

## Decision Summary FA25005

This document summarizes my reasons for issuing Approval FA25005 under the *Agricultural Operation Practices Act* (AOPA). Additional reasons are in Technical Document FA25005. 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 June 16, 2025, Bloomfield Farms Ltd. submitted a Part 1 application to the NRCB to construct a new CFO poultry CFO.

The Part 2 application was also submitted on June 16, 2025. On July 2, 2025, I deemed the application complete.

The proposed CFO involves:

Permitting the following livestock numbers:

- 30,000 chicken layers,
- 50,000 chicken pullets, and
- 40,000 chicken broiler breeders

Constructing the following facilities:

- layer barn (with attached manure shed) – 198 m x 39 m (650' x 125') (with 28 m x 15 m (125' x 50') shed)
- Pullet barn (with attached manure shed) – 137 m x 18 m (450' x 60') (with 15 m x 18 m (50' x 60') shed)
- 2 Broiler breeder barns – 91 m x 14.5 m (300' x 48') (each)
- Rooster/hen barn – 74 m x 18 m (244' x 60')
- Solid manure storage for breeder barns – 15 m x 15 m (50' x 50')

The application also notified the NRCB of the proposed construction of an egg gathering area (9.1 m x 45.7 m (30' x 150')). This facility is an “ancillary structure,” under section 1(1)(a.1) of the Agricultural Operations, Part 2 Matters Regulation, because it will not be used to store or collect manure or to confine livestock. Therefore, under section 4.1 of that regulation, this structure is part of the CFO but does not need to be permitted under the Act.

#### a. Location

The proposed CFO is located at SE 3-73-18 W5M in Big Lakes County, roughly 17 km SW of the Town of High Prairie, AB. The terrain is relatively flat sloping to the SE with the nearest common body of water being several creek systems in muskeg Crown land approximately 1.8 km to the SE.

## **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 mile. (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 Big Lakes County, which is the municipality where the CFO is to be located.

The NRCB gave notice of the application by:

- posting it on the NRCB website,
- public advertisement in South Peace News, the newspaper in circulation in the community affected by the application on July 2, 2025, and
- sending 9 notification letters to people identified by the County as owning or residing on land within the notification distance.

The full application was made available for viewing at the NRCB office in Morinville 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.

A referral letter and a copy of the complete application were emailed to Alberta Environment and Protected Areas (EPA) who stated they had no concern with the application.

I also sent a copy of the application to ATCO Electric Ltd. as they are a right of way holder who replied they had no concerns with the application.

Approval FA25005 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).

## **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.

There is no ALSA regional plan for the area where the proposed CFO is to be located.

## **5. MDP consistency**

I have determined that the proposed CFO is consistent with the land use provisions of the County's municipal development plan (See Appendix A for a more detailed discussion of the county's planning requirements.) There is no applicable intermunicipal development plan (IDP).

## **6. AOPA requirements**

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

- 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 of manure storage facilities and manure collection areas

With the terms and conditions summarized in part 10 and in Appendix C, 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." Big Lakes County is an affected party (and directly affected) because the proposed CFO is located within its boundaries.

Ms. Pat Olansky, an executive director of community services and planning with Big Lakes County, provided a written response on behalf of the County. Ms. Olansky stated that the application is consistent with the County's land use provisions of the municipal development plan (MDP). The application's consistency with the land use provisions of the County's MDP is addressed in Appendix A, attached. The County had several questions regarding the application pertaining to water use and protection, predation, road use, and manure management. These are summarized and answered in Appendix B.

No other responses to the application were received.

## **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. However, there may be circumstances where, because of the proximity of a shallow aquifer, or porous subsurface materials, an approval officer may require monitoring for the facility. In this case a determination was made based on the application and information available, and monitoring 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.

Ms. Olansky stated that the application meets the setbacks required by the County's land use bylaw (LUB).

I am not aware of any written decision of the Environmental Appeals Board for this location (<https://www.eab.gov.ab.ca/decisions.htm>) accessed August 20, 2025).

