

Decision Summary FA19003X

This document summarizes my reasons for issuing Approval FA19003X under the *Agricultural Operation Practices Act (AOPA)*. Additional reasons are in Decision Summary FA19003, Technical Document FA19003, and in Board Decision RFR 2020-03/FA19003. Those documents and the full application are available on the Natural Resources Conservation Board (NRCB) website at www.nrcb.ca under Confined Feeding Operations (CFO)/CFO Search.

1. Background

On September 17, 2019, 1577912 Alberta Ltd. (Hutterian Brethren Church of Hines Creek) applied to the NRCB to construct a new multi-species confined feeding operation (CFO).

The proposed CFO was for:

- 21,000 chicken layers (plus associated pullets),
- 5,000 chicken broilers,
- 500 geese,
- 1,000 ducks,
- 5 dairy milking cows (plus associated dries and replacements)(for personal consumption), and
- 300 turkey broilers.

The proposed CFO facilities are as follows:

- Layer barn (93 m x 18 m)
- Layer barn manure storage pad (attached to layer barn) (12 m x 18 m)
- Pullet barn (54 m x 12 m)
- Pullet barn manure storage pad (attached to pullet barn) (12 m x 12 m)
- Broiler barn (30 m x 19 m)
- Multi-species barn (mixed poultry and dairy) (33 m x 21 m)
- Solid manure storage pad (30 m x 15 m)

My review of the application determined that it met all of the AOPA technical requirements, however, was not consistent with the land use provisions of Clear Hills County's municipal development plan (MDP). Because of that I denied the application on January 31, 2020. Hutterian Brethren Church of Hines Creek requested a review of my decision. The NRCB board granted the review and conducted a written hearing. The board's decision granting the review requests is available on the NRCB's website (Hutterian Brethren Church of Hines Creek, RFR 2020-03/FA19003.)

On April 23, 2020 the board issued Decision 2020-03/FA19003, following their review hearing. In their decision, the board exercised their discretion under section 25(4)(g) of AOPA and, notwithstanding its inconsistency with the MDP, directed the approval officer to issue an approval for the application. In addition, the board identified that road setbacks to range road 53 should be easily resolved directly with the county and in a manner consistent with setbacks established for non-CFO structures on AG-1 lands. According to the land use bylaw, this setback is 40.8 m from the road right of way. The proposed facilities meet this setback.

2. Conclusion

In consideration of Board Decision 2020-03/FA19003 and Decision Summary FA19003, Approval FA19003X is issued.

May 8, 2020

(Original Signed)

Nathan Shirley
Approval Officer