



**Decision Report PL25001 for
Grandfathered (Deemed) Permit Determination
under the
Agricultural Operation Practices Act
Lois Lake Dairy Ltd.
NE 20-9-19 W4M**

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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 and beef operation located on NE 20-9-19 W4M (this quarter section will be referred to as “the site”). The site is located in Lethbridge County, approximately five kilometres northeast of the Town of Coaldale. The process of ascertaining livestock capacity and livestock type under a deemed permit is known commonly as a “grandfathering” determination.

On April 23, 2025, Jim and Esther Veurink of Lois Lake Dairy Ltd. contacted the Natural Resources Conservation Board (NRCB) and requested that the NRCB conduct a grandfathering determination for their dairy and beef confined feeding operation (CFO). The grandfathering determination was requested at NE 20-9-19 W4M and it claimed 220 dairy cattle and 250 beef feeders (Appendix A). The CFO land is owned and operated under the corporate name of Lois Lake Dairy Ltd. Jim and Esther Veurink are the two shareholders of that company and managers of the dairy operation.

The CFO holds Development Permit #53-80 issued by the County of Lethbridge on April 30, 1980. Development Permit #53-80 authorized the conversion of a “farm and feedlot” to a “dairy farm” (pages 7-10 of Appendix A).

Under section 18.1(1)(b) of AOPA, CFOs that held a municipal development on January 1, 2002, are grandfathered.

In this case, the development permit authorized the development of the dairy farm and the construction of a dairy barn, but it did not specify the animal numbers or animal type.

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 categories of livestock was the CFO confining and feeding, or permitted to confine and feed? What types of livestock in that category (e.g. calves, feeders, finishers)? 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?

For the reasons that follow, I concluded that the operation existed as a multi-species confined feeding operation (CFO) on January 1, 2002. The site had the capacity to confine 220 milking cows (plus associated dries and replacements) and 250 beef feeders, therefore the CFO was above permitting thresholds. The claimed capacity is within a reasonable range of the physical capacity of the facilities on January 1, 2002. The terms and conditions of the deemed permit are recognized in Deemed Approval PL25001.

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.

2.0 Context and process

2.1 Legal context

Under section 18.1(1)(b) of the *Agricultural Operation Practices Act*, the owner or operator of a “confined feeding operation” that existed on January 1, 2002, with respect to which a development permit was in effect on January 1, 2002, is deemed to have been issued a permit under AOPA. The capacity allowed by the deemed permit is that authorized by the development permit, or if the capacity was not authorized, the capacity of the enclosures to confine livestock on January 1, 2002.

The term “capacity” refers to a CFO’s livestock numbers, or manure storage capacity, not to the scope of the CFO’s facilities. The term “deemed capacity” refers to the maximum number of livestock, or maximum volume or tonnage of manure storage, allowed by a CFO’s deemed permit as determined under section 18.1(2) of AOPA.

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 for a registration and 200 for an approval. The threshold to require a permit for beef feeders (450 -900 lbs.) is 200 for a registration and 500 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 NRCB 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 Notice

Under Part 2 Matters Regulation of AOPA, the municipality where the CFO is located is an affected party (see section 5 of the regulation). As such, the NRCB provided notice of the grandfathering investigation to Lethbridge County. The NRCB also sent information to Alberta Environment and Protected Areas (EPA), Alberta Transportation and Economic Corridors (TEC), and ATCO.

I sought neighbours’ perspectives on the factual questions of capacity and type of livestock being confined and fed on January 1, 2002. I wanted to collect relevant historical information from those who may have lived in the area around that date. Notice is required in section 11(2) of AOPA’s Administrative Procedures Regulation. Before determining a deemed approval for an operation that was in place on January 1, 2002, the NRCB inspector is required to provide notice to those parties “who would be entitled to notice under section 19(1) of AOPA for a new CFO with the same capacity.

In this case, the claimed capacity is 220 milking cows (plus associated dries and replacements) and 250 beef feeders, which puts the distance for affected persons entitled to notice under section 19(1) of AOPA at one mile. The distance is set out in section 5 of the Part 2 Matters Regulation.

On May 6, 2025, notice of the grandfathered (deemed) permit determination request was published in the Sunny South News. In the notice, I advised of the claim by Jim and Esther Veurink, on behalf of Lois Lake Dairy, for a deemed permit for 220 milking cows (plus associated dries and replacements) and 250 beef feeders, and I invited the public to provide written submissions related to the facilities, and capacity and type of livestock produced by the CFO on January 1, 2002. I also invited the public to apply for status as directly affected parties. The deadline for written submissions was June 4, 2025.

In addition, on May 6, 2025, 20 notification letters were sent to people who (according to Lethbridge County) reside on or own land within a one mile radius of the operation who might have relevant information as to the capacity and type of livestock that the CFO produced around January 1, 2002. The notification letters included information similar to that in the newspaper notice.

The NRCB published notice of the grandfathering determination on its public website at www.nrcb.ca, as well as the grandfathering determination request form submitted by Jim and Esther Veurink.

