



Decision Report PR25002 for
Grandfathered (Deemed) Permit Determination
under the
Agricultural Operation Practices Act
Heinrich & Regula Gerber (Edelweiss Dairy Ltd.)
SE 10-35-02 W5M

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1.0 Introduction and background

This document sets out the written reasons for my determination of the livestock capacity and type in a deemed permit under the *Agricultural Operation Practices Act* (AOPA). The subject of the determination is a dairy operation located at SE 10-35-02 W5M (this quarter section will be referred to as “the site”). The site is located in Red Deer County, in the province of Alberta, approximately 14.0 kilometres southwest of the town of Innisfail and 11.5 kilometres northwest of the town of Bowden. The process of ascertaining livestock capacity and livestock type under a deemed permit is known commonly as a “grandfathering” determination.

The CFO operates under the corporate name of Edelweiss Dairy Ltd. and the land is owned by Heinrich (Henry) and Regula Gerber. The CFO does not hold a pre-2002 municipal development permit.

On December 2, 2024, Regula Gerber of Edelweiss Dairy Ltd., submitted a grandfathering determination request to the Natural Resources Conservation Board (NRCB). NRCB staff conducted a site inspection of the operation on December 10, 2024. Unauthorized construction was identified after the submission of the grandfathering determination request and verified during the site inspection on December 10, 2024. The grandfathering determination request was withdrawn, and a Part 1 application was submitted to the NRCB on January 15, 2025, for facilities that were constructed after January 1, 2002, including additions to the dairy barn, and expansion of the earthen manure storage (EMS). On April 7, 2025, Compliance Directive CD25-03 was issued for the unauthorized construction and unauthorized expansion of the EMS. The operator had indicated that her children were wanting to build a new dairy barn on the adjacent quarter sometime in 2026 and inquired to have this included as part of the application.

After several discussions with the operator, Approval Officer Sarah Neff and I met in-person with Regula Gerber, her daughter, and son-in-law on June 3, 2025. Options were presented to them, and they agreed the best option at this time would be a stand-alone grandfathering determination, submission of a plan for the conversion of the north dairy barn to solid manure, discontinued use and change of use of the close-up pens, and discontinued use of the EMS.

On June 3, 2025, Regula Gerber submitted a second grandfathering determination request to the NRCB on behalf of Edelweiss Dairy Ltd. (the first request had been withdrawn). The grandfathering determination was requested for SE 10-35-02 W5M, with a claimed grandfathered livestock capacity of 130 dairy cows, 130 dairy heifers, 100 beef cattle (cow/calf) and associated facilities (**Appendix A**).

It is therefore necessary for me to determine:

1. Was there a “CFO” on this site on January 1, 2002?
2. Was the CFO above the permitting thresholds under AOPA on January 1, 2002?
3. If so, what was the footprint on January 1, 2002?
4. What were the structures on January 1, 2002? How were the structures being used?
5. What, if any, permits or licences did the operation hold?
6. What category(ies) of livestock was the CFO confining and feeding, or permitted to confine and feed? What type(s) of livestock in that category? What livestock numbers were permitted or being held for each type of livestock?
7. What was the capacity of the structures to confine livestock on January 1, 2002?
8. Is the claimed capacity within a reasonable range of the physical capacity on January 1, 2002?

To ensure transparency with AOPA and consistent decision-making, a complete and thorough investigation was conducted to address the questions listed above, ensuring that all relevant aspects of the operation were considered in making a formal grandfathering determination. For the reasons that follow, I conclude that the operation existed as a dairy confined feeding operation (CFO) including a seasonal feeding and bedding site (SFBS) facility on January 1, 2002. The CFO portion of the site had the physical capacity to confine 144 milking cows (plus associated dries and replacements) and therefore was above AOPA permitting thresholds. The claimed capacity of 130 milking cows (plus associated dries and replacements) is within a reasonable range of the physical capacity on January 1, 2002. At that time, the 100 cow/calf were considered to have been housed within a seasonal feeding and bedding site (SFBS), as they were only on site during the winter months and during calving. The rest of the year they were off site grazing. The original footprint of the EMS that existed prior to January 1, 2002, is grandfathered, however the expansion of the EMS after 2002 is not grandfathered. Furthermore, due to the disturbance of the liner after 2002, the grandfathering of the original footprint of the EMS is invalidated. Close-up pens (#4 & #5) are considered unauthorized construction.

2.0 Context and process

2.1 Legal context

Under section 18.1(1)(a) of the *Agricultural Operation Practices Act* (AOPA), the owner or operator of a confined feeding operation that existed on January 1, 2002, for which a development permit was not issued by the municipality is deemed to be issued a permit under AOPA. The capacity allowed by a deemed permit is the capacity of the enclosures to confine livestock at the CFO on January 1, 2002 – section 18.1(2)(a) of AOPA.

The term “capacity” refers to a CFO’s livestock numbers, not to the scope of the CFO’s facilities.

The question of whether there was a “confined feeding operation” on this site on January 1, 2002, may turn on the definition of “CFO” in AOPA. In AOPA, “confined feeding operation” is a defined term in section 1(b.6):

“confined feeding operation” means fenced or enclosed land or buildings where livestock are confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and any other building or structure directly related to that purpose but does not include ... livestock seasonal feeding and bedding sites....

