

Decision Summary RA06017F – Approval Officer Amendment of NRCB Approval RA06017 (and its amendments RA06017B and RA06017D)

This document summarizes my reasons for issuing Approval RA06017F, an amended version of Approval RA06017 (and its amendments RA06017B and RA06017D). This amended approval is issued on my own motion, under section 23 of the *Agricultural Operation Practices Act* (AOPA). My decision is based on the act and its regulations, the policies of the NRCB, and the information contained in the permit file.

1. Background and reasons for the amendment

Hutterian Brethren Church of Lougheed (Lougheed Colony) owns and operates an existing multi-species confined feeding operation (CFO) located at the S½ 5-42-11 W4M in the Flagstaff County. The CFO is located approximately 17 kilometres southwest of Lougheed, Alberta.

The CFO is currently permitted under NRCB Approval RA06017 and its amendments RA06017B and RA06017D.

The amendments allowed the relocation of a goose/duck/chicken broiler barn, and the extension of the construction deadline, respectively.

Approval RA06017 permitted the construction of the following CFO facilities:

- Liquid manure storage (131 m x 70.1 m x 4.9 m deep)
- Two hog barns (123.2 m x 46.3 m and 123.2 m x 25 m)
- Chicken layer barn (39.6 m x 9.8 m)
- Geese/duck/chicken broiler barn (39.6 m x 9.8 m)
- L-shaped dairy barn (20.7 m x 20.2 m and 19.1 m x 11 m)
- Dairy corrals (73.2 m x 45.7 m)
- Dairy catch basin (24.4 m x 19.3 m x 1.5 m deep)
- Feedlot (228.7 m x 106.7 m), and
- Feedlot catch basin (45.8 m x 30.5 m x 3 m deep)

The approval permitted the following livestock numbers:

- 1,500 beef feeders
- 850 sows farrow to finish
- 150 milking cows (plus associated dries and replacements)
- 10,000 chicken layers
- 2,000 chicken broilers
- 1,200 ducks, and
- 400 geese

Condition 4 of Approval RA06017 required Lougheed Colony to construct all CFO facilities by December 31, 2011. Amendment Approval RA06017D allowed an extension of the construction deadline to build the manure collection and storage portions of the CFO facilities prior to December 31, 2014, unless “otherwise agreed upon, in writing, by the NRCB.”

A request was submitted by Lougheed Colony to extend the construction deadline prior to the

expiry of the permit on December 4, 2014. A final extension of the deadline was granted until December 31, 2017.

The NRCB's *construction deadline* policy (Operational Policy 2015-1) states that when construction completion deadlines have lapsed, the permit is to be amended to exclude the unconstructed facilities and to revise the livestock capacity to reflect the livestock capacity of the constructed facilities.

To date, the permit holder has only constructed the following CFO facilities:

- a liquid manure storage
- two hog barns
- a chicken layer barn, and
- a geese/duck/ chicken broiler barn

I am therefore amending Approval RA06017 (together with permit amendments RA06017B and RA06017D) on my own motion under section 23 of AOPA, and in accordance with the *construction deadline* policy, to exclude the unconstructed facilities from the permitted CFO facilities.

Because not all of the permitted facilities have been constructed and the construction completion deadline has passed, I am amending the permit to reflect only those CFO facilities that have been constructed. Because of this, I am also amending Loughheed Colony's permitted livestock capacity to reflect the livestock capacity of the constructed facilities. I will also cancel all construction conditions related to the unconstructed facilities.

The revised total permitted capacity for the CFO will therefore be:

- 850 sows farrow to finish,
- 10,000 chicken layers,
- 2,000 chicken broilers,
- 1,200 ducks, and
- 400 geese.

2. Ongoing conditions

Ongoing conditions 7a, 7c, and 8a from Approval RA06017 are related to the reporting of the liquid manure storage leakage detection system, and water well testing. These conditions are written using terms that are no longer used; and therefore, I will update them to reflect current terms, and carry them forward to Approval RA06017F. I am amending these conditions on my own motion under section 23 of AOPA

3. Other factors considered

This approval officer amendment meets all relevant AOPA requirements with the terms and conditions summarized below, in Approval RA06017 (and its amendments RA06017B and RA06017D) and Decision Summary RA06017 (as well as the decision summaries for the amendments).

As noted in Decision Summary RA06017, that application was consistent with the land use provisions of Flagstaff County's municipal development plan. This approval officer amendment does not affect that municipal development plan consistency determination. (See Decision Summary RA06017 for a more detailed discussion of the county's municipal development plan.) As the permitted animal capacity for the CFO is being reduced by this amendment, the

assessments and conclusions in Decision Summary RA06017 about other considerations under Section 20 of AOPA also remain valid.

4. Terms and conditions

Approval RA06017F specifies the new permitted livestock capacity as:

- 850 sows farrow to finish,
- 10,000 chicken layers,
- 2,000 chicken broilers,
- 1,200 ducks, and
- 400 geese

It also permits the already constructed facilities:

- Liquid manure storage
- Two hog barns
- Chicken layer barn
- Geese/duck/ chicken broiler barn

For clarity and efficiency, and in accordance with NRCB policy, I am amending Approval RA06017, and its amendments (RA06017B and RA06017D). Rather than issue separate amendment documents, I am issuing a new, amended approval (RA06017F) and cancelling Approval RA06017, and its amendments (RA06017B and RA06017D). The amended approval will have the same terms and conditions as Approval RA06017, except the construction conditions related to the L-shaped dairy barn, the dairy corrals, the dairy catch basin, the feedlot, and the feedlot catch basin. The conditions associated with Approval RA06017F will be revised to reflect the aforementioned changes.

5. Conclusion

Approval RA06017F is issued for the reasons provided above and becomes effective immediately.

Approval RA06017, and its amendments (RA06017B and RA06017D) are therefore cancelled, unless Approval RA06017F is held invalid following a review and decision by the NRCB's board members or by a court, in which case Approval RA06017, and its amendments RA06017B and RA06017D will remain in effect.

May 1, 2020

(Original Signed)
Francisco Echegaray, P.Ag.
Approval Officer