

## Decision Summary LA25014

This document summarizes my reasons for issuing Approval LA25014 under the *Agricultural Operation Practices Act* (AOPA). Additional reasons are in Technical Document LA25014. All decision documents and the full application are available on the Natural Resources Conservation Board (NRCB) website at [www.nrcb.ca](http://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 approval. For additional information on NRCB permits please refer to [www.nrcb.ca](http://www.nrcb.ca).

### 1. Background

On February 3, 2025, O K Hutterian Brethren operating as OKC Farms (O K Colony) submitted a Part 1 application to the NRCB to expand an existing multi species CFO.

The Part 2 application was submitted on March 19, 2025. On March 26, 2025, I deemed the application complete.

The proposed expansion involves:

- Increasing chicken layer numbers from 20,000 to 50,000
- Increasing chicken pullet numbers from 25,000 to 50,000
- Decreasing milking cows (plus associated dries and replacements) from 70 to 3
- Decreasing beef feeder numbers from 70 to 10
- Adding 700 chicken broilers
- Constructing a new layer barn (152.4 m x 45 m) with attached manure storage (18.6 m x 7.8 m)
- Decommissioning the catch basin
- Relocating the solid manure storage (compost area) approximately 35 m South-East from its current location
- Converting the existing layer barn into a pullet barn

The proposed conversion of the existing layer barn into a pullet barn will not involve an alteration to the structure's manure collection and storage liner. Therefore, the proposed barn conversion does not require a permit amendment under AOPA.

#### a. Location

The existing CFO is located at NE 34-4-20 W4M in the County of Warner, roughly 11 km south of Raymond, Alberta on Highway 506. The topography of the site is undulating.

#### b. Existing permits

The CFO was issued development permit #97-37 by the County of Warner on December 16, 1997. This development permit is a deemed (i.e. grandfathered) permit under section 18.1(1)(b) of AOPA.

Since AOPA came into effect on Jan. 1, 2002, the CFO has received Approvals LA03037A and LA05038, and Authorizations LA04005, LA05028 and LA16031 from the NRCB. Collectively, these NRCB permits and the deemed permit allow the construction and operation of a CFO with the following animal numbers:

- 20,000 chicken layers (plus associated pullets)
- 25,000 additional pullets
- 600 sows farrow to finish
- 70 milking cows (plus associated dries and replacements)
- 70 beef feeders
- 700 ducks

The CFO's deemed and NRCB-permitted facilities are listed in the appendix of Approval LA15014.

## **2. Notices to affected parties**

Under section 19 of AOPA, the NRCB notifies (or directs the applicant to notify) all parties that are "affected" by an approval application. Section 5 of AOPA's Part 2 Matters Regulation defines "affected parties" as:

- 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 person or municipality entitled to divert water from that body within 10 miles downstream
- the municipality where the CFO is located or is to be located
- any other municipality whose boundary is within a specified distance from the CFO, depending on the size of the CFO
- all persons who own or reside on land within a specified distance from the CFO, depending on the size of the CFO

For the size of this CFO the specified distance is 1.5 miles. (The NRCB refers to this distance as the "notification distance".)

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 the County of Warner, which is the municipality where the CFO is located.

The NRCB gave notice of the application by:

- posting it on the NRCB website,
- public notice was placed on the County of Warner's website on March 26, 2025, and
- sending 5 notification letters to people identified by the County of Warner as owning or residing on land within the notification distance.

The full application was made available for viewing in the NRCB's Lethbridge office during regular business hours.

## **3. Notice to other persons or organizations**

Under section 19 of AOPA, the NRCB may also notify persons and organizations the approval officer considers appropriate. This includes sending applications to referral agencies which have

a potential regulatory interest under their respective legislation.

Referral letters and a copy of the complete application were emailed to Alberta Environment and Protected Areas (EPA), Alberta Agriculture and Irrigation (AGI), Alberta Transportation & Economic Corridors (TEC), and the Raymond Irrigation District.

I also sent a copy of the application to Triple W Natural Gas Coop Ltd. and Fortis Alberta Ltd., as they are utility right-of-way (ROW) holders on the subject land.

I received responses from Leah Olsen, a development and planning technologist with TEC, Adriane Gomes Preissler, a water administration technologist with EPA, Jeff Skeith, a chief financial officer with Triple W Natural Gas Coop Ltd., and Diana Pounall, a land coordinator with Fortis Alberta Ltd.

