

November 14, 2023

SENT BY EMAIL

To: All Interested Parties

**Request for Board Review of Decision Summary LA23003
Josh and Deborah Denbok (operating as JD Feeders)**

This letter is to advise you of the Board's decision in response to Josh and Deborah Denboks' (the Denboks) request for review (RFR) of Decision Summary LA23003, and that the Board's full RFR Decision Report, including reasons for decision, will follow at a later date. It is the Board's practice to issue reasons for decision on all RFRs.

On October 6, 2023, a Natural Resources Conservation Board (NRCB) approval officer issued Decision Summary LA23003, denying an application by the Denboks to construct a new 1,000 beef finishers and 2,000 beef feeder calves confined feeding operation (CFO). The RFR filed by the Denboks was submitted on the October 30, 2023, deadline set out in the approval officer's decision letter. Rebuttals to the RFR were filed by Lethbridge County and Clint and Sharon Vander Woude prior to the November 6, 2023, deadline.

A panel of the Natural Resources Conservation Board, comprised of Peter Woloshyn (Chair), Sandi Roberts, Rich Smith and Darin Stepaniuk was designated pursuant to section 18(1) of the *Natural Resources Conservation Board Act* to deliberate on the filed RFR.

Decision

Following deliberations, the Board panel (Board) finds the approval officer correctly found that the application was not consistent with Lethbridge County's MDP land use provisions and, having so found, was directed by AOPA to deny the application.

The RFR did include a request that the Board grant an approval notwithstanding the MDP inconsistency. The RFR further referenced the potential for an approval to be made subject to a condition that would require the Denboks consolidate the SE 20-11-23 W4M titles. The Board will grant a review to consider these matters. Having determined that the remaining issues raised in the RFR have no merit, the Board denies a review of those issues and limits the Board's review to the matters identified.

Form of Review

Given the issue under review, the Board has decided that a written hearing is most appropriate. In addition to providing reasons for its decision, the Board's full RFR Decision Report, when issued, will provide direction to the parties in relation to submission timing and content. The Board will endeavor to issue its RFR Decision Report in short order.

Should you have any questions, please contact the NRCB Reviews Manager, Laura Friend, at 403-297-8269 or at laura.friend@nrcb.ca.

Yours sincerely,



Bill Kennedy
General Counsel