To be grandfathered, a CFO must have been at or above AOPA threshold numbers on January 1, 2002. The Part 2 Matters Regulation under AOPA identifies the threshold to require a permit for milking cows (plus associated dries and replacements) is 50 - 199 for a registration and 200+ for an approval.

The Administrative Procedures Regulation under AOPA includes section 11 governing deemed permit investigations. Section 11(1) of the Regulation states that:

11(1) At the request of an owner or operator for a determination related to a deemed permit under section 18.1 of the Act, or in response to a complaint where a determination of the terms or conditions or existence of a deemed permit is required, an inspector shall conduct an investigation to determine the capacity of a confined feeding operation or manure storage facility

- (a) *that was in place on January 1, 2002, or*
- (b) *that was constructed pursuant to a development permit issued before January 1, 2002.*

The NRCB has formalized grandfathering decisions by adopting processes set out in section 11 of the Administrative Procedures Regulations under AOPA and through the [Operational Policy 2023-01: Grandfathering \(Deemed Permit\)](#). These documents provide the framework to establish the facts and the scope of the grandfathering determination process.

2.2 Standard of proof

Section 11 of the Administrative Procedures Regulation under AOPA states that an inspector shall conduct an investigation to determine capacity of a CFO in place on January 1, 2002. Grandfathering determinations require findings of fact. Whether a CFO existed on January 1, 2002, above threshold, is a question of fact. Similarly, what category and type of livestock, and what capacity the CFO had on January 1, 2002, are also questions of fact.

If not otherwise specified in legislation, the standard of proof in a civil administrative proceeding like this is a “balance of probabilities” - that is, whether a relevant fact is more likely than not to be true.

2.3 Flexible approach to grandfathering date

Section 18.1 of AOPA focuses on facts as they existed on the precise grandfathering date of January 1, 2002. However, I generally sought evidence as to the type of livestock and the livestock capacity at the operation between 2000 and 2004 (see Grandfathering Policy, part 6.0). Considering the operation for at least two years before and two years past the January 1, 2002, grandfathering date seemed useful because witnesses might not remember what occurred on the exact date of January 1, 2002, and documents may not have the exact date. Also, considering how an operation functioned over a range of dates might shed additional light on how the operation functioned on a given day within that range.

In addition, the NRCB generally uses a pragmatic and flexible approach toward applying the January 1, 2002, grandfathering date. This approach is reasonable because a more rigid or stricter application of the January 1, 2002, grandfathering date could lead to unfair results if, for example, an operation happened to have emptied its enclosures on January 1, 2002, or was half-way through rebuilding or constructing the enclosures on that date, or had shut down temporarily due to a short-term market crisis. Thus, the 2000 to 2004 range was meant to generate sufficient evidence to apply this pragmatic and flexible approach.

2.4 Notice waived for indoor operation

Ordinarily, notice of a deemed permit determination is given to those parties who would be entitled to notice under AOPA for a new CFO with the same capacity as what the operator is claiming as deemed. However, section 11(3) of the Administrative Procedures Regulation provides:

11(3) An approval officer may waive the notice for indoor confined feeding operations if the inspector finds that the livestock type and the capacity of the structures can be reliably determined by viewing historical aerial photographs and owner or operator records.

I am an inspector, but I am also cross-appointed as an approval officer. In my capacity as an approval officer, I waived the notice of deemed permit determination in this case. This is because I have sufficient information through aerial photographs, milking records, and onsite inspections (counted number of stalls), that confirm the capacity of the structures and the type of livestock that was confined on or about January 1, 2002. I also confirmed the dairy operation was predominantly indoors and the location of dries and replacements (outdoor pen).

3.0 Evidence

3.1 Information from OPERATOR

Henry & Regula Gerber have owned the dairy since 1997. Regula provided 2 documents to support the claimed grandfathered type and capacity of 130 milking cows (plus associated dries and replacements). The operator stated they had 100 beef cattle (cow/calf) that “over-wintered” at the site and were sent to pasture in the spring to graze.

The first document was an aerial photo with handwritten notes, submitted with the grandfathering determination request that identifies the facilities that existed on January 1, 2002, and those facilities added after January 1, 2002 (see page 4 of Appendix A).

The second document was a Herd Management Report (milking records) for December 4, 2002, that showed Edelweiss Dairy Ltd. was milking 75 dairy cows on this date (**Appendix B**).

I interviewed Regula Gerber on December 10, 2024, and again on June 3, 2025. We went over the facilities identified and labelled by her on the aerial imagery (page 4 of Appendix A) provided with the grandfathering determination request. During these interviews Regula confirmed the use of the facilities at the site as they existed on or about January 1, 2002 (**see page 1 of Appendix D**). The north and south dairy barns, including additions (#2) constructed in 2002, were used for housing and feeding the dairy cows. The milking parlour (#3) was built in 2006. Close-up pen (#4), built in 2005, has not been used since approximately 2008. Close-up pen (#5) was constructed in 2008 and used for year-round calving of the dairy cows. The operator advised the use of close-up pen (#5) will be changed for use as a sick pen. An old silage pit was covered with a tarp structure (#6) in approximately 2008 and is now used for hay/straw storage. The dry cow and replacement pole barn (#7), constructed in 2004, was built on an existing pen footprint used historically, prior to January 1, 2002, for dry cows and replacements. The solid manure storage facility (MSF) had always been located at the east end of the north dairy barn. Regula’s daughter and son-in-law were also present during the June 3, 2025, interview and site inspection.