Finally, I considered the effects of the proposed CFO 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 on the environment are acceptable because the application meets all of AOPA's technical requirements. In my view, having considered all the information before me (including in Technical Document FA25005, and from my site visit), 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 land use provisions then the proposed development is presumed to have an acceptable effect on the economy and community. See the discussion of Big Lakes County's questions in Appendix B. In my view, this presumption is not rebutted based on the information available.

I also presumed that the proposed CFO 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). The land the CFO is located on is zoned agriculture. In my view, this presumption is not rebutted because I did not see any information that suggested it was not an appropriate use of land.

## 10. Terms and conditions

Approval FA25005 specifies the cumulative permitted livestock capacity as:

- 30,000 chicken layers,
- 50,000 chicken pullets, and
- 40,000 chicken broiler breeders

and permits the construction of:

- layer barn (with attached manure shed) – 198 m x 39 m (650' x 125') (28 m x 15 m (125' x 50') shed)
- Pullet barn (with attached manure shed) – 137 m x 18 m (450' x 60') (15 m x 18 m (50' x 60') shed)
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Approval FA25005 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 FA25005 includes conditions that generally address construction deadlines, document submission and construction inspections. For an explanation of the reasons for these conditions, see Appendix C.

## **11. Conclusion**

Approval FA25005 is issued for the reasons provided above, in the attached appendices, and in Technical Document FA25005.

September 10, 2025

(Original signed)

Nathan Shirley  
Approval Officer

## **Appendices:**

- A. Consistency with municipal land use planning
- B. Response from Big Lakes County
- C. Explanation of conditions in Approval FA25005

## APPENDIX A: Consistency with municipal land use planning

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), and any applicable intermunicipal development plan (IDP).

This does not mean consistency with the entire MDP/IDP. In general, “land use provisions” cover 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 or IDP 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 provisions are commonly referred to as “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.)

There is no applicable IDP.

### Municipal Development Plan (MDP)

Bloomfield Farms’ CFO is located in Big Lakes County and is therefore subject to that county’s MDP. The County adopted the latest revision to this plan on February 26, 2025, under Bylaw #25-2024.

Part 3 of the MDP lists several agricultural development policies and includes CFOs among these policies. Part 3 recognizes that agriculture and related uses are identified as the primary intent of land within the agricultural area.

Policy 3.12 specifically pertains to CFOs and lists 4 setbacks that if met the County “may support” the development of CFOs. The setbacks include:

- a) 3.2 km from a hamlet.
- b) 0.8 km of any institutional, commercial, residential or recreational uses.
- c) 0.8 km of watercourses, waterbodies, or environmentally significant features.
- d) 0.8 km of a provincial highway, arterial road or collector road as indicated in the regional context maps.

The application meets all these requirements.

I conclude that the application is consistent with the relevant land use provisions of Big Lakes County’s MDP that I may consider.

## APPENDIX B: Response from Big Lakes County

In response to the application, Big Lakes County had questions regarding water consumption and source and the potential for surface and groundwater impacts from the proposed operation. Including downstream users on the West Prairie River.

Alberta Environment and Protected Areas (EPA) is responsible for licensing the use of groundwater and surface water in the province. The water licensing process includes an opportunity for neighbours to provide input. Therefore, for efficiency and to avoid inconsistent regulation, NRCB approval officers generally do not consider water supply concerns when receiving AOPA permit applications, other than ensuring that applicants sign one of the water licensing declarations listed in the Part 2 application form.

Bloomfield Farms chose the declaration indicating that it is processing their water license application separate from this process. By signing the declaration, it acknowledges that its receipt of an AOPA approval will not improve or influence its ability to obtain a water licence, and that any construction it conducts under an AOPA approval is at its own risk if EPA denies a water licence application. The applicant is reminded that it is their responsibility to secure adequate water licensing.