3.0 Evidence

3.1 Information at the NRCB

The NRCB has record of a municipal development (MD) permit from Lethbridge County. On April 30, 1980, MD permit 53/80 was issued to Farview Dairy Farms Ltd. (now Lois Lake Dairy Ltd.) for the NE 20-9-19 W4M. This MD permit approved the conversion of a “farm and feedlot” to a “dairy farm” and permitted the construction of a dairy barn. The permit includes a hand

drawn site map and a number of conditions. However, this MD permit does not specify animal type or numbers.

On May 16, 2011, an NRCB Approval Officer issued a letter to Farview Dairy 2008 (now Lois Lake Dairy Ltd.) regarding the establishment of a “small calf facility” (Appendix B). The operator had inquired about the necessity of obtaining a permit for the facility. The letter explains that an NRCB permit is not required as the new facility is replacing existing housing and that the existing manure storage liner does not require modification or reconstruction (i.e. is a grandfathered liner). The type and location of the calf facility was not specified but the letter references a conversation between the Approval Officer and operator, describing it as being “in the same area as the old housing and main dairy barn”. Historical aerial imagery shows a barn constructed in 2012. This is likely the facility that was discussed.

3.2 Information from operator

Jim and Esther Veurink provided two documents to support the claimed grandfathered capacity of 220 milking cows (plus associated dries and replacements) and 250 beef feeders.

The first document was an aerial image from 2002 (page 4 of Appendix A). This image shows the dairy barn, pens to the west of the barn, pens and calf hutches east of the barn parallel to Range Road 19-4, and a liquid earthen manure storage facility. The pens are populated at the time of the photo.

The second document is an email from Ms. Cristin Vollrath, a Quota Coordinator with Alberta Milk, dated January 16, 2025 (pages 5 & 6 of Appendix A). In this email, Ms. Vollrath stated that prior to 2002, producers were licensed under the Alberta Dairy Control Board but their records have been destroyed. However, the location was licensed as a dairy operation on August 1, 1994 and was assigned a Canadian Dairy Commission (CDC) number. They have received two name changes from the location (from Farview Dairy Farms Ltd. to Farview Dairy Farms (2008) Ltd. and from Farview Dairy Farms (2008) Ltd. to Lois Lake Dairy Ltd.) Ms. Vollrath concluded that despite the changes and lack of information available, the location still has the same CDC number as originally assigned.

I also interviewed Jim Veurink on October 11, 2024. During our conversation, he explained that the dairy barn was built in the ‘80s and still has the original concrete liner. The dairy farm and feedlot was originally owned by his father, he lived and worked there since he was a child, and he bought the farm in 2008. He claims that it has always been an operational dairy farm and feedlot milking 220 cows (plus associated dries and replacements) and feeding 250 steers.

3.3 Information from municipality

Under the Part 2 Matters Regulation under AOPA, the municipality where the CFO is located is an affected party (see section 5 of the regulation). As such, Lethbridge County is an affected party and is also a directly affected party in this deemed permit determination, as they would be if this were an application for an approval today.

On May 28, 2025, I received a written response from Lethbridge County (Appendix C) stating that development permit 53/80 which was issued for the site. They also stated that the earliest ortho image they have access to is from 2003 which shows the “barn, pens, and corrals”. They included historical ortho images in their response.

3.4 Evidence from neighbours

I received a written response from Mr. Ivan Veurink (Appendix D). In his statement, he explained that his family moved there in 1980 and he lived there until 2008. During this time, he had been responsible for milking cows, washing the parlor, and feeding calves. He states that they raised their own beef calves and occasionally purchased others to background. He currently lives nearby and continues to work with Lois Lake. Mr. Veurink attests that the dairy farm and feedlot has been operational since its inception.

4.0 Analysis and Findings

4.1 CFO footprint and structures

The evidence set out above and attached as appendices shows that the site was an operational dairy and feedlot and consisted of a dairy barn, pens, calf hutch area, and an earthen liquid manure storage (EMS). Given the municipal development permit, ortho imagery supplied by Lethbridge County for the year 2003 showing these facilities, and the response from Ivan Veurink, it is evident that a dairy and feedlot type facility existed at this site on around January 1, 2002.

The footprint of the CFO today is not the same footprint that existed on January 1, 2002. Compliance Directive CD 24-05 identified multiple occurrences of unauthorized construction that occurred approximately between 2013 and 2015. This included an expansion of the EMS and the construction of two pens west of the dairy barn.

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

- Dairy barn – 26 m x 67 m
- Calf barn – 11.5 m x 38 m
- Pen 1 & 2 – total dimensions: 12 m x 20 m
- Pen 3 & 4 – total dimensions: 36 m x 44 m
- Pen 5 – 22 m x 38 m
- Pen 6 – 22 m x 38 m
- Pen 7 – 23 m x 38 m
- Earthen manure storage – 27 m x 64 m x 3 m deep

See Appendix E for a map of all MSFs, MCAs, and ancillary structures.

4.2 Livestock type

As to livestock type, the supporting materials show the CFO operated as a dairy with milking cows (plus associated dries and replacements) and a beef feeder CFO.

4.3 CFO livestock capacity

Municipal development permit 53/80 states that this operation was permitted to convert a “farm and feedlot” to a “dairy farm” However, the permit did not specify the livestock capacity of the operation.

If the MD permit does not authorize a livestock capacity, then the NRCB determines the capacity of the enclosures to confine livestock (“physical capacity”) under section 18.1(2)(b) of AOPA.