Description of record	Relevant and considered	If not relevant or considered explain why
GF Determination Request 03 Jun 25 Imagery (Appendix A)	Yes	Identifies the facilities that existed on or about January 1, 2002, and provides a list of some facilities (excluding the EMS) that were constructed/expanded after January 1, 2002
Herd Management Report – Milking Records (Appendix C)	Yes	Provides milking numbers for December 4, 2002

3.2 Other evidence

Historical aerial imagery (Valtus 1999 – 2003, Google Earth Pro 2002, 2011, 2013, 2016, 2021 & 2023) shows the facilities that existed on or about January 1, 2002, which included the north and south dairy barns, the heifer barn, the mixed use barn, the hay storage shed, the corral off the southwest corner of the south dairy barn, the pens used for dry cows, replacements and cow/calf located south of the dry heifer barn, the solid MSF at the east end of the north dairy barn, and the EMS (**Appendix C**). Visible in the successional aerial images after January 1, 2002, are the expansions to the south dairy barn (close-up pens #4 & #5), expansion of the EMS, and the construction of the pole barn (#7) in the existing livestock pen located south of the heifer barn (see page 1 of Appendix D).

I found that the livestock type could be determined from the milking records and the capacity of the structures could reliably be determined by viewing historical aerial imagery and visual observations during the site inspections. Valtus aerial imagery from 1999 – 2003 provides a clear view of the dairy operation and the facilities that existed at that time and are still present and consistent with later aerial imagery, excluding the expansion of the EMS and addition of close-up pens #4 & #5 to the south dairy barn.

4.0 Analysis and findings

4.1 CFO footprint and structures

The evidence set out above and attached as appendices shows that Edelweiss Dairy Ltd. operated as an above threshold CFO prior to 2002. Based on my site inspections December 10, 2024, and June 3, 2025, I conclude that the overall CFO footprint, other than the expansion of the EMS, is the same today as it was on January 1, 2002.

The structures are the same today, except for the additions of the milking parlour (#3) constructed in 2006, and the close-up pens (#4 constructed in 2005 and #5 in 2008). The pole barn (#7) used to house dry cows and replacements, constructed in 2004, was built over the existing pen footprint used to house dry cows and replacements that existed on January 1, 2002.

Based on this evidence, I have concluded that on or about January 1, 2002, this CFO consisted of the following manure storage facilities (MSFs) and manure collection areas (MCAs):

Facility	Dimensions (m)
North Dairy Barn (includes 2002 expansion)	50 x 20
South Dairy Barn (includes 2002 expansion)	53 x 25
Heifer Barn	40 x 15
Earthen Manure Storage (EMS) (does not include the expansion after 2002) <i>please see part 6.2 below</i>	25 x 40 Approximate dimensions calculated using 2002 Google Earth Pro Aerial Imagery. Depth of EMS unknown.
Solid Manure Storage (east of north dairy barn)	10 x 20 Dimensions not provided. Approximate dimensions calculated using 2011 Google Earth Pro Aerial Imagery.

4.2 Livestock type

As to livestock type, the herd management report/milking records from December 4, 2002 (Appendix B) show that the CFO operated as a dairy (milking cows plus associated dries and replacements).

4.3 CFO livestock capacity

The Grandfathering (Deemed Permit) Policy at 6.3.3 provides that, if there is no MD permit, then field services staff determine the capacity of the enclosures to confine livestock (“physical capacity”) under section 18.1(2)(a) of AOPA.

Importantly, it is the capacity, rather than the actual number of confined livestock, that determines capacity for this deemed registration.

To determine the capacity of the CFO, I used [Technical Guideline Agdex 096-81: Calculator for Determining Livestock Capacity of Operations as They Existed on January 1, 2002](#). The north dairy barn had 60 free stalls, and the south dairy barn had 60 free stalls for a total of 120 free stalls. Using the calculator factor of 1.2 animals per x 120 free stalls equates to a capacity of 144 milking cows.

There is a loose housing area measuring 7.8 m x 33.6 m in the north dairy barn, a heifer barn and a dry cow and replacement barn with associated outdoor pens that are used to house all the dries and replacement animals.

4.4 Was the CFO above AOPA threshold on January 1, 2002?

The AOPA threshold for a registration for is 50 milking cows (plus associated dries and replacements). Given the analysis above, I find that this CFO had capacity for 144 milking cows (plus associated dries and replacements), which is above the AOPA threshold. Accordingly, the CFO was above threshold on January 1, 2002, and has a deemed permit.

5.0 Affected person and directly affected parties

Section 11(5) of the Administrative Procedures Regulation under AOPA requires that an inspector’s decision report on a grandfathered (deemed) permit determination include reasons on whether affected persons who made a submission are directly affected parties.

In this case, as notice was waived, the only affected and directly affected party in this determination is the applicant (Heinrich & Regula Gerber and Edelweiss Dairy Ltd.).