The application meets the technical requirements of AOPA; several of which are designed to minimize nuisance impacts, surface and groundwater risks, and nutrient accumulation. Regarding the application, the proposed facilities operate on a solid manure system with enclosed manure storages controlling run-on and runoff and nuisances such as odour and dust. The application also meets the setbacks required to the West Prairie River, and as explained further below the applicant is required to meet all manure spreading requirements.

The County also enquired about odour and nuisance management to neighbouring residences within 1 mile and 2 miles, and overall manure management, specifically application and incorporation.

AOPA's minimum distance separation (MDS) requirements are a proxy for minimizing odours, flies, and other nuisance effects from CFOs. The proposed CFO expansion meets the MDS to all neighbouring residences. It is presumed that nuisance effects from a CFO will be acceptable if the MDS has been met.

The subject land is currently zoned by the county as Agriculture, indicating that it is an acceptable location for agricultural activities.

Regarding the application of manure, the applicant is required to follow all applicable AOPA requirements regarding manure application which are addressed in section 24 of the Standards and Administration Regulation. Manure application on land is not a permitting consideration, except that applicants are required to demonstrate that they have enough arable land available to apply manure for the first year of operation. The regulations provide rules for manure application as an ongoing operating matter, rather than a permitting matter. Section 24 requires manure to be incorporated within 48 hours of application when it is applied to cultivated land. Incorporation reduces odours by working the manure into the soil. The section also mandates spreading setbacks from water bodies and water wells.

Alternatively, section 24(5)(a) allows manure to be applied (without incorporation) on forage or directly seeded crops, which is often done in order to conserve the soil. In that case, the

manure must be applied at least 150 m away from any residence and must meet the setback requirements to common bodies of water.

AOPA has requirements to protect the soil, groundwater, and surface water from excessive application of manure nutrients (section 25 Standards and Administration Regulation). These include soil testing requirements, soil salinity limits, and nitrate-nitrogen limits. Operators are required to keep manure spreading and soil sampling records and must provide them to the NRCB upon request.

Complaints about CFO related issues can be reported to the NRCB's 24 hours reporting line (1-866-383-6722) and will be followed up on by an NRCB inspector.

The County asked for clarification on management of deadstock as the natural disposal of deadstock may result in increased predation and potential water contamination.

The disposal of deceased livestock in Alberta is not within the regulatory mandate of the NRCB under AOPA but is regulated by Alberta Agriculture and Irrigation (AGI) under the *Animal Health Act*. Given AGI's regulatory role, concurrent oversight of dead animal disposal and associated concerns by the NRCB would be inefficient and might lead to inconsistency with AGI requirements.

The County's questions were sent to the applicant for their information. In discussion with Bloomfield Farms, they indicated that they use incineration to manage poultry related losses reducing the risk of increased predators in the area.

Finally, the County enquired about road use as the proposed activity may negatively impact local road use and narrow roads, especially in winter months.

The county has jurisdiction of local roads, including maintenance and upgrades. The NRCB does not require applicants to enter into road use agreements with counties or municipalities. However, the county may require that agreement, on its own.

## **APPENDIX C: Explanation of conditions in Approval FA25005**

Approval FA25005 includes several conditions, discussed below:

### **a. Construction deadline**

Bloomfield Farms proposes to complete construction of the proposed new CFO by the end of 2028. This time-frame is considered to be reasonable for the proposed scope of work. The deadline of December 30, 2028, is included as a condition in Approval FA25005.

### **b. 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 FA25005 includes conditions requiring:

- a. the concrete used to construct the liner of the manure collection and storage portion of the poultry barns (layer barn, pullet barn, 2 broiler breeder barns, and rooster/hen barn) and solid manure storage sheds 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. Bloomfield Farms to provide documentation to confirm the specifications of the concrete used to construct the manure storage and collection portions of the poultry barns and solid manure storage sheds.

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 FA25005 includes conditions stating that Bloomfield Farms shall not place livestock or manure in the manure storage or collection portions of the new poultry barns and solid manure storage sheds until NRCB personnel have inspected the facilities and confirmed in writing that they meet the approval requirements.