In their response, Leah Olsen stated that TEC has no concerns or requirements with respect to this proposal and a permit will not be required.

In their response, Adriane Gomes Preissler stated that there are no groundwater nor surface water diversion authorizations in NE 34-04-20 W4 and according to the Alberta Water Well Information Database, there appear to be no active water wells on the site. Ms. Priessler noted that the applicant had supplied a water conveyance agreement with Raymond Irrigation District (RID) that indicates the applicant has access of up to 52 acre-feet of water per year, the proposed expansion would require approximately 23.93 acre-feet of water per year, and that sufficient water exists in the current agreement with RID to accommodate the volume increase.

However, Ms. Preissler stated that the land location associated with this application, NE 34-04-20 W4, does not appear to be within the RID and water is not to be delivered outside the irrigation district's boundaries, but it could be a potential option for legally obtaining water for the proposed expansion. They asked if RID had recently expanded its boundaries to include this land location and clarification regarding the water conveyance agreement is required.

Ms. Preissler stated it is the responsibility of O K Hutterian Brethren to review their current agreement, confirm if adequate volume exists, and if the agreement can be amended to include NE 34-04-20 W4 as the point of use. They also said that should it be determined that additional water is required, options for obtaining a legal water source(s) for the additional diversion(s) can be discussed with EPA. The response from EPA was forwarded to the applicant for their information and action. The applicant is reminded it is their responsibility to ensure they have adequate water licensing for their entire operation's requirements.

In their response, Jeff Skeith stated that Triple W Natural Gas Coop Ltd. has no objections to the application.

In their response, Diana Pounall stated that Fortis Alberta has no concerns, and to please contact 310-WIRE for any electrical services.

Approval LA25014 does not relieve the permit holder from complying with other applicable laws, such as safety codes, other municipal bylaws, provincial legislation (e.g. *Historical Resources Act*), and federal legislation (e.g. *Migratory Birds Convention Act*).

I did not receive any other responses.

#### **4. Alberta Land Stewardship Act (ALSA) regional plan**

Section 20(10) of AOPA requires that an approval officer must ensure the application complies with any applicable ALSA regional plan.

As required by section 4(1) of the South Saskatchewan Regional Plan (SSRP), I considered that document's Strategic Plan and Implementation Plan and determined that the application is consistent with those plans. In addition, there are no notices or orders under the Regulatory Details portion of the SSRP that apply to this application.

#### **5. Municipal Development Plan (MDP) consistency**

I have determined that the proposed expansion is consistent with the land use provisions of the County of Warner's municipal development plan. (See Appendix A for a more detailed discussion of the County's planning requirements.)

#### **6. AOPA requirements**

With respect to the technical requirements set out in the regulations, the proposed expansion:

- Meets the required AOPA setbacks from all nearby residences (AOPA setbacks are known as the "minimum distance separation" requirements, or MDS)
- Meets the required AOPA setbacks from water wells, springs, and common bodies of water
- Has sufficient means to control surface runoff of manure
- Meets AOPA's nutrient management requirements regarding the land application of manure
- Meets AOPA groundwater protection requirements for the design of floors and liners/protective layers of manure storage facilities and manure collection areas

With the terms and conditions summarized in part 10 and in Appendix B, the application meets all relevant AOPA requirements.

#### **7. Responses from municipality and other directly affected parties**

Directly affected parties are entitled to a reasonable opportunity to provide evidence and written submissions relevant to the application and are entitled to request an NRCB Board review of the approval officer's decision. Not all affected parties are "directly affected" under AOPA.

Municipalities that are affected parties are identified by the Act as "directly affected." The County of Warner is an affected party (and directly affected) because the proposed expansion is located within its boundaries.

Mr. Shawn Hathaway, a chief administrative officer with the County of Warner, provided a written response on behalf of the County of Warner. Mr. Hathaway stated that the application meets the requirements of the municipal development plan (MDP) and there are no intermunicipal development plans (IDPs) or area structure plans in that area. He also mentioned that the land is zoned extensive agriculture. The application's consistency with the land use provisions of the County of Warner's municipal development plan is addressed in Appendix A, attached.

Apart from municipalities, any member of the public may request to be considered “directly affected.”

No responses were received from any other person, organization, or member of the public.

