

Decision Summary RA22003B

This document summarizes my reasons for issuing Approval RA22003B, an amended version of Approval RA22003A, under the *Agricultural Operation Practices Act* (AOPA). Additional reasons, as well as the full application, are in Technical Document RA22003B. 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 October 19, 2022, the NRCB issued Approval RA22003 to Nick & Barry Buter, Buter Farms, operating as Thousandfields Dairy which allowed the construction of a new dairy confined feeding operation (CFO).

On September 7, 2023, the NRCB issued Approval RA22003A, which amended the width of the permitted dairy barn (for total dimensions of 45.8 m x 118 m).

On March 28, 2025, Thousandfields Dairy applied to amend Approval RA22003A, to modify the location and dimension of the permitted calf barn, heifer shed, and solid manure pad. The calf barn and heifer shed will be combined as a calf/heifer barn with attached pens. The calf/heifer barn (with attached pens) and solid manure pad will be located south of the permitted location. The final dimensions of the calf/heifer barn (with attached pens) will be 42.7 m x 18.3 m (and 42.7 m x 10 m), and the solid manure pad will be 18 m x 10 m. Thousandfields Dairy has not yet constructed these two permitted facilities.

The calf/heifer barn (with attached pens) and solid manure pad will be constructed using the same proposed concrete liner that was previously approved. No increase in livestock numbers or manure production is proposed.

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

a. Location

The permitted CFO is located at SW 27-39-26 W4M in Lacombe County, roughly six km east of Blackfalds, Alberta. The terrain is relatively flat with a general slope to the south.

2. Notices to “affected parties”

Under section 19 of AOPA, notice for an amendment of an approval application must be provided to 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 ½ mile. (The NRCB refers to this distance as the “affected party radius.”)

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

The CFO is not located within 100 m of the bank of the river, stream, or canal.

The NRCB gave notice of the application in the Lacombe Express on April 10, 2025. The full application was made available for viewing during regular business hours at the NRCB Red Deer office and was posted on the NRCB website for public viewing. Notification letters were sent to four people identified by Lacombe County as owning or residing on land within the affected party radius.

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

Referral letters and a copy of the complete application were also emailed to Alberta Environment and Protected Areas (EPA), Alberta Agriculture and Irrigation (AGI), and right of way holders EQUUS and Chain Lake Gas Co-op.

The NRCB received a written response to the application notice from Ms. Allison Noonan, planning services administrative assistant with Lacombe County. As noted in section 2, Lacombe County is a directly affected party.

In her response, Ms. Noonan indicated that the County has no concerns with this application. The County adopted its current MDP on March 13, 2025, under Bylaw 1238/17. The sections in the updated MDP related to CFOs are the same as the one I considered when I issued Approvals RA22003 and RA22003A on October 19, 2022, and September 7, 2023, respectively. Thousandfields Dairy’s present application is consistent with that MDP for the same reasons as those provided in Appendix A of Decision Summary RA22003.

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

4. Environmental risk of facilities

The risks posed by Thousandfields Dairy’s CFO facilities were assessed in 2022 and 2023. Those assessments determined that the potential risks to surface water and groundwater posed by the facilities were low. The proposed change of location and dimensions of the calf/heifer barn (with attached pens) and solid manure pad meet the AOPA requirements.

For this reason, a new assessment of the risks posed by the CFO’s permitted facilities is not required.

5. Factors Considered

The previous applications RA22003 and RA22003A met all relevant AOPA requirements. The proposed change to the location and dimensions of the calf/heifer barn (with attached pens) and solid manure pad has no impact on that determination, which still stands. Additionally, the terms

and conditions summarized in section 6, include the terms and conditions from Approval RA22003A.

6. Terms and Conditions

Rather than issuing a separate “amendment” to Approval RA22003A, I am issuing a new approval (RA22003B) with the required amendment. Approval RA22003B therefore contains all of the terms and conditions in RA22003A, but with modifications to the location and dimensions of the calf/heifer barn (with attached pens) and the solid manure pad.

7. Conclusion

Approval RA22003B is issued, for the reasons provided above, in Decision Summaries RA22003, RA22003A and RA22003B, and in Technical Documents RA22003, RA22003A and RA22003B. In the case of a conflict between these documents, the latest ones will take precedence.

Approval RA22003A is therefore cancelled, unless Approval RA22003B is held invalid following a review and decision by the NRCB’s board members or by a court, in which case the previous permit will remain in effect.

June 13, 2025

(Original signed)
Francisco Echegaray, P.Ag.
Approval Officer