Importantly, it is the capacity to confine feed, rather than the actual number of confined livestock, that determines capacity for this deemed approval.

To determine the capacity of the dairy portion of the CFO, I used Technical Guideline Agdex 096-81: *Calculator for Determining Livestock Capacity of Operations as They Existed on January 1, 2002*. On October 31, I counted 178 free stalls in the dairy barn. Using the calculator factor of 1.2 animals per x 178 free stalls equates to a capacity of 211 milking cows. There are outdoor pens west of the dairy barn that are used to house the dries, replacements, and cull animals. The calf barn and northeast pens house the calves.

I also took steps to verify that the claimed livestock capacity (250 beef feeders) of the feedlot portion of the CFO would have fit into the grandfathered footprint of the steer pens in 2002. I first used a 2024 Google Earth imagery (this was the clearest image) to determine the approximate area of all the outside beef feedlot pens at the site. The total calculated pen area was approximately 27,119 ft² and the total bunk space was approximately 197 linear feet. I then entered those values into Technical Guideline Agdex 096-81: *Calculator for Determining Livestock Capacity of Operations as They Existed on January 1, 2002*. The Guideline states for feeder cattle, in a Southern Alberta feedlot, pen space in 2002 was 175 ft² /animal, full feed bunk space was 0.8 ft/animal, and limited feed bunk space was 2.0 ft/animal.

Based on the pen space allocation of beef feeders (450-900 lbs) in southern Alberta, the calculator provides a pen calculated animal capacity number of 155 head of beef feeders. Bunk space calculations, using the Technical Guideline, indicate a capacity of 246 head of beef feeders on full feed and 98 head of beef feeders on limited feed, for southern Alberta.

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

The AOPA threshold number for an approval for milking cows (plus associated dries and replacements) is 200. The AOPA threshold number for a registration for beef feeders is 200. Given the analysis above, I find that this CFO had capacity for 211 milking cows (plus associated dries and replacements) and 246 beef feeders, which is above the threshold. Accordingly, the CFO's livestock capacity was above threshold on January 1, 2002, and it has a deemed permit.

4.5 Reasonable range of physical capacity

The Grandfathering (Deemed Permit) Policy notes at 6.3.2 that, while Technical Guideline Agdex 096-81 *Calculator for Determining Livestock Capacity of Operations as They Existed on January 1, 2002* is a tool for determining physical capacity, field services staff have discretion in how they use the tool. For example:

- a. If the operator had a different management practice that doesn't follow the guideline, discretion can be exercised as long as the rationale is explained.
- b. Field services staff may discount feed alleys, handling facilities, etc. when entering the numbers into the Agdex 096-81 calculator to account for the non-MSF and non-MCA portions of the total area.

I assessed whether the claimed capacity (220 milking cows plus associated dries and replacements and 250 beef feeders) is within a reasonable range of the physical capacity on January 1, 2002 – in other words, would the claimed milking cows (plus associated dries and replacements) and beef feeders have fit into this barn and pens in 2002?

The claimed capacity of 220 milking cows (plus associated dries and replacements) and 250 beef feeders is within a reasonable range of the physical capacity of the CFO on January 1, 2002, as calculated above.

5.0 Affected persons 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.

Directly affected parties may have their response considered in a grandfathering determination and may submit a request to the NRCB's Board for a review of a grandfathering determination. If not directly affected, they may not have these options.

Affected persons in this determination were the municipality in which the operation is located Lethbridge County; and all neighbours who own or occupy land within the one mile notification distance. By proxy through section 19 of AOPA, these are determined by section 5 of the Part 2 Matters Regulation.

"Directly affected parties" are typically a subset of "affected persons." Under section 19(6) of AOPA, the applicant for an approval and municipalities that are "affected persons" are automatically directly affected parties. As such, Lethbridge County is a directly affected party.

In deciding who else would be considered a directly affected party, I referred to the NRCB's Approvals policy section 7.2.1 paragraph 2 which states "*The NRCB presumes that persons who reside on or own land within the notification distance also qualify for directly affected party status, if they provide written response to the notice within the posted response deadline.*"

Based on this, I conclude the following to be considered directly affected parties:

- Lois Lake Dairy Ltd.
- Jim and Esther Veurink (the operators)
- Lethbridge County
- Mr. Ivan Veurink.

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, municipalities, 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, updated April 23, 2018 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, internal records, verbal discussions with the operator, statements provided by "directly affected parties", and a review of historical aerial photographs that show that the pens have been maintained and populated from 2002 to present. I conclude that the CFO has been well maintained and has continued to be operational, and therefore is not considered 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 earthen liquid manure storage (EMS) was expanded around 2014-2015, as identified by aerial imagery (Appendix E) and detailed in the aerial imagery in Compliance Directive CD 24-05 (Appendix F). The liner for the EMS was disturbed when it was expanded on the west side of the original EMS (approximately 27 m x 64 m x 3 m deep). 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.

There is no information that the liners or protective layers of the other CFO facilities were disturbed in a way that would constitute “construction” and would invalidate the deemed permit.

