

NO 2 - REQUEST FOR REVIEW: LA24020 / Southwood Stock Farms Ltd.

Filed By: Jason and Twyla Van Hal

Deadline for RFRs: August 13, 2025

Date RFR received: August 13, 2025

Status of Party as per Decision Summary: Directly Affected Parties

Request for Board Review (RFR) of an Approval Officer CFO Application Decision

Instructions

1. **Eligibility.** Only those parties listed as “directly affected” in the approval officer’s CFO application decision or those parties requesting reconsideration of their status (see page 2, section #3), are eligible to request a Board review (RFR).
2. **Jurisdiction.** The Board’s jurisdiction in Alberta to review a decision by an approval officer is set out in sections 20(5), 22(4), and 23(3) of the [Agricultural Operation Practices Act](#) (AOPA).
3. **Deadline.** The NRCB must receive an RFR by the deadline specified in the approval officer’s decision cover letter. The AOPA Administrative Procedures Regulation does not allow consideration of time extension requests or late submissions.
4. **Public Documents.** RFRs and attachments are public documents.
5. **Submission.** Submit this form and any attachments by email to Laura Friend, Manager of Board Reviews at laura.friend@nrcb.ca. Contact her at 403-297-8269 for assistance.

1. Confined Feeding Operation (CFO) Application Details

NRCB Application No.	LA24020
Name of Owner/Operator or Operation	Southwood Stock Farms Ltd.
Type of application (<i>if known</i>)	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Registration <input type="checkbox"/> Authorization
Location (<i>legal land description</i>)	SE 5-14-15-W4M
Municipality	MD of Taber

2. Status Declaration

I hereby request a Board review of the approval officer’s decision:
(*You must check one*)

- ☐ I am the owner/operator
- ☐ I represent the owner/operator

- ☐ I represent the municipality
- ☒ 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 therefore I am requesting my status be reconsidered (see page 2, section #3)

3. Request for Reconsideration by Board of "Not" Directly Affected Status

Instructions. Only those parties **not** listed as directly affected in the approval officer's decision are to complete this section.

- The Board can only consider RFRs submitted by "directly affected" parties. Those parties not listed as directly affected in the approval officer's decision must first request the Board to reconsider their status. If the Board grants a party "directly affected" status, it will then consider their RFR.
- Upon receipt of a CFO application, the approval officer sends a notification letter to the "affected" parties. Affected parties are owners or occupants of land residing within a designated distance from the applied-for CFO. Operators and the municipalities located within the designated distance always have "directly affected" status.
- An affected party must apply for "directly affected" status by providing a written response to the approval officer's notification letter by the deadline specified. The Board cannot reconsider the status of a party unless they had first responded to the approval officer.
- The approval officer determines the "directly affected" parties to the application based on the responses received and includes this determination in their decision.

My grounds for requesting a reconsideration of my "not" directly affected status are:

4. Request for a Board Review (RFR)

All parties or their representative must complete this section. If you need more space, include an attachment.

- Approval officers must ensure that a CFO application meets the Alberta legislative requirements before they approve it. Conversely, approval officers must deny an application if the requirements are not met. (Sections 20 and 22 of the [Agricultural Operation Practices Act](#) (AOPA)).
- If you believe the **approval officer failed to adequately address an issue** (or issues), state the issue(s) and provide your reasoning below.
- The issue(s) must have been in front of the approval officer at the time they made the CFO application decision; the Board will not consider any new issues.
- Include how the decision affects you, such as any damage or bias you believe would occur to you because of the approval officer's decision.

Grounds for Requesting a Board Review of the Approval Officer's Decision

I respectfully request a Board review of the approval officer's decision on the proposed expansion of Southwood Stock Farms, based on the following grounds:

1. Misleading Presentation of Public Input

On page 10 of the decision summary, letters opposing the expansion are misleadingly grouped under the heading "Letter of Support." Within the two-mile radius, the number of letters of objection far exceeds the single letter of support—submitted by an acreage owner who is also the applicant's in-laws. Most objections came from long-term residents with significantly larger land holdings within the radius than the applicant. These residents raised legitimate, well-founded concerns about the serious negative impacts this expansion—if approved without conditions—will have on their quality of life and farming operations. It is also concerning that Southwood Stock Farms consulted only the two acreage owners within the Minimum Distance Separation (MDS) before submitting its application to the NRCB, a practice inconsistent with the "best management practices" encouraged by the approval officer on page 15 of the decision.