6.0 Status of deemed permit today

6.1 Abandonment

While a grandfathering determination is limited to a point in time – January 1, 2002 – the NRCB also takes this opportunity to assess the validity or status of a deemed permit, today. In other words, for a permit that is deemed under AOPA, does that same permit exist with the same terms in 2025? This assessment may be useful to provide certainty to prospective buyers, sellers or lenders; regulators (such as the NRCB); and the owner and operator of the CFO.

In a decision concerning a grandfathered (deemed) permit determination (RFR 2020-04 *Stant Enterprises Ltd.* at pg. 4), the NRCB Board implied that where 18 years have passed since the

time window used in a grandfathering, it may be appropriate to evaluate a question of abandonment. If a facility were abandoned, that might invalidate its deemed permit today.

The NRCB's [Operational Policy: 2016-3 Permit Cancellations under AOPA Section 29](#) guides how to assess whether an operation or facility is abandoned. The policy also directs the approval officer (or inspector) to consider:

- the CFO's current use, if any
- the CFO's current condition
- what, if any, steps are being taken to keep the CFO's facilities in condition such that they could resume being used for livestock management without major upgrades or renovations
- when the CFO stopped being used, and the owner's reason for stoppage
- whether the operation changed ownership during the period of disuse
- the owner's reason for ceasing or postponing use and owner's intent with respect to future use of the CFO
- the value of CFO facilities (independent of their permitted status) and the cost of reconstructing them if reconstruction is needed.

Under Operational Policy 2023-1: Grandfathering (Deemed Permit), part 9.1, I considered whether the CFO has been abandoned since January 1, 2002. I considered factors relevant to abandonment, as identified in Operation Policy 2016-3: Permit Cancellations under AOPA Section 29, my observations and information obtained during my site inspections, oral and written evidence provided by the operator, aerial imagery, and Alberta Land Titles, which allowed me to assess the status of the site. The CFO has been an active operating dairy since it started in the 1990's. The operator has completed some upgrades to the facilities over the years, and although the operator sold most of their quota due to market conditions, around 2016 repurchased cows and quota and have been operating since with the intent that their children will take over the dairy. The operator's daughter and son-in-law advised they are in the early planning stages of constructing a new dairy barn on the adjacent quarter to use in conjunction with some of the existing dairy facilities. Based on the information provided by the operator, the future intent of this site, and my site inspections December 10, 2024, and June 3, 2025, I conclude this CFO has not been abandoned.

6.2 Disturbed liner

The Grandfathering (Deemed Permit) Policy states that facilities that are deemed to have an AOPA permit retain that deemed status only as long as the essential conditions of those facilities remain as they were on January 1, 2002.

The policy objective behind grandfathering is to protect legitimate expectations and reduce unfairness to operators who did not receive adequate notice of AOPA Part 2 taking effect from being expected to conform to the "new" standards. When AOPA was being developed, the expectation was that, over time, older facilities would adhere to AOPA's requirements as they were upgraded or replaced. The idea is that, prior to AOPA, operators made their investment decisions on the basis of the rules as they stood at the time, and that it would be unfair to subject those operators to the new rules.

If an operator substantially changes the liner of a grandfathered manure storage facility or collection area, then the policy objective behind grandfathering that liner is erased. In addition, as a general rule, if a deemed facility is changed in a way that constitutes "construction" under

AOPA, including the NRCB's interpretation, then that facility will lose its deemed status. This rule applies even where the "construction" does not alter the existing liner (e.g. but where capacity of manure storage or collection increases). Further explanation of what constitutes "construction" is provided in [NRCB Operational Policy 2012-1: Unauthorized Construction](#), and [Livestock Pen Floor Repair and Maintenance Fact Sheet](#).

In this case, the EMS was expanded after September 8, 2002, as identified on Google Earth Pro Aerial Imagery dated June 8, 2011, (page 2 of Appendix D) and acknowledged by Regula Gerber. The liner for the EMS was disturbed when it was expanded/extended on the west end of the existing EMS (approximately 15 m x 25 m) some time after September 8, 2002. The structure was changed in a way that constitutes "expansion" with respect to a MSF as the expansion of the EMS, meant the construction of additional facilities to store more manure. I find that the deemed status of the EMS has been invalidated by the expansion.

7.0 Conclusion

Having reviewed all the evidence listed above, I have determined that on January 1, 2002, Edelweiss Dairy Ltd. located at SE 10-35-02 W5M, currently owned by Heinrich and Regula Gerber was operating as an above threshold dairy CFO, with the capacity for 130 milking cows (plus associated dries and replacements) and as a SFBS for 100 cow/calf. The footprint of the CFO is the same today as it was on January 1, 2002, excluding the expansion of the EMS (see page 2 of Appendix D). The structures on the site are the same today as they were on January 1, 2002, excluding the expanded EMS and the construction of close-up pens #4 & #5 (see page 2 of Appendix D). Considering the flexible approach to the grandfathering date identified in section 2.3 above, the barn additions #2 constructed in 2002 (see page 1 of Appendix D) are considered grandfathered. The pole barn (#7) was constructed over an existing grandfathered pen footprint and therefore is also considered grandfathered. Therefore, under section 18.1 of AOPA, the owner or operator of the CFO has a deemed registration with the capacity for 130 milking cows (plus associated dries and replacements), excluding the EMS and close-up pens (#4 & #5) in the south dairy barn as identified and labelled on page 2 of Appendix D.