7.0 Conclusion

Having reviewed all the evidence listed above, I have determined that on January 1, 2002, the CFO at NE 20-9-19 W4, currently owned by Lois Lake Dairy Ltd., was operating an above threshold dairy and feedlot, with the capacity for 220 milking cows (plus associated dries and replacements) and 250 beef feeders. The footprint of the CFO is the same today as it was on January 1, 2002, excluding the expansion of the EMS. Therefore, under section 18.1 of AOPA, the owner or operator of the CFO has a deemed approval with the capacity for 220 milking cows (plus associated dries and replacements) and 250 beef feeders.

As explained above, the EMS was grandfathered but that status has been invalidated by the expansion. The unauthorized expansion of the EMS has been addressed in Compliance Directive 24-05 issued October 21, 2024, and subsequently in NRCB permit application LA24043.

I have determined that the CFO has not been abandoned and the deemed NRCB permit under AOPA is still valid today. Please see Deemed (Grandfathered) Approval PL25001.

Please note that under section 18.1(4) of AOPA, the terms and conditions of the municipal Development Permit 53/80 continue to apply.

Furthermore, I conclude that the only directly affected parties of this decision are Lois Lake Dairy Ltd., Jim and Esther Veurink, Lethbridge County, and Ivan Veurink.

July 30, 2025

(original signed)
Kailee Davis
Approval Officer

8.0 Appendices

- A. Grandfathering determination request from Lois Lake Dairy Ltd. 23 April 2025
- B. NRCB Letter to Farview Dairy "Re: Calf Housing - NE 20 - 009 -20- W4"
- C. Lethbridge County response
- D. Mr. Ivan Veurink response
- E. Labelled map of Lois Lake Dairy (2002, labelled by Kailee Davis)
- F. Labelled map from Compliance Directive CD 24-05 for Unauthorized Construction of EMS

Appendix A: Grandfathering determination request from Lois Lake Dairy Ltd. 23 April 2025

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	Date Stamp
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CONTACT/OWNER INFORMATION

Name of owner: <i>Sim & Esther Veerink</i>	Corporate Name (if applicable): <i>Lois Lake Dairy</i>	
Name of person making request: <i>Sim Veerink</i>		
Address: (Street/P.O. Box) <i>Box 312</i>		
City/Town: <i>Coaldale</i>	Province: <i>AB</i>	Postal Code: <i>T1M 1M4</i>

LOCATION FOR WHICH GRANDFATHERING DETERMINATION IS REQUESTED

Legal Land Description: <i>NE 20 09 19 W4</i>	(Qtr-Sec-Twp-Rg-W Mer)
County/Municipal District: <i>County of Lethbridge</i>	
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 checked="" type="checkbox"/> Yes (if yes please provide a copy) <input type="checkbox"/> No Permit(s) #: <i>53/80</i>	

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

Livestock category and type	Claimed grandfathered livestock capacity
<i>Dairy cattle</i>	<i>220</i>
<i>Feeders</i>	<i>250</i>

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.)
<i>Pens 5-7</i>	<i>38 x 22 38 x 22</i>	<i>38 x 23 Replacements, drys, cull.</i>
<i>Dairy barn</i>	<i>26 x 67</i>	<i>milking cows</i>
<i>Pens 1-2</i>	<i>20 x 12</i>	<i>calves</i>
<i>Pens 3-4</i>	<i>44 x 36</i>	<i>Young stock</i>
<i>steer pens</i>	<i>20 x 46</i>	<i>feeders</i>
<i>lagoon</i>	<i>60 x 40</i>	<i>manure storage</i>
	<i>27 x 64 x 3</i>	

Grandfathering Determination Request



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 checked="" type="checkbox"/>	<input type="checkbox"/>	
Photographs (<i>personal photos taken of animals/facilities</i>)	<input type="checkbox"/>	<input type="checkbox"/>	
Livestock Purchase Records (<i>auction market receipts</i>)	<input type="checkbox"/>	<input type="checkbox"/>	
Livestock Sales Records (<i>auction market receipts</i>)	<input type="checkbox"/>	<input type="checkbox"/>	
Financial Records (<i>Taxes</i>)	<input type="checkbox"/>	<input type="checkbox"/>	
Feed, Straw, Mineral Purchase Records	<input type="checkbox"/>	<input type="checkbox"/>	
Government Support Program Records (<i>GRIP, NISA</i>)	<input type="checkbox"/>	<input type="checkbox"/>	
Premises Identification Registration Records	<input type="checkbox"/>	<input type="checkbox"/>	
Quota Records	<input type="checkbox"/>	<input type="checkbox"/>	
Veterinary Records	<input type="checkbox"/>	<input type="checkbox"/>	
Manifests	<input type="checkbox"/>	<input type="checkbox"/>	
Calving/Farrowing/Lambing etc. Records	<input type="checkbox"/>	<input type="checkbox"/>	
Livestock Health Records (<i>records of livestock treatments/vaccinations</i>)	<input type="checkbox"/>	<input type="checkbox"/>	
Purchases of Livestock Holding/Handling Equipment (<i>poultry cages, dairy cow beds/stalls, farrowing crates</i>)	<input type="checkbox"/>	<input type="checkbox"/>	
Testimonies from Employees or Family Members (<i>that worked on the operation in 2002-2004 and could be contacted now</i>)	<input type="checkbox"/>	<input type="checkbox"/>	
Building and Construction Records (<i>concrete bunks, buildings, sheds, slab fences, barns, waterers, etc.</i>)	<input type="checkbox"/>	<input type="checkbox"/>	
Any Diaries, Journals or Daily Logs	<input type="checkbox"/>	<input type="checkbox"/>	
Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	AB milk email, MD permit

Grandfathering Determination Request



Natural Resources
Conservation Board

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 [REDACTED] the information provided in this application is true to the best of my knowledge.