## **8. Environmental risk of CFO facilities**

New CFO facilities which clearly meet or exceed AOPA requirements may be assumed to pose a low risk to surface and groundwater. There may be circumstances where, because of the proximity of a shallow aquifer, or porous subsurface materials, and surface water systems an approval officer may require groundwater monitoring for the facility. Based on the information in the application, as well as from a site visit, I did not identify any reasons to implement groundwater monitoring for the proposed facility.

When reviewing a new approval application for an existing CFO, NRCB approval officers assess the CFO’s existing buildings, structures, and other facilities. In doing so, the approval officer considers information related to the site and the facilities, as well as results from the NRCB’s environmental risk screening tool (ERST). The assessment of environmental risk focuses on surface water and groundwater. The ERST provides for a numeric scoring of risks, which can fall within either a low, moderate, or high risk range. (A complete description of this tool is available under CFO/Groundwater and Surface Water Protection on the NRCB website at [www.nrcb.ca](http://www.nrcb.ca).) However, if those risks have previously been assessed, the approval officer will not conduct a new assessment unless site changes are identified that require a new assessment, or the assessment was supported with a previous version of the risk screening tool and requires updating. See NRCB Operational Policy 2016-7: Approvals, part 9.17.

In this case, the risks posed by O K Colony’s existing CFO facilities were assessed in 2016 using the ERST. According to that assessment, the facilities posed a low potential risk to surface water and groundwater.

There have been no changes related to groundwater or surface water protection, water wells, or CFO facilities since that assessment was done. As a result, a new assessment of the risks posed by the CFO’s existing facilities is not required.

## **9. Other factors**

Because the approval application is consistent with the MDP land use provisions, and meets the requirements of AOPA and its regulations, I also considered other factors.

AOPA requires me to consider matters that would normally be considered if a development permit were being issued. The NRCB interprets this to include aspects such as property line and road setbacks related to the site of the CFO. (Grow North, RFR 2011-01 at page 2). Approval officers are limited to what matters they can consider though as their regulatory authority is limited.

While Mr. Hathaway did not list the setbacks required by the County of Warner’s land use bylaw (LUB), he did note that the application meets all the requirements of the LUB.

I have considered the effects the proposed expansion may have on natural resources administered by provincial departments. EPA has not made me aware of statements of concern

submitted under section 73 of the *Environmental Protection and Enhancement Act* or under section 109 of the *Water Act* in respect of the subject of this application.

I am not aware of a written decision of the Environmental Appeals Board for this location (<http://www.eab.gov.ab.ca/status.htm>), accessed May 7, 2025.

Finally, I considered the effects of the proposed expansion on the environment, the economy, and the community, and the appropriate use of land.

Consistent with NRCB Operational Policy 2016-7: *Approvals*, part 9.10.9, I presumed that the effects in the environment are acceptable because the application meets all of AOPA's technical requirements. I see nothing in the information before me to suggest that effects on the environment will be unacceptable and, in my view, this presumption is not rebutted.

Consistent with NRCB Operational Policy 2016-7: *Approvals*, part 9.10.9, if the application is consistent with the MDP then the proposed development is presumed to have an acceptable effect on the economy and community. I encountered no submissions or evidence, including from County of Warner, that effects on the community and economy would be unacceptable. In my view, this presumption is not rebutted.

I also presumed that the proposed expansion is an appropriate use of land because the application is consistent with the land use provisions of the municipal development plan (See NRCB Operational Policy 2016-7: *Approvals*, part 9.10.9). In my view, this presumption is not rebutted.

## **10. Terms and conditions**

Approval LA25014 specifies the cumulative permitted livestock capacity as 50,000 chicken layers, 50,000 chicken pullets, 600 swine farrow to finish, 3 milking cows (plus associated dries and replacements), 10 beef feeders, 700 ducks, and 700 chicken broilers, and permits the construction of the new chicken layer barn with attached manure storage and the relocation of the solid manure storage.

Approval LA25014 contains terms that the NRCB generally includes in all AOPA approvals, including terms stating that the applicant must follow AOPA requirements and must adhere to the project descriptions in their application and accompanying materials.

In addition to the terms described above, Approval LA25014 includes conditions that generally address construction deadline, monitoring, document submission, construction inspection, and decommissioning. For an explanation of the reasons for these conditions, see Appendix B.