2. Nuisance Impacts (Odour and Other Disturbances)

The decision concludes that "some parties will experience odours and other nuisance impacts, however, the frequency of these exposures will likely be limited and of short duration." This conclusion was made by someone who does not reside in the affected area and therefore cannot fully appreciate the existing impacts. At current capacity, odour and nuisance effects already diminish the quality of life for nearby residents. The proposed expansion will intensify these effects to an unbearable level, jeopardizing not only neighboring farming operations but also the health, comfort, and stability of the broader community. No meaningful attempt has been made to minimize these impacts.

3. Manure Storage and Spreading Practices

Neighbors have raised valid concerns about manure being spread without incorporation. The approval officer's conclusion—that manure does not need to be incorporated after surface application on forage or directly seeded crops—overlooks Section 24(1) of the Standards and Administration Regulation, which requires incorporation within 48 hours for manure applied to cultivated land, subject to certain exceptions. The applicant's land base is primarily irrigated annual crop land, which does not qualify for a blanket exemption from incorporation. Failing to require incorporation poses an environmental and nuisance risk.

Photos are available showing excess manure being pumped into MD ditches, and photos of manure that was spread and not worked in within 48 hrs. There is also photos of large dust hovering around the feedlot showing the reduced air quality in the surrounding area.

4. Failure to Apply Operational Policy 2016-7, Section 9.17

Operational Policy 2016-7, section 9.17 obligates the approval officer to reassess the Environmental Risk Screening Tool (ERST) if prior assessment data is outdated, materially incorrect, or if circumstances otherwise warrant. The decision relies on ERST assessments from 2016 and 2019, which do not reflect substantial changes in the operation since then—such as expanded manure storage, additional water storage not disclosed to the MD of Taber, and the proposed new catch basin. These modifications materially affect manure storage capacity, runoff patterns, and potential groundwater and surface water risks. The failure to require a new ERST assessment means the decision is based on outdated, incomplete, and inaccurate environmental risk information.

5. Community Impact and Corporate Farming

The officer concluded that, if the proposal complies with the Municipal Development Plan (MDP), it is presumed to have an "acceptable effect" on the community. This presumption is not justified in light of the substantial and consistent opposition expressed by community members in letters submitted to the NRCB. The volume and credibility of these objections strongly suggest that the proposed expansion is not, in fact, acceptable to the community.

6. Management of Operations and Cattle Containment

The decision merely "encourages" the operator to prevent cattle from escaping the confines of the CFO. This is inadequate. There is a documented history of cattle escaping in the past, creating risks to neighboring crops and land. Without enforceable conditions, there is no assurance that these problems will not continue or worsen after expansion.

Conclusion

For the reasons above—misrepresentation of public input, underestimation of nuisance impacts, non-compliance with manure management standards, reliance on outdated

environmental risk assessments, failure to properly consider community opposition, and inadequate operational safeguards—I submit that the approval officer’s decision should be reviewed and reconsidered by the Board.

ROUNDS FOR BOARD REVIEW – SUMMARY & EVIDENCE

Summary of Issue

Detailed Evidence / Supporting Facts

- * Page 10 of the decision summary lists letters opposing the expansion under the heading “Letter of Support.”

- * Opposition letters from within the two-mile radius far outnumber the single supporting letter, which came from the applicant’s in-laws.

1. Misrepresentation of Public Input

- * Most objectors are long-term residents with larger land holdings than the applicant.

- * Concerns include significant negative effects on living conditions and farming operations.

- * Southwood Stock Farms only consulted two acreage owners within the MDS before applying—contrary to “best management practices” noted on page 15 of the decision.

- * Decision states odour and nuisance impacts will be “limited” and “short in duration.”