April 23 2025
Date of signing

[REDACTED]
Signature

Lois Lake Dairy
Corporate name (if applicable)

Sim Keurink
Print name

This contact information is only for NRCB, municipal, and referral agency use, and is not for public disclosure.			
Owner Contact Information			
Name: <u>Sim Keurink</u>		Corporate Name (if applicable): <u>Lois Lake Dairy</u>	
Contact Numbers	Business: [REDACTED]	Home: [REDACTED]	
Email:			

Person (Other than Owner) Requesting the Determination Contact Information (if applicable)		
Name:		Relationship to Owner:
Contact Numbers	Home:	Cell:
Email:		

Page 3 of 3



From: Cristin Vollrath
Subject: 390348 timeline
Date: Jan 16, 2025 at 4:06:37 PM
To: esther veurink

Hi esther,

As we discussed, Alberta Milk's records only go back 7 years but I am able to see the activation date of this location in our system. For clarity, the activation date is also synonymous with the licensing date for the dairy operation.

In addition to the screen shot below from our system, I offer the following timeline:

- The location was licenced as a dairy operation August 1, 1994 and assigned a CDC (Canadian Dairy Commission) number of 390348
- Prior to 2002, producers were licenced under the Alberta Dairy Control Board and any records owned by the ADCB were returned to them when we moved into our office in 2005 and later destroyed so they no longer exist.
- August 1, 2002 - Alberta Milk formed and became a producer owned and producer run organization.
- In 2008 the location applied for a name change to the dairy operation from Farview Dairy Farms Ltd. to Farview Dairy Farms (2008) Ltd.
- In 2015 the location applied for a name change to the dairy operation from Farview Dairy Farms (2008) Ltd. to Lois Lake Dairy Ltd.

Despite all the changes noted above, the original CDC number has never been changed from the one first assigned to the location August 1, 1994.

390348 - LOIS LAKE DAIRY LTD. #1

AMT Code	Search
Producer	
Identification	
AMT #	362348
AMT Code	390348
Registered Name	LOIS LAKE DAIRY LTD. #1
First Name	
Short Name	LOIS LAKE DAIRY LTD. #1
proAction Information	
Due Month	June, 2025
Milestone	Self Declaration
Status on NEAS	Registered
Last Pickup Date	January 15, 2025
Penalty	NO PENALTY
Apply To	8% of Gross Pay S/H
proAction Override	NONE
Status	
Active	<input checked="" type="checkbox"/>
Dormant	<input type="checkbox"/>
Niche Type	CONVENTIONAL
No Statement	<input type="checkbox"/>
Lender	<input type="checkbox"/>
Every Day Pickup	<input type="checkbox"/>
Premise Id	
Lending Inst	
Farm Inspector	Lethbridge East
Inactivation Date	
Activation Date	1994-08-01
AMS Type	Ley
AMS activation date	2014-10-01



Cristin Vollrath
Quota Coordinator
Alberta Milk | Better Together for Canadian Dairy

1303-91 Street SW, Edmonton, AB T6X 1H1
p. 780.577.3312 | toll-free 1.877.361.1231

albertamilk.com

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0611



(403) 328-5525

County of Lethbridge No. 26

905 - 4TH AVENUE SOUTH

Lethbridge, Alberta

T1J 4E4

Fairview Dairy Farms Limited
General Delivery
COALDALE, Alberta

Dear Sir or Madam:

RE: Development Application No. 53/80

Attached hereto please find copy of Development Permit:




- Approved - Subject to the conditions noted thereon.



- Refused - For the reasons as noted on said permit.

Yours truly,


CRAIG DIES
DEVELOPMENT OFFICER

CD/dcr
ENCLOSURE

Schedule A

Application No. 53/80

THE COUNTY OF LETHBRIDGE NO. 26
DEVELOPMENT CONTROL BY-LAW NO. 243

APPLICATION FOR A DEVELOPMENT PERMIT

I/We hereby make application for a development permit under the provisions of the Development Control By-Law in accordance with the plans and supporting information submitted herewith and which form part of this application.

Applicant: FARVIEW DAIRY FARMS LTD

Address: GEN DEL CALDALE Telephone No. 345-6073

Registered Owner of Land: FARVIEW DAIRY FARMS LTD

Address: POAL DALE Telephone No. 345-6073

Legal Description of property to be affected by development: NERO-9-19-4 (Coastal)

Lot (parcel) _____ Block _____ Registered Plan No. _____

Existing use of land or building on property: FARM + FEED LOT

Proposed use of land or building on property: DAIRY FARM

Proposed yards; Front 22 Rear 13 Side 47

Estimated Commencement Date: _____ Estimated Completion Date: July 1

Interest of Applicant if not owner of property: _____

Other supporting material attached: DRAWING OF LOCATION

Estimated Value of Project: _____

Signature of Applicant: _____ Date: April 17/80

For Official Use Only

NOTICE OF DECISION

The above application has been

APPROVED SUBJECT TO THE FOLLOWING CONDITIONS or REFUSED FOR THE FOLLOWING REASONS

- 1) The proposed dairy operation shall be located at a minimum distance of 25' from the center of the County road.
- 2) The developer/owner shall apply for and meet all conditions of Certificate of Compliance from Alta Agri Services.
- 3) The developer/owner shall meet all requirements of the Barons Church Health Unit.