For clarity, and pursuant to NRCB policy, I consolidated the following permits with Approval LA25014: the deemed permit (including development permit #97-37), LA03037A, LA04005, LA05028, LA05038, and LA16031 (see NRCB Operational Policy 2016-7: *Approvals*, part 11.5). Permit consolidation helps the permit holder, municipality, neighbours and other parties keep track of a CFO's requirements, by providing a single document that lists all the operating and construction requirements. Consolidating permits generally involves carrying forward all relevant terms and conditions in the existing permits into the new permit, with any necessary changes or deletions of those terms and conditions. This consolidation is carried out under section 23 of AOPA, which enables approval officers to amend AOPA permits on their own motion. Appendix

B discusses which conditions from the historical permits are or are not carried forward into the new approval.

## **11. Conclusion**

Approval LA25014 is issued for the reasons provided above, in the attached appendices, and in Technical Document LA25014.

O K Colony's deemed permit, NRCB-issued Approvals LA03037A and LA05038, and Authorizations LA04005, LA05028, and LA16031 are therefore superseded, and their content consolidated into this Approval LA25014, unless Approval LA25014 is held invalid following a review and decision by the NRCB's board members or by a court, in which case the deemed approval, including municipal development permit #97-37, Approvals LA03037A and LA05038, and Authorizations LA04005, LA05028, and LA16031 will remain in effect.

May 13, 2025

(Original signed)  
Kelsey Peddle  
Approval Officer

## **Appendices:**

- A. Consistency with the municipal development plan
- B. Explanation of conditions in Approval LA25014

## **APPENDIX A: Consistency with the municipal development plan**

Under section 20 of AOPA, an approval officer may only approve an application for an approval or amendment of an approval if the approval officer holds the opinion that the application is consistent with the “land use provisions” of the applicable municipal development plan (MDP).

This does not mean consistency with the entire MDP. In general, “land use provisions” cover MDP policies that provide generic directions about the acceptability of various land uses in specific areas.

“Land use provisions” do not call for discretionary judgements relating to the acceptability of a given confined feeding operation (CFO) development. Similarly, section 20(1.1) of the Act precludes approval officers from considering MDP provisions “respecting tests or conditions related to the construction of or the site” of a CFO or manure storage facility, or regarding the land application of manure. (These types of MDP provisions are commonly referred to as MDP “tests or conditions.”) “Land use provisions” also do not impose procedural requirements on the NRCB. (See NRCB Operational Policy 2016-7: *Approvals*, part 9.2.7.)

O K Colony’s CFO is located in the County of Warner and is therefore subject to that county’s MDP. The County of Warner adopted the latest revision to this plan in November 1999, under Bylaw No. 804-99.

As relevant here, section 4.1.5 of the MDP sets out land uses and the areas where the uses are encouraged. Sub-section 4.1.5(c) addresses “intensive agriculture”. This section states that intensive agriculture is “generally accepted everywhere in the county within the principles of minimum distance separation and the land use bylaw, particularly in the irrigated areas of the county”. It also states that intensive agriculture should:

- have regard for the minimum distance separation calculation, and
- ensure compliance with the land use bylaw and any other regulation.

Section 4.1.5(c) refers to Bylaw No. 930-17. Under that bylaw, the subject land is currently zoned Extensive Agriculture. CFOs are listed as a discretionary land use under this zoning category and NRCB approval, rather than a municipal permit, is required.

Section 4.1.5(c) also refers to compliance with “any other regulation”. This is likely not a “land use provision” for purposes of the MDP consistency requirement under AOPA. Regardless, no party, including the County of Warner, has identified “any other regulation” that the application does not meet.

For these reasons, I conclude that the application is consistent with the land use provisions of the County of Warner’s MDP that I may consider.



## **APPENDIX B: Explanation of conditions in Approval LA25014**

Approval LA25014 includes several conditions, discussed below, and carries forward a number of conditions from Approval LA05035 (see sections 2 and 3 of this appendix). Construction conditions from historical permits that have been met are identified in the appendix to Approval LA25014.

### **1. New conditions in Approval LA25014**

#### **a. Construction deadline**

O K Colony proposes to complete construction of the proposed new layer barn with attached manure storage and relocation of the solid manure storage by October 31, 2028. This timeframe is considered to be reasonable for the proposed scope of work. The deadline of October 31, 2028, is included as a condition in Approval LA25014.

#### **b. Construction above the water table**

Section 9(3) of the *Standards and Administration Regulation* under the *Agricultural Operation Practices Act* (AOPA) requires the bottom of the liner of a manure storage facility or manure collection area to be not less than one metre above the water table of the site “at the time of construction.”

