball mustard.
- i) **Destruction** for the purpose of this policy shall mean the use of the applicable registered herbicide for the complete control of *Brassicaceae* Family crops or weed species which then must be plowed under.
- j) **Landowner and/or Occupant** means the registered name on title and/or person responsible for agricultural production on the land.
- k) **Non-host Crop** means those crops outside of the *Brassicaceae* family.

Policy Guidelines/Procedures:

1. Agricultural Service Board staff inspectors will conduct random field inspections.
2. Inspectors will follow the provincial protocol procedures and those set out by the Agricultural Fieldman on proper sampling techniques and protocol for entering private land. Best

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Management Practices will be followed to ensure inspections do not become a source of spreading the disease. The Agricultural Fieldman will maintain current Clubroot Inspection Guidelines for staff.

3. Positive identification of Clubroot shall be obtained by laboratory testing.
4. In accordance with Section 5(2) of the Act:
An owner or occupant of land or property, or the owner or person in control of livestock shall take active measures to
 - (a) prevent the establishment of pests on or in the land, property or livestock unless otherwise authorized by the Minister,
 - (b) control or destroy all pests on or in the land, property, or livestock, unless otherwise authorized by the Minister, and
 - (c) destroy any crop, vegetation, or other matter that contributes or may contribute to the maintenance or spread of a pest on or in the land, property or livestock.
5. When land is verified positive for Clubroot, the landowner and/or occupant will be notified in writing with a written legal notice in accordance with the Province of Alberta Agricultural Pests Act.
6. The notice will prohibit the growing of any crucifer crop on the entire parcel of land for a period of 3 full years where after only Canadian Food Inspection Agency approved Clubroot resistant crop varieties may be planted, with proof of purchase disclosed to the Agricultural Fieldman.
7. When Clubroot has been found and confirmed on a field, the current crop may be harvested. However, during harvest operations, all Crucifer Crop residue must remain on the field.
8. Subsequent Non-Host Crops must be treated with a registered herbicide for control of Cruciferous Weeds, which may act as an alternate host.
9. In Non-Host Crops if Crucifer Weeds are not controlled on land that is known to be infected by Clubroot where a current notice has been issued to the Landowner and/or Occupant restricting the growth of a Crucifer Crop and Crucifer Weeds, the Crucifer Weeds shall be destroyed. All expenses incurred during the destruction and removal of the prohibited Crucifer Weeds will be charged to the Landowner and/or Occupant plus a 10% administration fee, to a maximum administration fee of \$2,500.
10. If a Crucifer Crop is sown on land that is known to be infected by Clubroot, where a current notice has been issued to the Landowner and/or Occupant restricting the growth of a Crucifer Crop, the Crucifer Crop shall be destroyed. All expenses incurred during the destruction and removal of the

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prohibited Crucifer Crop will be charged to the Landowner and/or Occupant plus a 10% administration fee, to a maximum administration fee of \$2,500.

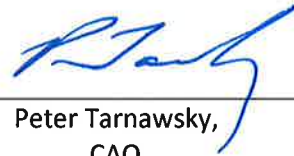
11. Kneehill County will not be liable for any costs incurred for the destruction or removal of any Crucifer Crop, or Crucifer Weed which is in contravention of a current served notice.
12. The Landowner and/or Occupant of the land on which a notice has been issued who are disturbing the soil will be required to follow The Alberta Clubroot Management Plan (AGDEX 140/638-2), which is put out by the Government of Alberta, to prevent further spread of the disease through the movement of soil and equipment.
13. A Landowner and/or Occupant may appeal to the local authority of Kneehill County within ten days of receiving written legal notice in accordance with the Act. Such appeals must be in writing and shall set out:
 - a. the name and address of Landowner and/or Occupant;
 - b. a copy of the notice in respect of which appeal is being taken;
 - c. the legal description of the land affected; and
 - d. the grounds for appeal.
14. Survey results and legal land locations of Clubroot infections may be made available to parties with a genuine commercial interest. The method of information release shall be at the discretion of the Agricultural Fieldman, and may be in the form of a map at the municipal office, verbal communication or other formats.
15. Adjacent landowners and affected parties will be notified.
16. Land previously verified positive for Clubroot shall be inspected annually for compliance with the notice.
17. The Agricultural Service Board Staff will provide information and education to Landowners and/or Occupants regarding the spread of Clubroot. Further information may be obtained by contacting the Kneehill County Agricultural Service Board.

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Approved: May 11, 2008 112/08
Amended: August 17, 2010 393/10
Amended: January 14, 2014 14/14
Amended: August 26, 2014 319/14
Amended: May 9, 2017 301/17
Amended: March 12, 2019 91/19
Review Date: March 12, 2022