#4 - REQUEST FOR REVIEW: LA20014 / Granum Colony			
Filed By:	Shelby Biddlecombe		
Deadline for RFRs:	September 17, 2020		
Date RFR received:	September 16, 2020		
Status of party as per Decision Summary:	Not Directly Affected		

From:
To:
Laura Friend

Cc: <u>David.hunt@gov.ab.ca</u>; <u>Jeff.gutsell@gov.ab.ca</u>; <u>FisheriesProtection@dfo-mpo.gc.ca</u>; <u>aep.info-centre@gov.ab.ca</u>;

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Subject: Request for Review NRCB LA20014

Date: Wednesday, September 16, 2020 6:12:09 PM
Attachments: Request for Review 23 Mar 20 LA20014.pdf

Please find attached, our Request for Review of NRCB Registration LA20014, Hutterian Brethren Church of Granum, for a 20,000 head Poultry barn, in the SE 25-11-28-W4M.

We have determined that the Approval Officer erred in applying the guidelines not only in her decision to approve the application, she erred in her determination as to what the suitable Affected Party radius should be.

This approval poses serious environmental and economic threat to our property (NE 36-11-28-W4M) as well as that of the greater area. The cumulative effects of this application, along with the additional species CFO applications that will be forthcoming, will cripple our area in terms of water availability, land values, and environmental integrity.

We trust that you will find the attached Request For Review to be compelling evidence and argument to grant a review to Registration LA20014.

Respectfully submitted,

Shelby Biddlecombe, CPSA Surface Land Consultant

### **REQUEST FOR BOARD REVIEW**

#### SUBMITTED TO THE NATURAL RESOURCES CONSERVATION BOARD

Application No:					
Name of Operator/Operation:					
Type of application (check one):	☐ Approval	☐ Registration	☐ Authorization		
Location (legal land description):					
Municipality:					
I hereby request a Board Review of the Approval Officer's Decision and have the right to request a Board review because (please review all options and check one):    I am the producer seeking the approval/registration/authorization.   I represent the producer seeking the approval/registration/authorization.   I represent the municipal government.   I am listed as a directly affected party in the Approval Officer's Decision.   I am not listed as a directly affected party in the Approval Officer's Decision and would like the Board to review my status.					

#### IMPORTANT INSTRUCTIONS

- 1. You must meet the specified 10-day timeline; otherwise your request will not be considered.
- 2. Section 1 of this form must be completed only if you are requesting that the Board review your status as "not directly affected". Sections 2 to 5 must be completed by all applicants.
- 3. This form must be signed and dated before it is submitted to the Board for its review.
- 4. Be aware that Requests for Board Review are considered public documents. Your submitted request will be provided to all directly affected parties and will also be made available to members of the public upon request.
- 5. For more assistance, please call Laura Friend, Manager, Board Reviews at 403-297-8269.

#### 1. PARTY STATUS

(IF YOU ARE NAMED A DIRECTLY AFFECTED PARTY IN THE APPROVAL OFFICER'S DECISION, YOU DO NOT NEED TO COMPLETE THIS SECTION)

Party status ("directly affected" or "not directly affected") is determined pursuant to the provisions of the Agricultural Operation Practices Act (AOPA) and its regulations. Upon receipt of an application, the Approval Officer must notify any affected parties. Affected parties include municipalities and owners or occupants of land as determined in accordance with the regulations. To obtain directly affected status, the owner or occupant notified in the above process must provide a written submission to the Approval Officer during the stage at which the Approval Officer considers the application. The Approval Officer will then determine who the directly affected parties are and include this determination in the Decision Summary.

Under its governing legislation, the Board can only consider requests for review submitted by directly affected parties. If you are not listed as directly affected in the Approval Officer's decision, you must request that the Board reconsider your status (please note that under the provisions of AOPA, the Board cannot reconsider the status of a party who has not previously made a submission to the Approval Officer during the application process).

In order to request your status be reconsidered, you must explain why your interests are directly affected by the decision of the Board. Please list these reasons below:

My grounds for requesting directly affected status are as follows:				

## 2. GROUNDS FOR REQUESTING A REVIEW

(ALL PARTIES MUST COMPLETE THIS SECTION)

In order to approve an application, NRCB Approval Officers must ensure the requirements of AOPA have been met. Your grounds for requesting a Board review should identify any requirements or specific issues that you believe the Approval Officer failed to adequately address in the Decision.

My grounds for requesting a review of the Approval Officer's decision are as follows:				

# 3. REASONS YOU ARE AFFECTED BY THE DECISION (ALL PARTIES MUST COMPLETE THIS SECTION)

In order to support your reasons for requesting a review, please explain how you believe you would be affected by the Approval Officer's decision.

I believe that, as a result of the Approval Officer's decision, the following prejudice or damage will result:

		REQUESTED MUST COMPLETE THIS SECTION)		
I would like the Board to take the following actions with the respect to the Approval Officer's decision:				
		Amend or vary the decision		
		Reverse the decision		
Please	e des	cribe why you believe the Board should take this action:		
directly Approv	y affect val, Re e note	decides to grant a review (in the form of either a hearing or a written review), all cted parties are eligible to participate. The Board may consider amending the egistration, or Authorization on any terms and conditions it deems appropriate. The Board cannot make any amendments unless it first decides to grant a		
condit	ions, t	s granted by the Board, are there any new conditions, or amendments to existing hat you would like the Board to consider? It is helpful if you identify how you believe sted conditions or amendments would address your concerns.		

5. CONTACT INFORMATION (ALL PARTIES MUST COMPLETE THIS SECTION)							
Contact information of the person requesting the review:							
Name:							
Address in Alberta:							
Legal Land Description:							
Phone Number:		Fax Number:					
E-Mail Address:							
Also, if you do not m	Signature: Date:  Please note that all sections of the form must be completed in order for your request to be considered.  Also, if you do not meet the timeline identified, your request will not be considered. Form must be signed and dated before being submitted for Board consideration						
If you are, or will be, represented by another party, please provide their contact information (Note: If you are represented by legal counsel, correspondence from the Board will be directed to your counsel)							
Name:	_						
Address:							
_							
Phone Number: Fax Number:			er:				
E-Mail Address:							
When you have completed your request, please send it, with any supporting documents to:							
	nager, Board Reviews es Conservation Board	Phone:	403-297-8269				
19th Floor Center 250 – 5th Street S Calgary, AB T2P	nnial Place SW	Email:	laura.friend@nrcb.ca				

Please note, Requests for Board Review are considered public documents. Your submitted request will be provided to all directly affected parties and will also be made available to members of the public upon request.

For more assistance, please call Laura Friend, Manager, Board Reviews at 403-297-8269.