Based on information provided in Technical Document LA25014, the proposed new layer barn with attached manure storage may not meet the one metre separation requirement between the bottom of the liner and water table at the time of construction of section 9(3). However, because the height of the water table can vary over time (as indicated from drilling reports on pages 24-38 of Technical Document LA25014), the potential lack of adequate depth to water table indicated in O K Colony's report does not mean that there will be an inadequate depth at the time of construction. To address this variability and ensure that the depth requirement is met at the time of construction, a condition is included requiring O K Colony to cease construction and notify the NRCB immediately if the water table is observed to be one meter or less from the bottom of the liner at the time of construction.

#### **c. Groundwater protection requirements**

O K Colony proposes to relocate the solid manure storage (compost area) to an area with an approximately 6 metre thick naturally occurring protective layer. Section 9 of AOPA's Standards and Administration Regulation specifies a maximum hydraulic conductivity for this type of protective layer in order to minimize leakage.

O K Colony has measured the hydraulic conductivity of the proposed protective layer by removing a relatively undisturbed soil sample during borehole drilling (using a Shelby tube) and testing the hydraulic conductivity of that sample in a lab.

Lab measurements of hydraulic conductivity are made in a precisely controlled setting and are typically based on a small soil sample. Therefore, the NRCB generally multiplies lab-measured hydraulic conductivity values by a factor of 10 to reflect the potential variability in actual protective layer materials and conditions that can reasonably be expected to be achieved in the field.

Example: Hydraulic conductivity =  $k$   
Lab  $k = 1 \times 10^{-9}$  cm/sec  
Expected field  $k = 10 \times (1 \times 10^{-9} \text{ cm/sec}) = 1 \times 10^{-8}$  cm/sec

The regulations provide that the actual hydraulic conductivity of a 2 metre thick naturally occurring protective layer must not be more than  $1 \times 10^{-6}$  cm/sec.

In this case, the lab measurement ranged from  $1.7 \times 10^{-7}$  cm/sec to  $2.6 \times 10^{-8}$  cm/sec. With the required ten-fold modification, the expected field value would range from  $1.7 \times 10^{-6}$  cm/sec to  $2.6 \times 10^{-7}$  cm/sec. The highest expected value,  $1.7 \times 10^{-6}$  cm/sec, is above (worse than) the maximum value in the regulations and the lowest expected value,  $2.6 \times 10^{-7}$  cm/sec, is below (better than) the maximum value in the regulations. Using the equivalency equation for single layer systems as outlined in Technical Guideline Agdex 096-91 "Determining Equivalent Protective Layers and Constructed Liners", I determined that as the proposed area for the relocation of the solid manure storage has a 6 m naturally occurring protective layer, it meets the hydraulic conductivity requirements in the regulations.

#### **d. Post-construction inspection and review**

The NRCB's general practice is to include conditions in new or amended permits to ensure that the new or expanded facilities are constructed according to the required design specifications. Accordingly, Approval LA25014 includes conditions requiring:

- a. the concrete used to construct the liner of the manure collection and storage portion of the new layer barn with attached manure storage to meet the specification for category D (solid manure – dry) in Technical Guideline Agdex 096-93 "Non-Engineered Concrete Liners for Manure Collection and Storage Areas."
- b. O K Colony to provide documentation to confirm the specifications of the concrete used to construct the manure storage and collection portions of the new layer barn with attached manure storage.

The NRCB routinely inspects newly constructed facilities to assess whether the facilities were constructed in accordance with the permit requirements. To be effective, these inspections must occur before livestock or manure are placed in the newly constructed facilities. Approval LA25014 includes a condition stating that O K Colony shall not place livestock or manure in the manure storage or collection portions of the new layer barn with attached manure storage, or place manure on the relocated solid manure storage, until NRCB personnel have inspected the new layer barn with attached manure storage and confirmed in writing that it meets the approval requirements.

