

Decision Summary RA23025A

This document summarizes my reasons for issuing Authorization RA23025A, an amended version of Authorization RA23025, under the *Agricultural Operation Practices Act* (AOPA). Additional reasons are in Technical Document RA23025A. 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.

1. Background

On March 5, 2024, the NRCB issued Authorization RA23025 to Jake Vermeer on behalf of Vermeer's Dairy Ltd. (Vermeer's Dairy), which allowed them to construct an addition to the existing heifer shed (95.1 m x 20.1 m) and a manure storage pad (12.2 m x 12.2 m) at an existing dairy confined feeding operation (CFO).

On March 14, 2025, Vermeer's Dairy applied to amend the authorization to relocate and change the dimensions of the permitted heifer shed. The barn will be located 15.2 m west and 7.6 m north from the previous permitted location and will measure 106.7 m x 22 m.

Under the proposal, the heifer shed will be built using the same concrete liner and naturally occurring protective layer that were previously permitted for the original heifer shed. No increase in livestock numbers, manure production, or other changes to the original authorization are proposed.

Under AOPA, this type of application requires an amendment to an authorization.

a. Location

The existing CFO is located at E½ 4-45-19 W4M in Camrose County, roughly 10 km west of Kelsey, Alberta. The terrain slopes gently to the northeast.

b. Existing permits

The CFO is currently permitted under NRBC Approval RA17058X and Authorization RA18086; which allow the construction and operation of a dairy CFO with 1,000 milking cows (plus dries and replacements).

2. Notices to affected parties

Under section 21 of AOPA, the NRCB notifies all parties that are "affected" by an authorization application. Section 5 of AOPA's Part 2 Matters Regulation defines "affected parties" as:

- the municipality where the CFO is located or is to be located
- in the case where part of a CFO is located, or is to be located, within 100 m of a bank of a river, stream or canal, a municipality entitled to divert water from that body within 10 miles downstream
- any other municipality whose boundary is within a notification distance. In this case, the notification distance is 1.5 miles (2,414 m) from the CFO

None of the CFO facilities are located within 100 m of a bank of a river, stream or canal.

A copy of the application was sent to Camrose County, which is the municipality where the CFO is located.

3. Responses from the municipality, referral agencies and other directly affected parties

Referral letters and a copy of the complete application were emailed to Alberta Environment and Protected Areas (EPA) and Alberta Agriculture and Irrigation (AGI).

I also sent a copy of the application to Ankerton Gas Co-op Ltd., Atco Electric Ltd., and DEL Canada GP Ltd. as they are right-of-way holders on the subject land.

The NRCB received a written response to the application notice from Ms. Kim Hunter, a development officer with Camrose County. As noted in section 2, Camrose County is a directly affected party.

In her response, Ms. Hunter indicated that the County has no concerns with this application. The County adopted its current MDP on April 12, 2016, under Bylaw #1372. This is the same MDP that I considered when I issued Authorization RA23025 on March 5, 2024. Vermeer's Dairy's present application is consistent with that MDP for the same reasons as those provided in Appendix A of Decision Summary RA23025.

No responses were received from any other person or organization.

4. Environmental risk of facilities

In this case, the risks posed by Vermeer's Dairy's permitted CFO facilities were assessed in 2017 and 2024. According to those assessments, the facilities posed a low risk to surface water and groundwater.

Apart from the relocation and changes to the dimensions of the permitted heifer shed permitted by Authorization RA23025, the circumstances have not changed since those assessments were done. The changes to the heifer shed will have the same concrete and naturally occurring protective layer as the addition to the heifer shed permitted by Authorization RA23025.

For these reasons, a new assessment of the risks posed by the CFO's existing facilities, and the proposed relocation of the heifer shed is not required. The risk posed by the modified heifer shed is therefore presumed to be low.

5. Other factors considered

The previous application RA23025 met all relevant AOPA requirements. The proposed changes to the dimensions and location of the heifer shed have no impact on that determination, which still stands. Additionally, the terms and conditions summarized in section 6, include the terms and conditions from Authorization RA23025.

6. Terms and conditions

Rather than issuing a separate "amendment" to Authorization RA23025, I am issuing a new authorization (RA23025A) with the required amendment. Authorization RA23025A permits the relocation and expansion of the heifer shed.

Authorization RA23025A carries forward all relevant terms and conditions in the previously issued Authorization RA23025, with any necessary modifications to the dimensions and location of the heifer shed.

7. Conclusion

Authorization RA23025A is issued for the reasons provided above, in Decision Summaries RA23025 and RA23025A, and in Technical Documents RA23025 and RA23025A. In the case of a conflict between these documents, the latest ones will take precedence.

Authorization RA23025 is therefore superseded, unless Authorization RA23025A is held invalid following a review and decision by the NRCB's board members or by a court, in which case Authorization RA23025 will remain in effect.

April 25, 2025

(Original signed)

Francisco Echegaray, P.Ag.
Approval Officer