

## **Decision Summary RA19033A – Approval Officer Amendment of NRCB Authorization RA19033**

This document summarizes my reasons for issuing Authorization RA19033A, an approval officer amended version of Authorization RA19033. The amended authorization is issued 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 all other materials in the application file.

Authorization RA19033A and this decision summary are available from the decisions search engine on the Natural Resources Conservation Board (NRCB) website at [www.nrcb.ca](http://www.nrcb.ca).

### **1. Background and reasons for the amendment**

De Knar Farms Ltd. owns and operates a dairy replacement confined feeding operation (CFO) at SE 12-37-1 W5M in Red Deer County, roughly nine kilometers northwest of Penhold, Alberta.

Authorization RA19033, issued August 22, 2019, included conditions to address the potential risk posed by existing manure collection areas and manure storage facilities to surface water and groundwater. It also permitted the construction of a shed for calf hutches (36.6 m x 24.4 m), a replacement heifer shelter (76.2 m x 18.3 m) and an addition to an already existing manure storage pad (final dimensions to be 46 m x 55 m).

On June 17, 2021, I inspected the CFO and noted that the conditions related to protecting surface water and groundwater were met. The manure storage pad was constructed and measured a total of 30 m x 50 m (I was informed that there is no intent to construct the remaining portion). On the following day, I was provided with proof that the manure storage pad's concrete liner met the permit's protective liner requirements.

On August 5, 2021, a representative of De Knar Farms Ltd. indicated that the CFO no longer intends to construct the 76.2 m x 18.3 m replacement heifer shelter. I was informed on the same day that the shed to house calf hutches was constructed as a triangular concrete pad (31.5 m x 39 m x 50 m), not as a rectangular shed as previously permitted. The representative of De Knar Farms provided me with proof that the concrete used to construct the liner for the triangular pad met the AOPA protective liner requirements (the same as Authorization RA19033's condition requirements). I was then informed that the CFO had no intent in construct the remaining portion of the shed to house calf hutches.

Considering that the as-built triangular pad for calf hutches meets AOPA's protective liner requirements, is located where the shed was permitted, and that the hutches will afford the same protection from run on and runoff as the shed would have, I am of the opinion that there is no need to re-evaluate the potential risk that this facility poses to surface water and groundwater (using the NRCB's environmental risk screening tool).

Based on the above, I am amending Authorization RA19033 on my own motion under section 23 of AOPA. The amendment will reflect what has been constructed from Authorization RA19033 and remove the previously permitted replacement heifer shelter (that hasn't been constructed). This amendment does not affect the deemed approval or Authorization RA21035.

## **2. Other factors considered**

The application for Authorization RA19033 was consistent with the land use provisions of Red Deer County's municipal development plan (MDP). This approval officer amendment does not impact the MDP consistency determination in Decision Summary RA19033. The MDP consistency determination in Decision Summary RA19033 applies equally to this amendment. (See Appendix A to Decision Summary RA19033 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 RA19033 into the new Authorization RA19033A. Consolidating permits generally involves carrying forward all non-redundant terms and conditions from the prior permit into the new permit, and then cancelling the prior permit.

Therefore, Authorization RA19033A contains all of the relevant terms and conditions from Authorization RA19033, except for those that are already met and those which are no longer required. The conditions from Authorization RA19033 which are already met will be carried forward but are identified in the Appendix to Authorization RA19033A. The conditions related to the replacement heifer shelter that will no longer be constructed will be deleted.

## **4. Conclusion**

Authorization RA19033A is issued for the reasons provided above.

Authorization RA19033 is therefore cancelled, unless Authorization RA19033A is held invalid following a review and decision by the NRCB's board members or by a court, in which case Authorization RA19033 will remain in effect.

August 13, 2021

(Original Signed)  
Jeff Froese  
Approval Officer