Date of Decision: April 24/80 Date of Issuance of this Notice and Permit: April 24/80

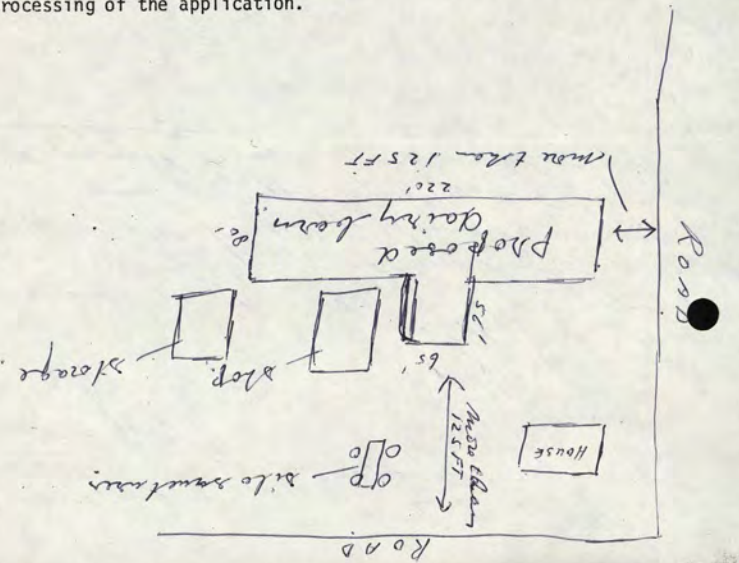
(Important - see notes over)

Development Officer

4) Elia Wiring and Plumbing shall be done under permit from the Prov. Health Dept.

IMPORTANT NOTICE

1. The issuance of a Development Permit in accordance with the Notice of Decision is subject to the condition that it does not become effective until 17 days after the date of this issue of the Notice of Decision.
2. Should this decision be appealed within fourteen (14) days after the Notice of Decision has been issued, this permit shall not become effective until the Development Appeal Board has determined the appeal and the permit may be modified or nullified thereby.
3. A permit issued in accordance with the Notice of Decision is valid for a period of twelve (12) months from the date of issue. If at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit shall be null and void.
4. Every application for a permit shall be accompanied by the following information:
 - (a) a site plan in duplicate showing the legal description and the front, rear and side yards, if any, and any provisions for off-street loading and vehicle parking;
 - (b) floor plans and elevations and sections in duplicate;
 - (c) a statement of uses, and, in the case of a development proposed in an industrial area, a statement indicating the manner in which the applicant intends to conform to the performance standards applicable to the industrial area as stated in a Development Control Resolution affecting the location of the land in which the development is proposed.
5. Failure to complete this form fully and to supply the required information and plans may mean that this application for a permit will not be considered and may cause delays in the processing of the application.



COUNTY OF LETHBRIDGE NO. 26

Development Application No. 53/80

DEVELOPMENT CONTROL BY-LAW NO. 243

Date of Decision April 24, 1980

NOTICE OF DECISION

TO: Fairview Dairy Farm Limited
General Delivery
COALDALE, Alberta

Your application date April 17, 1980 for a development permit at

LOT _____ BLOCK _____ PLAN _____ SECTION N.E. 20-9-19-W4

Postal Address _____ PROPOSED DEVELOPMENT: Dairy Farm

has been considered and I hereby inform you that the decision in this matter is that your application has been APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The proposed dairy operation shall be located at a minimum distance of 125' from the centre line of the County road.
2. The Developer/Owner shall apply for and meet all conditions of a Certificate of Compliance from Alberta Agriculture/Environment.
3. The Developer/Owner shall meet all requirements of the Barons Eureka Health Unit.
4. Electrical wiring shall be done under permit from the Provincial Electrical Inspector.
5. Plumbing shall be done under permit from the Provincial Plumbing Inspector.

This notice constitutes a DEVELOPMENT PERMIT to take effect from the date of this Notice of Decision.