As explained above, the MSF (EMS) is not grandfathered and compliance for the unauthorized expansion of the EMS has been addressed in Directive 2 of CD25-03 and the Detailed Action Plan Compliance Letter issued to Heinrich (Henry) & Regula Gerber and Edelweiss Dairy Ltd. on June 23, 2025.

The construction of close-up pens #4 & #5 to the south dairy barn (page 2 of Appendix D) constitute unauthorized construction and have been addressed in Directive 1 of CD25-03 and the Detailed Action Plan Compliance Letter issued to Heinrich (Henry) & Regula Gerber and Edelweiss Dairy Ltd. on June 23, 2025.

I have determined that the CFO has not been abandoned and the deemed NRCB permit under AOPA is still valid today, excluding the EMS. Please see Deemed (Grandfathered) Registration PR25002.

Furthermore, I conclude that the only directly affected parties of this decision are Heinrich (Henry) & Regula Gerber and Edelweiss Dairy Ltd.

June 24, 2025

(Original signed)
Tracey Krenn
Inspector

8.0 Appendices

- A. PR25002 GF Determination Request 03 Jun 25
- B. Herd Management Report (Milking Numbers) 4 Dec 2002
- C. Historical Aerial Imagery
- D. Excerpt of CD 25-03 for Unauthorized Construction (EMS Expansion & Close-up pens #4 & #5) labelled by T. Krenn

Grandfathering Determination Request

Request under the *Agricultural Operation Practices Act* (AOPA) for a grandfathering determination for a confined feeding operation (CFO), manure collection area (MCA), or manure storage facility (MSF)

NRCB USE ONLY	NRCB Grandfathering Number PR25002	Date Stamp NRCB APPLICATION 03 JUN 2025 RECEIVED
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CONTACT/OWNER INFORMATION

Name of owner: Heinrich (Henry) & Regula Gerber	Corporate Name (if applicable): Edelweiss Dairy Ltd.	
Name of person making request: Regula Gerber		
Address: (Street/P.O. Box) 35140 Range Road 22		
City/Town: Red Deer County	Province: AB	Postal Code: T4G 0M8

LOCATION FOR WHICH GRANDFATHERING DETERMINATION IS REQUESTED

Legal Land Description: SE-10-35-2-W5	(Qtr-Sec-Twp-Rg-W Mer)
County/Municipal District: Red Deer County	
Is the person making the request the registered landowner?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If no, please attach letter of consent signed by all landowners)	
Does this legal land location have an existing permit(s) for CFO facilities? (e.g. municipal development permit.):	
<input type="checkbox"/> Yes (if yes please provide a copy) <input checked="" type="checkbox"/> No Permit(s) #:	

Claimed Grandfathered Livestock Capacity (Capacity of the enclosures On January 1, 2002)

Livestock category and type	Claimed grandfathered livestock capacity
Cattle Dairy Cows	130 cows
Cattle Dairy Heifers	130 heifers
Cattle Beef	100 head

Claimed Grandfathered Facilities (On January 1, 2002)

Facility Name	Dimensions Length x width (x depth as applicable) (m)	Description of management of the facility (Seasonal use, movement of livestock, type of livestock etc.)
Dairy Barns	53 x 25 + 50 x 20	year round use for dairy
Heifer Barn	40 x 15	year round use for dairy
Coral	65 x 120	year round use for dairy + beef
Hip Roof Barn	10 x 22	year round use for dairy

Grandfathering Determination Request



NRCB | Natural Resources
Conservation Board

Information to support grandfathering determination request: (Provide all relevant information to support the grandfathering claim. This can include, permits issued prior to January 1, 2002, records supporting the claimed capacity, photographs, details of facilities used to confine livestock, site layout plan, etc. Attach pages as required.)

Types of Records for Years 2000-2004	Yes	No	Comments
Aerial imagery (<i>old farm photos</i>)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	From 2006 Env. Farm Plan
Photographs (<i>personal photos taken of animals/facilities</i>)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Livestock Purchase Records (<i>auction market receipts</i>)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Livestock Sales Records (<i>auction market receipts</i>)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Financial Records (<i>Taxes</i>)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2003
Feed, Straw, Mineral Purchase Records	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Government Support Program Records (<i>GRIP, NISA</i>)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Premises Identification Registration Records	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Quota Records	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Veterinary Records	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Manifests	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Calving/Farrowing/Lambing etc. Records	<input checked="" type="checkbox"/>	<input type="checkbox"/>	DHI
Livestock Health Records (<i>records of livestock treatments/vaccinations</i>)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	DHI
Purchases of Livestock Holding/Handling Equipment (<i>poultry cages, dairy cow beds/stalls, farrowing crates</i>)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Blue print from Central Truss
Testimonies from Employees or Family Members (<i>that worked on the operation in 2002-2004 and could be contacted now</i>)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building and Construction Records (<i>concrete bunks, buildings, sheds, slab fences, barns, waterers, etc.</i>)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Fax from Proline Mfg
Any Diaries, Journals or Daily Logs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	FCC Records, Insurance

Grandfathering Determination Request

REQUEST DISCLOSURE

I acknowledge that this information is collected under the authority of the *Agricultural Operation Practices Act*, is subject to the provisions of the *Freedom of Information and Protection of Privacy Act*, and shall be deemed public unless the NRCB grants a written request that certain sections remain private.

