NO 3 - REQUEST FOR REVIEW: BA25008 / Amin Valji	
Filed By:	Neil and Shelby Sheehan
Deadline for RFRs:	September 8, 2025
Date RFR received:	September 8, 2025
Status of Party as per Decision Summary:	Directly Affected Parties

NRCB Natural Resources Conservation Board

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.	BA25008
Name of Owner/Operator or Operation	Amin Valji (Merrick Campbell now listed as well)
Type of application *(if known)*	☒ **Approval** ☐ **Registration** ☐ **Authorization**
Location *(legal land description)*	SW 12-55-27-W4
Municipality	Sturgeon County

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:

N/A - I am still considered directly affected.

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.

My grounds for requesting a Board review of the approval officer's decision are:

See attached letter outlining various unaddressed issues.

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?

Most of my letter pertains to information already available but consideration needs to be given to the change in size of the application which is suspicious and seems to undermine the process given it now excludes a large population of the original directly affected group.

Also why is Merrick Campbell now added to the application? There was no mention of him in the original application.

6. Contact Information of Person Submitting the RFR

Name: Neil & Shelby Sheehan

Street/Box Address: [redacted]

Town/City/Postal Code: Sturgeon County, AB, T8R 1W4

Legal Land Description: SW 12-55-27-W4

Telephone Number: [redacted]

Email Address: [redacted]

Date: September 8, 2025

7. Contact Information of Legal Counsel or Representative (if applicable)

Name: Will be provided at a later date

Address: _____

Telephone Number: _____

Email Address: _____

September 8, 2025

Natural Resources Conservation Board (NRCB)
Provincial Building
#201, 10008 - 107 Street
Morinville, AB T8R 1L3

Attention: Laura Friend, Manager, Board Reviews

RE: Application BA25008 – Request for Board Review of Approval

Dear Ms. Friend,

I am writing to formally request a Board Review of the decision issued by Approval Officer Nathan Shirley on August 15, 2025, granting Approval of Application BA25008 to Amin Valji for the conversion and expansion of a confined feeding operation (CFO) in Sturgeon County.

As a directly affected party residing within the 1-mile notification radius, I believe the decision warrants reconsideration on the following grounds under the Agricultural Operation Practices Act (AOPA):

1. **Procedural Concerns Regarding Notification and Stakeholder Distribution**

   The notification distance was reduced from 1.5 miles to 1 mile following a livestock number adjustment. This change excluded numerous previously notified parties, despite their proximity and continued concern. The reduction may have undermined procedural fairness and the opportunity for meaningful public input.

2. **Misapplication of MDP Consistency Criteria**

   The approval officer interpreted "land use provisions" narrowly, excluding broader planning policies and discretionary judgments from Sturgeon County's Municipal Development Plan (MDP). This interpretation fails to account for community planning principles and the County Council's expressed concerns regarding infrastructure, environmental impacts, and stakeholder engagement. Over 200 residents have signed a opposition to the change and expansion of the CFO. The scale of opposition and proximity to the site demonstrate that the community is directly affected and should be heard; otherwise, what it the purpose of this process?

3. **Environmental and Public Health Risks**

   Despite meeting AOPA technical requirements, the approval officer dismissed calls for an Environmental Impact Assessment (EIA), concerns about groundwater contamination, and proximity to sensitive ecosystems such as the Riviere Qui Barre and former Ducks Unlimited

wetlands. The decision also discounted health concerns raised by Alberta Health Services and the Alexander First Nation.

4. Community and Economic Impacts

The decision presumes acceptable community and economic effects based solely on MDP consistency. However, substantial opposition from directly affected residents and Indigenous communities, concerns about property values, traffic, and odour impacts suggest that this presumption is rebuttable and merits further review.

5. Animal Welfare and Historical Compliance

Concerns were raised about the applicant's past animal welfare practices. While AOPA does not regulate animal welfare, the NRCB should consider the credibility and operational history of applicants when assessing long-term impacts on community trust and regulatory compliance. In conversations with NRCB Approval Officer Nathan Shirley it was evident that he was not aware of the applicant's history of non-compliance with the NRCB until it was brought to his attention by the public – this was deeply concerning to learn that non-compliance with the governing body issuing approval had little to no impact on this application.

I respectfully request that the NRCB Board:

- Grant a public hearing to fully consider the concerns raised by directly affected parties.
- Reassess the approval officer's interpretation of MDP consistency and stakeholder notification.
- Reverse Approval BA25008 or impose additional conditions to mitigate environmental, health, and community risks.

Sincerely,

Neil Sheehan

Neil and Shelby Sheehan