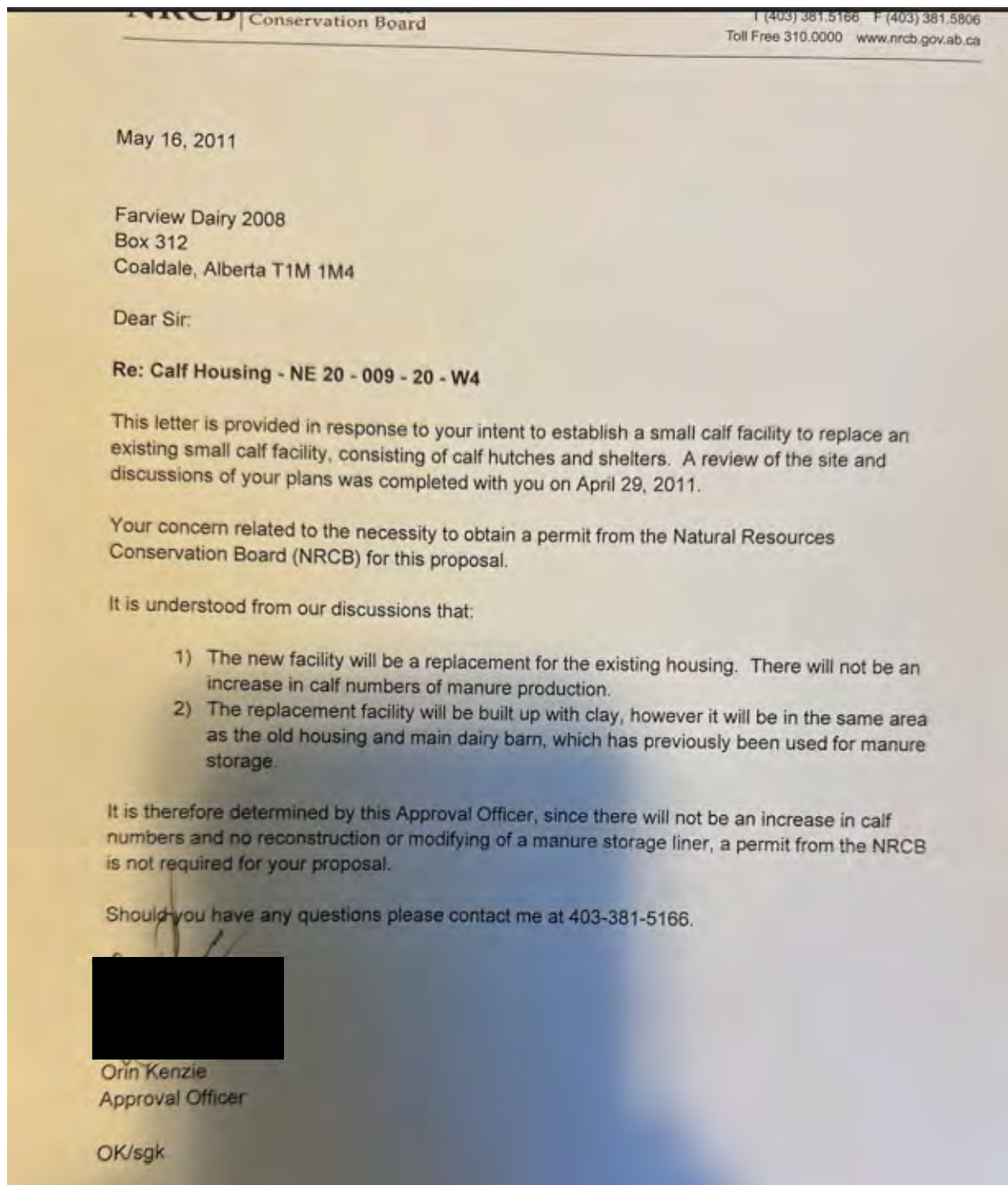
Date 30, 1980


Development Officer

Appeal Against a Decision of the
Development Officer Under the Zoning By-Law

The Development By-Law provides that any person affected by a decision of the Development Officer made under the By-Law may appeal such decision to the Development Appeal Board. Such an appeal to the Development Appeal Board shall contain a statement of the grounds of appeal and shall be delivered either personally or by Registered Mail so as to reach the Secretary of the Development Appeal Board not later than fourteen (14) days following the date of this notice. Should an appeal be made, the Development Permit shall be null and void.

Appendix B: NRCB Letter to Farview Dairy "Re: Calf Housing - NE 20 - 009 -20- W4"



Appendix C: Lethbridge County response



May 28, 2025

Natural Resources Conservation Board
Agriculture Centre, #100, 5401-1 Avenue S
Lethbridge, AB T1J 4V6
Attention: Kailee Davis

Dear Ms. Davis

RE: Application PL25001 – Grandfathering Determination
NE 20-9-19-W4

Lethbridge County has reviewed the files to see if any permits had been previously issued for a feedlot at the above-mentioned location.

One development permit application was found being Development Permit 53/80 (issued on April 17, 1980). No other development permits were found. The earliest digital ortho imagery that the County has from 2003 shows that the Barn, pens, and corrals were present at that time. In reviewing the aerial imagery, it is noted that the calf barn was erected (sometime between 2009 and 2012) and that an addition/modification was made to the dairy barn (sometime between 2015 and 2018). I have attached the ortho images from 2003, 2009, 2012, 2015, 2018, 2021 and 2024 for your consideration.

If you have any questions regarding this matter, please contact the Planning and Development Department at planning@lethcountny.ca.

Regards,



Hilary Janzen, MCIP, RPP
Manager, Planning and Development

cc. Cole Beck, CAO
Devon Thiele – Director of Development and Infrastructure

Enclosures

#100, 905 4 Avenue South
Lethbridge, Alberta T1J 4E4
P: 403.328.5525 Toll-free: 855.728.5602
E: mailbox@lethcountny.ca

www.lethcountny.ca



In the true spirit of reconciliation, we acknowledge all those who call this land home now and for thousands of years in the past. May we respect each other and find understanding together and recognize the benefits that this land provides to all of us.