I, the owner, or agent of the owner, have read and understand the statements herein and acknowledge that the information provided in this application is true to the best of my knowledge.

June 3rd / 2025
Date of signing

[Redacted Signature]
Signature

Edelweiss Dairy Ltd.

Regula Gerber
Print name

Corporate name (if applicable)

This contact information is only for NRCB, municipal, and referral agency use, and is not for public disclosure.

Owner Contact Information

Name: Regula Gerber		Corporate Name (if applicable): Edelweiss Dairy Ltd.	
Contact Numbers	Business: [Redacted]	Cell: [Redacted]	Home:
Email: edelweissalberta@gmail.com			

Person (Other than Owner) Requesting the Determination Contact Information (if applicable)

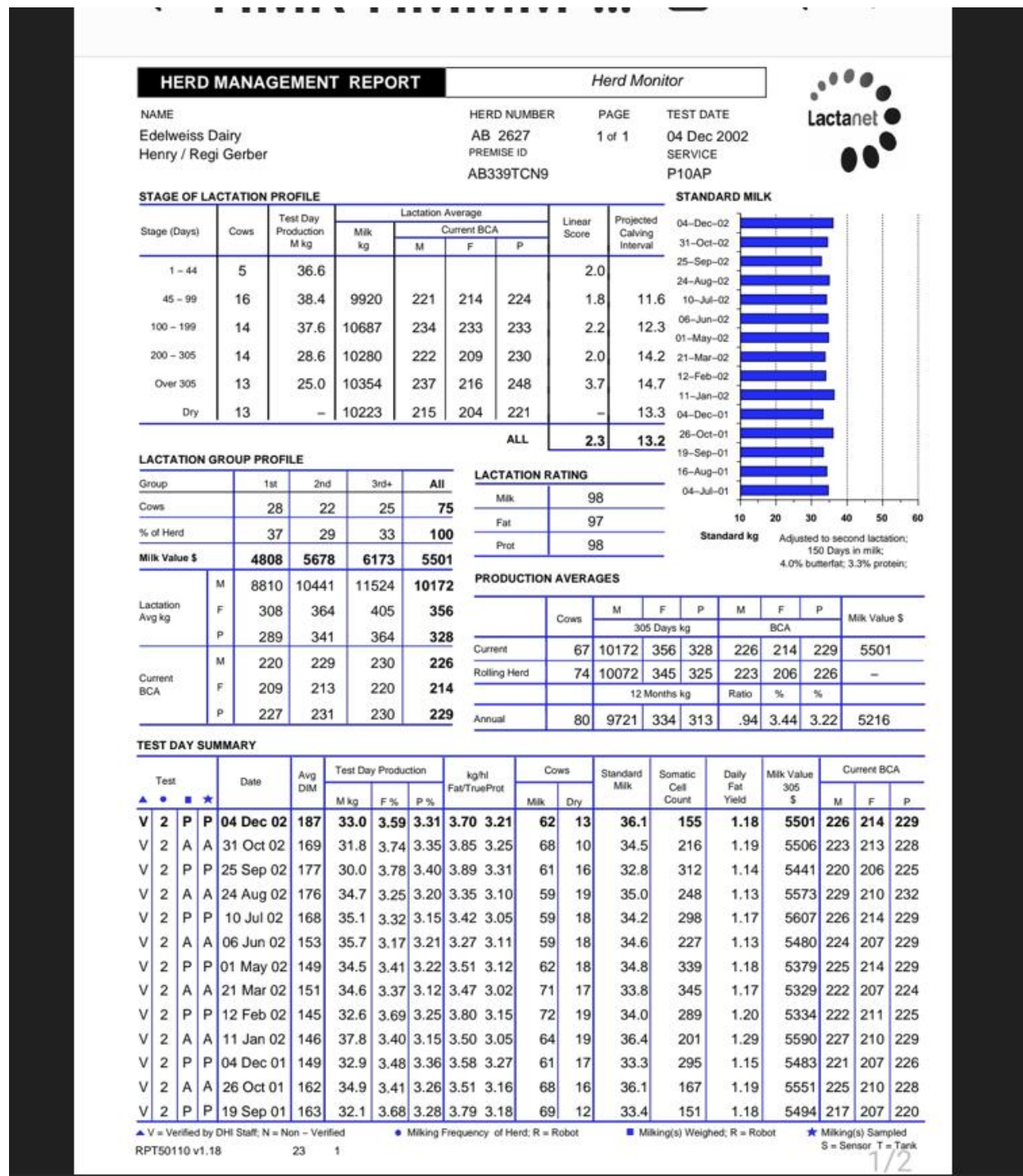
Name:		Relationship to Owner:
Contact Numbers	Home:	Cell:
Email:		



