

Decision Summary RA21005A Approval Officer Amendment of NRCB Authorization RA21005

This document summarizes my reasons for issuing an amended version of Authorization RA21005 under the *Agricultural Operation Practices Act* (AOPA). Additional reasons are in Technical Document RA21005A. All decision 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. My decision is based on the act and its regulations, the policies of the NRCB, the information contained in the application, and all other materials in the application file.

Under AOPA this type of application requires an amendment to an authorization. For additional information on NRCB permits please refer to www.nrcb.ca.

1. Background and reasons for the amendment

On May 13, 2021, the NRCB issued Authorization RA21005 to Christiaan Goselink. The authorization permitted him to construct a sand separation building to process manure and bedding at his existing dairy CFO.

After the authorization was issued, Mr. Goselink expressed concern about some of the decision documents being posted to the NRCB website. On May 17, 2021, Mr. Goselink filed a confidentiality request with the NRCB. In the request, Mr. Goselink requested that the diagrams and illustrations he submitted as part of his application be removed due to the proprietary nature of the pump design.

The confidentiality request was reviewed and conditionally granted by the NRCB's acting CEO on May 19, 2021. In his decision, the acting CEO directed that permit documents for Authorization RA21005 be removed from the NRCB website. In the meantime, Mr. Goselink was to provide the NRCB with information to replace the previously submitted proprietary illustrations with new documents that would illustrate how the technical requirements of the application, without the proprietary pump designs, can be met. Mr. Goselink supplied the replacement documents on May 30, 2021.

Based on the above, I am of the opinion that amending Authorization RA21005 on my own motion under section 23 of AOPA is an expedient way to address the confidentiality concern while still respecting the AOPA requirements. The amendment will only modify Technical Document RA21005 by replacing the pages containing the technical drawings of the sand separation building with the replacement ones.

The amendment does not affect the permitted size or location of the sand separation building, nor does it change any of the previously permitted CFO facilities.

Section 23(3) of AOPA specifies that a written copy of the amendment decision must be provided to the directly affected parties. In the case of Authorization RA21005A, the directly affected parties are Mr. Goselink and Goselink Holsteins (the co-permit holders), and Lacombe County, the municipality in which the CFO is located. There is no public notice requirement for authorizations.

2. Other factors considered

The application for Authorization RA21005 was consistent with the land use provisions of Lacombe County's municipal development plan (MDP). This approval officer amendment does not impact the MDP consistency determination in Decision Summary RA21005. The MDP consistency determination in Decision Summary RA21005 applies equally to this amendment (see Appendix A in Decision Summary RA21005 for a discussion of the county's municipal development plan).

3. Terms and conditions

For clarity and efficiency, and in accordance with NRCB policy, I have consolidated the requirements and conditions from Authorization RA21005 into the new Authorization RA21005A. Consolidating permits generally involves carrying forward all non-redundant terms and conditions from the prior permit in to the new permit, and then cancelling the prior permit.

Therefore, Authorization RA21005A contains all of the terms and conditions from Authorization RA21005.

4. Conclusion

Authorization RA21005A is issued for the reasons provided above, and in the previously issued Decision Summary for Authorization RA21005, and in Technical Document RA21005A.

Authorization RA21005 is therefore cancelled, unless Authorization RA21005A is held invalid following a review and decision by the NRCB's board members or by a court, in which case Authorization RA21005 will remain in effect.

Authorization RA21005A must be read in conjunction with Christiaan Goselink's previously issued NRCB Approval RA19060, which remains in effect.

June 16, 2021

(Original Signed)
Lynn Stone
Approval Officer