Appendix D: Mr. Ivan Veurink Response

From: [Ivan Veurink](#)
To: [Kailee Davis](#)
Subject: Lois Lake Dairy Grandfathering
Date: May 16, 2025 11:56:49 AM

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#) | [Report](#)

Good morning,

I would just like to present evidence of Lois Lake's (previously Farview Dairy) dairy and beef operation from 1980 to the present.

I don't remember much from 1980 because I was only 2 years old, but that is when we moved there, and from the time I was 5 years old, I had to get up and wash the parlor after the morning milking and feed the calves every afternoon. I lived there until 2008, when I moved to my current location, and can attest that I woke up at 3:30 every morning and milked cows there. We also had a beef operation from raising our steers to occasionally purchasing others to raise out.

I live about 1 mile from the location and still do field work with Lois Lake. I am here year-round and see the continued operations there. The longest period I have been away from my location is 10 days last year when we went to Hawaii.

I appreciate your consideration,

Ivan Veurink

Southern Skies Dairy Farm

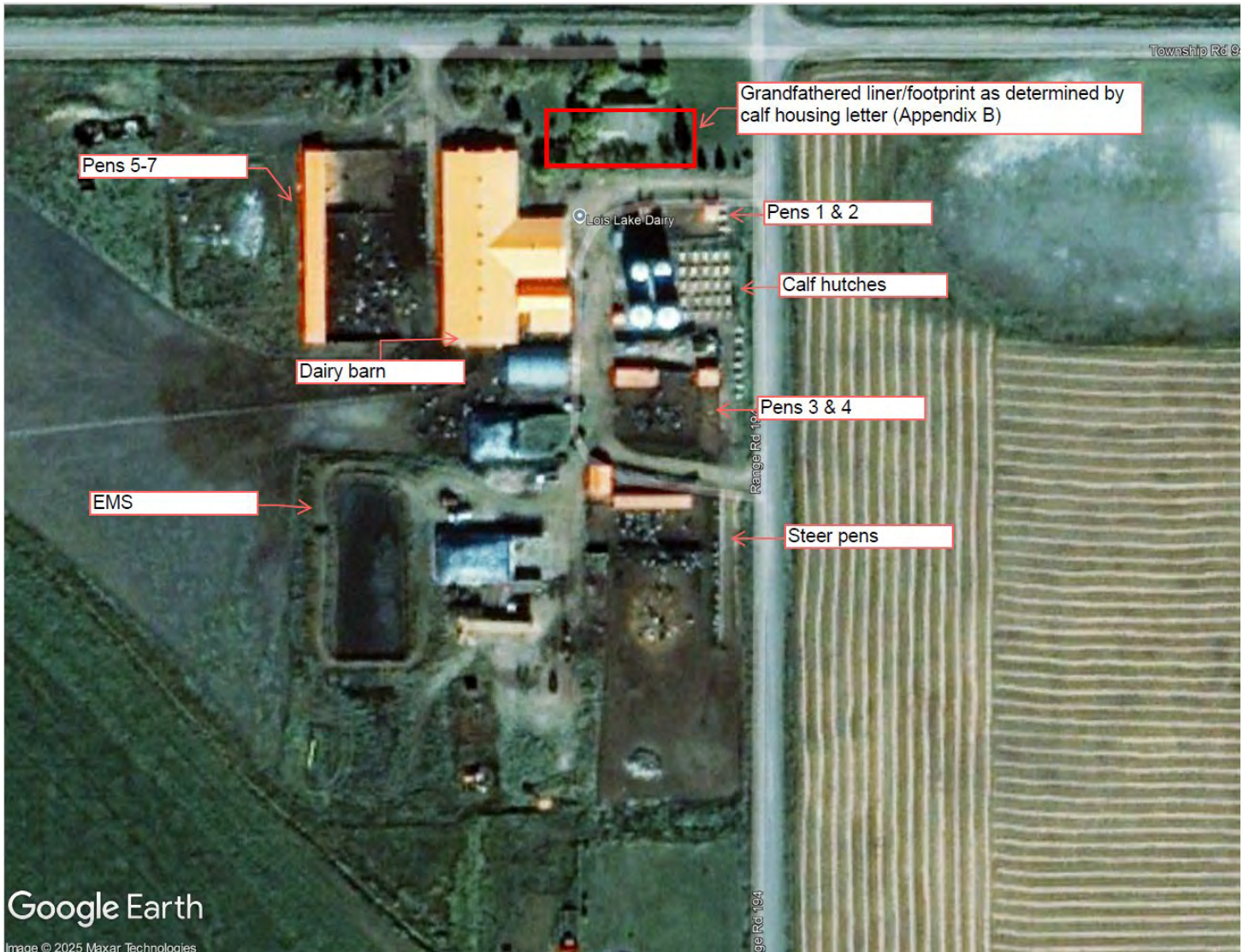
NW 17-09-19 W4

Box 346

Coaldale, AB

T1M1M4

Appendix E: Labelled map of Lois Lake Dairy (2002, labelled by Kailee Davis)



F. Labelled map from Compliance Directive CD 24-05 for Unauthorized Construction of EMS