- 1 = as on 1.1.2002
- 2 : added on during 2002
- 3 : built in 2006
- 4 : built in 2005
- 5 : built in approx. 2008
- 6 : old silage pit, covered in approx 2008, now used for hay/staw storage
- 7 : built in 2004

APPENDIX B - Herd Management Report (Milking Records) 4 Dec 2002

Edelweiss Dairy 2002 Milking Numbers



HERD MANAGEMENT REPORT

Management Monitor

NAME: Edelweiss Dairy
 Henry / Reqi Gerber

HERD NUMBER: AB 2627

PAGE: 1 of 1

TEST DATE: 04 Dec 2002

SERVICE: P10AP

MANAGEMENT MEASURES

Elements	Herd Performance		Prov Benchmarks Percentile				Economic Opportunity of Reaching Goal				
	Actual	Goal	25th	50th	75th	90th	Thousand \$ per year				
Milk Value Current Lactation (Dollars)	5501	7000	4780	5155	5552	5856	\$112,415				
Udder Health Herd Linear Score (Test Day)	2.3	2.2	2.9	2.5	2.3	2.0	\$799				
Age at 1st Calving First Lactation Only (Year Days)	2-048	2-005	2-122	2-070	2-036	2-015	\$1,806				
Calving Interval P=Projected C=Current (Months)	13.3 ^C	12.6	14.3	13.6	13.1	12.6	\$5,004				



APPENDIX C - Historical Aerial Imagery

File: PR25002
Location: SE10-35-02-W5



Valtus 1999 - 2003



Valtus 1999 – 2003



Google Earth Pro – September 8, 2002



Google Earth Pro - June 8, 2011



Google Earth Pro – September 22, 2013



Google Earth Pro – July 29, 2016



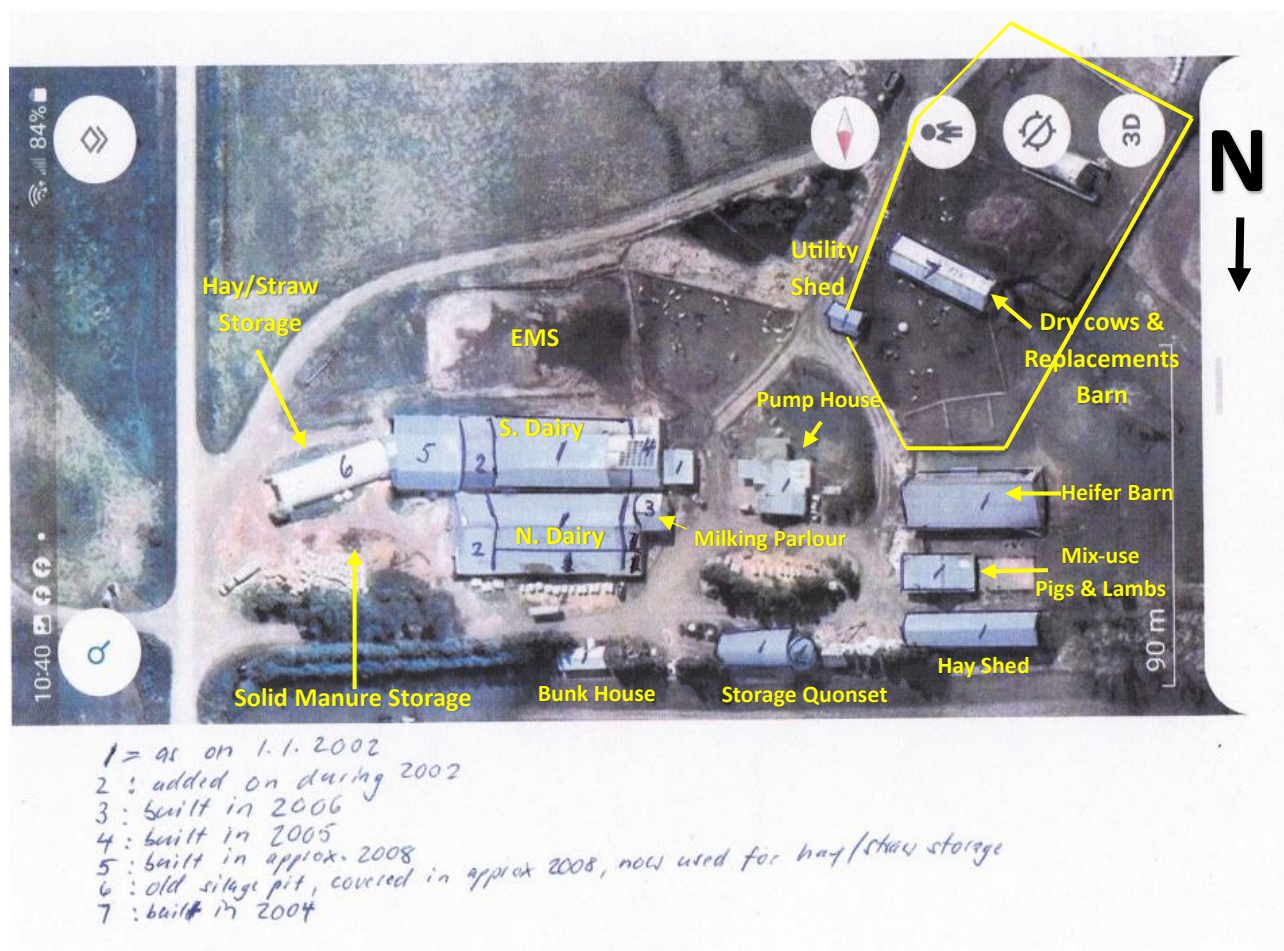
Google Earth Pro April 16, 2021



Google Earth Pro – April 30, 2023

APPENDIX D - Unauthorized Construction (EMS Expansion & Close-up Pens #4 & #5) labelled by T. Krenn