## **2. Conditions carried forward and modified from LA05038**

Pursuant to section 23 of AOPA (approval officer amendments), I have determined that operating conditions #6, 7, and 9(b) from LA05038 should be carried forward and re-numbered to reflect the new construction conditions of this permit. Condition #6(b) is modified to include the latest technical guideline for leak detection monitoring parameters, Technical Guideline Agdex 096-52 "Leak Detection Monitoring Parameters". Condition #9(b) is corrected, as a typo in LA05038 listed the wrong legal land locations to be excluded from manure application. This condition had been updated from Approval LA03037A, which stated "[n]o manure is to be applied within 100 m of Ridge Reservoir." The condition in Approval LA05038 stated "[n]o manure is to be applied to the N ½ 9,10, 11, 12-04-20 W4." The land locations listed in Approval LA05038 are not owned by O K Colony and additionally, are south of the CFO, well beyond 100

m from Ridge Reservoir. However, the lands that are owned by O K Colony that are immediately adjacent to Ridge Reservoir are legal land locations 9, 10, 11, and 12-05-20 W4. Given this information, I presumed that Approval LA05038 meant to exclude the N ½ of 9, 10, 11, and 12-05-20 W4, and not N ½ of 9, 10, 11, and 12-04-20 W4, from the application of manure, and therefore I have updated the condition with the correct legal land locations.

### **3. Conditions not carried forward from LA03037A, LA04005, LA05028, LA05038, and LA16031**

Approval LA25014 includes the terms and conditions in historical permits, except those noted below.

Pursuant to section 23 of AOPA (approval officer amendments), I have determined that general conditions #1-4, ongoing conditions #1-4, and construction condition #3 from LA03037A, conditions #1-4 and #10-11 from LA04005, conditions #2-3 in LA05028, and conditions #8 and 9(a) from LA05038 should be deleted and therefore are not carried forward to Approval LA25014. My reasons for deleting these conditions are as follows:

General condition #1 of LA03037A and condition #1 of LA04005 state “[t]he operator is to adhere to and follow the requirements of the *Agricultural Operation Practices Act* and the regulations passed pursuant to that act...”. These conditions are redundant as they are repeated in the opening paragraph of this approval. Therefore, I will not be carrying forward these conditions.

General condition #2 of LA03037A and condition #4 of LA04005 state “[t]he operator is to adhere to the descriptions contained in the filed application and the decision report, together with the site plan, building plans, operating plan, manure management plan, engineering reports and other attached documents...”. These conditions are redundant as they are repeated in the second paragraph of this approval. Therefore, I will not be carrying forward these conditions.

General condition #3 of LA03037A and condition #2 of LA04005 state “[f]or each instance where the applicant has committed to higher standards than required by *AOPA*, these commitments have been included as conditions.” These conditions are redundant, as operators are required to follow all conditions of NRCB permits. Further, conditions that were determined to be “higher standards than required by *AOPA*” have been carried forward into this approval as operating conditions. Therefore, I will not be carrying forward these conditions.

General condition #4 of LA03037A and condition #3 of LA04005 state “[t]he applicant or operator is responsible for all costs associated with monitoring, sampling, testing, recording and reporting requirements.” These conditions are redundant as they are repeated in the fourth paragraph of this approval. Therefore, I will not be carrying forward these conditions.

Ongoing conditions #1, 2, and 3(b) of LA03037A and condition #2 of LA05028 are operating conditions that were repeated and updated in LA05038. As Approval LA05038 was the last approval issued for this CFO and these operating conditions are being carried forward into this approval from LA05038, it is not necessary to carry forward the same conditions from older permits. Therefore, I will not be carrying forward these conditions.

Ongoing condition #3(a) of LA03037A, condition #10 of LA04005, and condition #9(a) of LA05038 are all essentially the same condition as they relate to the application and incorporation of manure within 48 hours. These conditions are redundant as they are repeated

in AOPA (Standards and Administration Regulation, Section 24(1)), and the opening paragraph of this approval states “[t]he permit holder shall comply with the requirements of the *Agricultural Operations Practices Act* (AOPA) and the regulations passed pursuant to that act.” Therefore, I will not be carrying forward these conditions.

Ongoing condition #4 of LA03037A, condition #11 of LA04005, condition #3 of LA05028, and condition #8 of LA05038 are all essentially the same condition as they related to manure application records that the applicant must maintain, as identified in AOPA. These conditions are redundant as they are outlined in AOPA (Standards and Administration Regulations, Section 28), and the opening paragraph of this approval states “[t]he permit holder shall comply with the requires of the *Agricultural Operations Practices Act* (AOPA) and the regulations passed pursuant to that act.” Therefore, I will not be carrying forward these conditions.

Construction condition #3 of LA03037A is redundant as it relates to the construction and inspection of the catch basin that is being decommissioned as part of this application and will no longer be permitted. Therefore, I will not be carrying forward this condition.