

## **Decision Summary RA09019A – Approval Officer Amendment of NRCB Approval RA09019**

This document summarizes my reasons for issuing Registration RA09019A, an amended version of Approval RA09019. This amended registration 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**

Rocky Road Chicken Farm Ltd. (Rocky Road) owns and operates an existing chicken broiler confined feeding operation (CFO) located at the NW 25-39-28 W4M. The CFO is located approximately 6 kilometres northwest of Blackfalds, Alberta.

The CFO is currently permitted under NRCB Approval RA09019, which permitted the construction and operation of a poultry operation with 100,000 chicken broilers and the following CFO facilities:

- Chicken broiler barn #1 (122 m x 18 m)
- Chicken broiler barn #2 (127 m x 18 m)

Condition 1 of Approval RA09019 required Rocky Road to construct the chicken broiler #2 by October 31, 2012, “unless otherwise agreed upon by the NRCB”.

No request was ever submitted by Rocky Road to extend the construction deadline prior to the expiry of the permit of October 31, 2012.

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 chicken broiler barn #1.

In accordance with Operational Policy 2015-1, I am therefore amending Approval RA09019 on my own motion under section 23 of AOPA to exclude the unconstructed chicken broiler barn #2 from the permitted CFO facilities.

Additionally, because the CFO no longer has the capacity to accommodate the previously permitted broiler numbers, I am also amending the permitted livestock capacity to reflect the livestock capacity of the constructed facilities.

To determine the revised permitted capacity, I discussed the CFO current capacity with the permit holder, as well as the capacity included under the original Lacombe County development permit #123/99.

The revised total permitted capacity for the CFO was determined to be 50,000 chicken broilers.

## 2. Other factors considered

This approval officer amendment meets all relevant AOPA requirements with the terms and conditions summarized below, in Approval RA09019 and Decision Summary RA09019.

As the permitted animal capacity for the CFO is being reduced by this amendment, the assessments and conclusions in Decision Summary RA09019 about other considerations under Section 20 of AOPA also remain valid.

As noted in Decision Summary RA09019, that application was consistent with the land use provisions of Lacombe County's municipal development plan (MDP). Lacombe County has since adopted a revised version of their MDP; however, since this amendment is limited to amending Approval RA09019 to remove a previously permitted, but unconstructed CFO facility and reduce the permitted livestock numbers accordingly, it is my determination that the MDP consistency in the original permit is still valid.

## 3. Terms and conditions

Registration RA09019A specifies the new permitted livestock capacity as 50,000 chicken broilers, and also includes the already constructed chicken broiler barn #1.

For clarity and efficiency, and in accordance with NRCB policy, rather than issue separate amendment documents, I am issuing a new, amended registration (RA09019A) and cancelling Approval RA09019. The amended registration will have the same terms and conditions as Approval RA09019, except those related to the unconstructed chicken broiler barn #2. The appendix of Registration RA09019A contains the already met construction conditions associated with Approval RA09019.

## 4. Conclusion

Registration RA09019A is issued for the reasons provided above and becomes effective immediately.

Approval RA09019 is therefore cancelled, unless Registration RA09019A is held invalid following a review and decision by the NRCB's board members or by a court, in which case Approval RA09019 will remain in effect.

June 8, 2021

  
Francisco Echegaray, P.Ag.  
Approval Officer