Edelweiss Dairy Ltd. SE 10-35-02 W5M



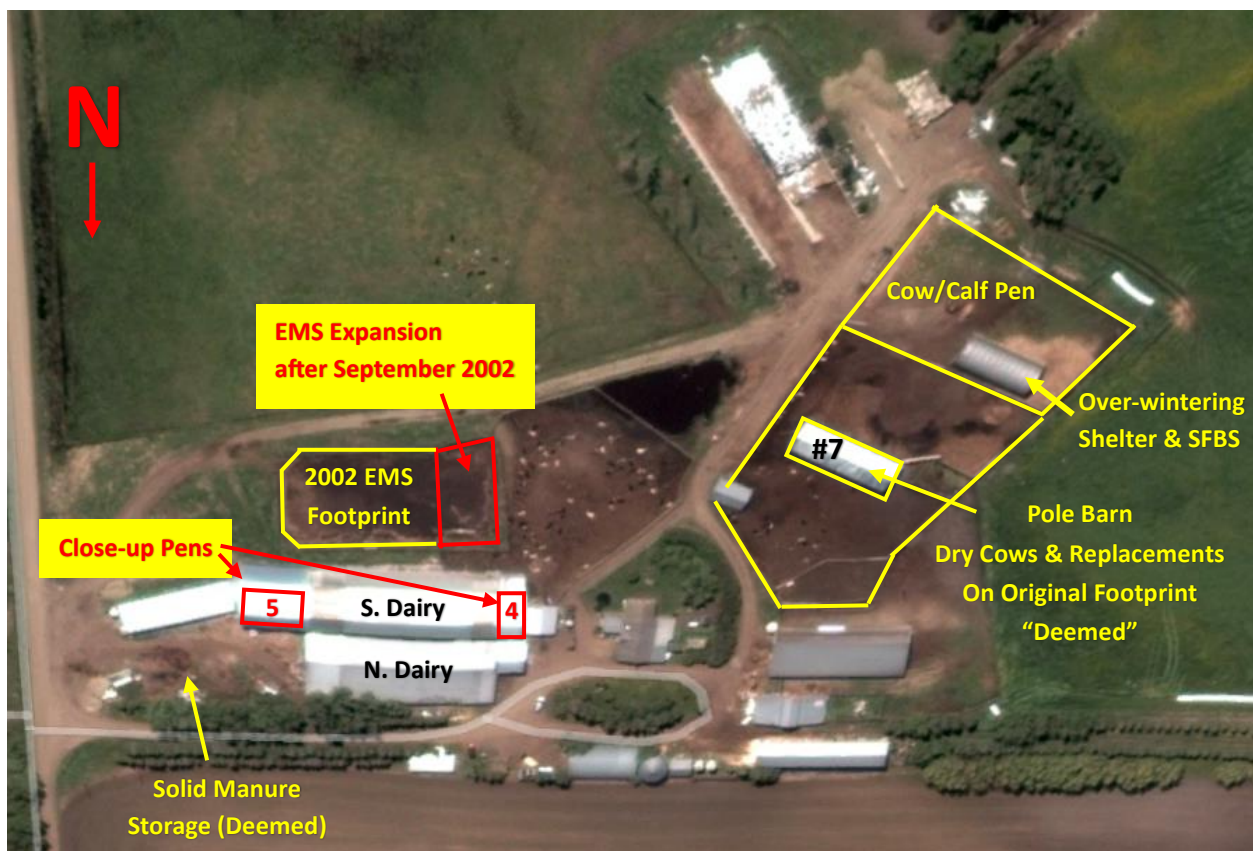
Site Map provided by operator with Grandfathering Determination Request as labelled by Inspector Tracey Krenn

Unauthorized construction of structures listed below in “**bold**”

- #1 Constructed prior to January 1st 2002
 - North Dairy, South Dairy, shed, pump house, heifer barn (2 months to yearlings), hay shed, quonset for storage, and a bunk house.
- #2 Barn Extensions (x2) constructed in 2002
 - Included the addition of free stalls in both the north and south dairies
- #3 Milking parlour constructed in 2006
- #4 **Close-up pen constructed in 2005 (not in use)**
- #5 **Close-up pen constructed around 2008 used for year-round calving (to be used as a sick pen)**
- #6 Old Silage pit covered in approximately 2008 currently used for hay/straw storage
- #7 Pole Barn constructed in 2004 to house dry cows and replacements (Pen - existing footprint)



Google Earth Pro Aerial Imagery as of September 8, 2002



Google Earth Aerial Imagery from June 8, 2011, as labelled by Inspector Tracey Krenn