

Stephanie Gaetz

From: Stephanie Gaetz
Sent: October-09-19 9:05 AM
To: [REDACTED]
Cc: Adria Snowdon; Sylvia Kaminski
Subject: Application LA19036
Attachments: LA19036 deemed complete pkg applicant 09 Oct 19.pdf

Tracking:	Recipient	Delivery
	[REDACTED]	
	Adria Snowdon	Delivered: 09/10/2019 9:05 AM
	Sylvia Kaminski	Delivered: 09/10/2019 9:05 AM

Hello,

Application LA19036 has been determined to be complete for processing October 9, 2019. Please note the information attached.

- Letter to Applicant
- Unauthorized Construction Factsheet

Thanks,

Stephanie Gaetz

Stephanie Gaetz
Field Office Administrator; Lethbridge
Natural Resources Conservation Board
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Stephanie.gaetz@nrcb.ca
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October 9, 2019

sent by email to [REDACTED]

Arie & Willemiele Muilwijk
Box 1628
Fort Macleod, AB T0L 0Z0

Dear Arie & Willemiele:

**Re: Application LA19036 – Determined Complete
Arie & Willemiele Muilwijk
NE 10-9-27 W4M**

Application LA19036 was determined to be complete for processing on October 9, 2019. We are now able to start to evaluate your application to determine if it meets all requirements of the *Agricultural Operation Practices Act* (AOPA).

As required by the act, we will also provide public notice of the application. The official public notice will be published in the October 9, 2019 issue of The Macleod Gazette. We have also sent courtesy letters to landowners within a 1.0 mile radius of your proposed development to advise them of your application. The deadline for affected parties to submit a statement of support or concern is November 8, 2019.

We are also sending a complete copy of your application to M.D. of Willow Creek, Alberta Health Services, Alberta Transportation, Alberta Environment and Parks and the Lethbridge Northern Irrigation District for their review and comment.

Please note: AOPA **does not allow** construction to start on the work proposed by the application until an AOPA permit is issued. Construction work on any development that requires a permit under AOPA is prohibited by the act until the required permit is issued.

If you have any questions or concerns please contact me at 403-381-5208 or by email at adria.snowdon@nrcb.ca.

Yours truly,

Adria Snowdon
Approval Officer

Encl.



Unauthorized Construction under the Agricultural Operation Practices Act

Fact Sheet

Why a permit is required

- The *Agricultural Operation Practices Act* (AOPA) requires operators to obtain a permit before constructing or expanding a manure storage facility or collection area (i.e., any confined feeding operation (CFO) facility that captures or holds manure, such as barns, liquid manure storage lagoons, livestock pens, runoff control structures, and catch basins).
- AOPA's standards are designed to protect groundwater and surface water, and ensure that nuisance effects for neighbours (for example, odour, flies, or dust) are minimized and managed. Obtaining a permit before construction is started confirms that your facility can meet the technical requirements of the act, and that it meets the minimum distance separation, is consistent with the municipal land use plan, and that, where required by AOPA, neighbours are notified of the planned development.
- As the owner or operator of your CFO, you are legally responsible for obtaining all required permits before beginning construction.
- If you are concerned that an activity you have started may be considered construction, contact the NRCB right away. It is better to let them know, and work with an inspector to find a solution, than to face more serious consequences at a later date.

Post-construction inspection

- The permit will require you to have a post-construction inspection conducted by the NRCB. The inspection **must take place before livestock or manure are placed in the facility**. The inspection confirms that the facility is constructed according to the requirements of AOPA and

that it complies with the conditions attached to the permit. You are required to contact the NRCB to schedule the post-construction inspection before you place livestock or manure in the facility.

What is and isn't considered construction

- Construction includes a wide number of activities. At a minimum, it includes:
 - > Any concrete pouring for a manure collection or storage facility
 - > Any work to install a foundation for a manure collection or storage facility
 - > Any work to dig an earthen manure storage for a CFO facility (other than clearing and levelling land)
- The following activities are **not** considered "construction" (see section 1(1)(c) of the Part 2 Matters Regulation)—but it's always a good idea to confirm whether a permit is required:
 - > General maintenance of a structure, CFO or manure storage facility
 - > Clearing and levelling land
- In the above exemption, *land* means the specific area where a manure collection or storage facility, or other CFO facility, will be located. In other words, it's ok to clear or level the land where you want to locate a manure collection or storage facility before you get the permit. But any other work that goes beyond clearing or levelling is not allowed by AOPA.
- If you are unsure of whether the work you plan to do is considered construction, contact an approval officer at the nearest NRCB office.

... page 2

Unauthorized Construction under the Agricultural Operation Practices Act

Risks to the operator

- Construction without a permit is a serious offence and has significant potential consequences for the operator:
 - > You could be required to dismantle or depopulate the facility.
 - > You could be prosecuted, especially if you knew that you needed a permit, or don't cooperate with the inspector.
- If you are issued a compliance directive or enforcement order, the directive or order will be posted on the NRCB website.

Further information

- For more information, please contact:

NRCB field offices:

Fairview	780-835-7111
Morinville	780-939-1212
Red Deer	403-340-5241
Lethbridge	403-381-5166

Dial 310-0000 to be connected toll free.

Fact sheets and other NRCB publications are available at www.nrcb.ca.

March 29, 2017