- * This judgment was made by someone not living in the affected area.

2. Nuisance Impacts Underestimated

- * Current odour levels already reduce residents’ quality of life.

- * Expansion will make these impacts unbearable and could jeopardize other farming operations and the overall community well-being.

- * No conditions or mitigation measures have been imposed.

- * Residents have observed manure being spread without incorporation.

- * Approval officer’s conclusion ignores Section 24(1) of the Standards and Administration Regulation, which requires incorporation within 48 hours for cultivated land.

3. Non-Compliance with Manure Management Regulations

- * The applicant’s land base is primarily irrigated annual crop land—no blanket exemption applies.

- * Failure to require incorporation increases environmental and nuisance risks.

- * Decision relies on ERST data from 2016 and 2019.

4. Outdated Environmental Risk Assessment

- * Since then, the operator has added manure storage, water storage (not disclosed to MD of Taber), and proposed an additional catch basin.

- * These changes materially alter manure storage capacity,

Summary of Issue

Detailed Evidence / Supporting Facts

runoff patterns, and groundwater/surface water risks.

* Operational Policy 2016-7, section 9.17 requires reassessment when prior data is outdated or materially incorrect.

* No updated ERST assessment was conducted—environmental risk data is incomplete and inaccurate.

* Officer presumes that MDP compliance means acceptable community impact.

5. Community Impact Not Properly Considered

* Substantial written opposition submitted to NRCB shows otherwise.

* Volume and credibility of objections indicate the proposal is not acceptable to the community.

* History of cattle escaping from the CFO.

* Escaped cattle damage neighboring crops and land.

6. Inadequate Operational Safeguards

* Decision only “encourages” prevention rather than imposing enforceable conditions.

* Without binding requirements, the problem will likely continue or worsen after expansion.

5. Board Action Requested

If the Board grants a review of the approval officer's decision (either an approval, denial, cancellation, amendment, or deemed permit), only the "directly affected" parties are eligible to participate (see section #3). A review will be in the form of either a hearing or a written review.

If the Board grants a review, I would like it to:

- ☐ Reverse the approval officer's decision
- ☒ Amend or vary the approval officer's decision

If the Board decides to grant a review on a permitted decision, it may decide to amend or vary the permit terms and/or conditions.

Are there any new conditions, or amendments to existing conditions, that you would like the Board to consider?

Response:

While our preference would be for the Board to deny or significantly reduce the scope of Approval LA24020, at the very least we request that the following conditions be imposed to mitigate the negative impacts on neighbouring residents:

1. **Dust Suppression in Pens** – Require the installation of sprinklers in cattle pens to minimize dust during dry or windy conditions. This would help address the concerns of neighbouring residents while also benefiting the health and comfort of the enclosed cattle.
2. **Annual Dust Mitigation Compensation** – Require Southwood Stock Farms to provide annual compensation to affected landowners who have had to request dust mitigation services from the Municipal District due to the increased traffic generated by the operation.
3. **Wind Fence Installation** – Require the installation of a wind fence system, similar to those used in golf courses and sports facilities, to reduce dust, odour, and manure particles carried by the wind toward neighbouring residences. This should be installed along the east pens and, if feasible without obstructing visibility on the adjacent Range Road, along the west pens as well.
4. **Free Manure for Neighbouring Landowners** – Require Southwood Stock Farms to make manure available at no cost to affected landowners who wish to use it. Currently, the benefits of the operation accrue solely to the operators, while neighbouring residents bear the negative effects. This would help balance the burdens and benefits within the community.

6. Contact Information of Person Submitting the RFR

Name Jason and Twyla Van Hal

Street/Box Address [REDACTED]

Town/City/Postal Code Vauxhall, AB, T0K2K0

Legal Land Description NW 32-13-15-W4

Telephone Number [REDACTED]

Email Address [REDACTED]

Date August 11 2025

Contact Information of Legal Counsel or Representative (if applicable)

Name Darin O. Wight, J.D. Partner (Baldry Sugden LLP)

Address 5401A – 50th Avenue Taber, AB, T1G 1V2

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