

## Decision Summary LA25041

This document summarizes my reasons for issuing Approval LA25041 under the *Agricultural Operation Practices Act* (AOPA). Additional reasons are in Technical Document LA25041. 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 May 22, 2025, Hutterian Brethren of Parkland (Parkland Colony) submitted a Part 1 application to the NRCB to expand an existing multi species CFO.

The Part 2 application was submitted on July 21, 2025. On July 30, 2025, I deemed the application complete.

The proposed expansion involves:

- Increasing chicken layer numbers from 16,000 to 26,880
- Increasing chicken pullet numbers from 16,000 to 26,880
- Adding 3,000 broiler chickens, 300 geese and 1,200 ducks
- Constructing a chicken layer/pullet barn with housing space and manure storage –109 m x 30.5 m (total dimensions)
- Constructing a duck/goose barn – 79.25 m x 18.29 m
- Decommissioning the existing chicken layer barn and duck/goose barn
- Converting the existing pullet barn into a broiler barn
- Constructing an office/egg storage area (160 ft x 60 ft) (48.8 m x 18.3 m)

The proposed construction of an office and egg storage area attached to the chicken layer barn 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 existing CFO is located at W½ 1-15-28 and E½ 2-15-28 W4M in the MD of Willow Creek, roughly six km southwest of Parkland, Alberta. The confined feeding operation sits at the top of a hill and the land slopes gently away in all directions.

#### b. Existing permits

To date, the NRCB has issued Authorization LA09002, Approval LA06032, Authorization LA06014, and Authorization LA03015. Collectively, these NRCB permits allow Parkland Colony to construct and operate a 3,000 beef finisher, 500 sow farrow to finish, 200 dairy cows (plus associated dries and replacements), 16,000 poultry layers, and 16,000 poultry

pullets CFO. The CFO's existing permitted facilities are listed in the appendix to Approval LA25041.

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

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

- In the case where part of a CFO is located, or is to be located, within 100 m of a bank of a river, stream or canal, a person or municipality entitled to divert water from that body within 10 miles downstream
- the municipality where the CFO is located or is to be located
- any other municipality whose boundary is within a specified distance from the CFO, depending on the size of the CFO
- all persons who own or reside on land within a specified distance from the CFO, depending on the size of the CFO

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

None of the CFO facilities are located within 100 m of a bank of a river, stream or canal. No other municipality shares a border within the notification distance.

A copy of the application was sent to the MD of Willow Creek, which is the municipality where the CFO is located.

The NRCB gave notice of the application by:

- posting it on the NRCB website,
- public advertisement in the Claresholm Local Press newspaper in circulation in the community affected by the application on July 30, 2025, and
- sending 19 notification letters to people identified by MD of Willow Creek as owning or residing on land within the notification distance.

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

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

Under section 19 of AOPA, the NRCB may also notify persons and organizations the approval officer considers appropriate. This includes sending applications to referral agencies which have a potential regulatory interest under their respective legislation.

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

I also sent a copy of the application to Atco Gas and Pipelines Ltd., Long Term Asset Management Inc., and Fortis Alberta Inc. which are right of way holders on this land.

I received a response from Ms. Leah Olson, a development and planning technologist with TEC and Bradley Calder, a water administration technologist with EPA.

In her response, Ms. Olson stated that TEC has no concerns or requirements with respect to this application.

Mr. Calder stated that it appears that the required water volume can be met by the existing water licenses. He continued to state that Parkland Colony should contact EPA in case additional water is needed. No other concerns or comments were made.

No other responses were received.

Approval LA25041 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.

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

#### **5. MDP consistency**

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

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

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

- Meets the required AOPA setbacks from all nearby residences (AOPA setbacks are known as the "minimum distance separation" requirements, or MDS)
- Meets the required AOPA setbacks from water wells, springs, and common bodies of water
- Has sufficient means to control surface runoff of manure
- Meets AOPA's nutrient management requirements regarding the land application of manure
- Meets AOPA groundwater protection requirements for the design of floors and liners 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.” MD of Willow Creek is an affected party (and directly affected) because the proposed expansion is located within its boundaries.

Ms. Cindy Chisholm, director of planning and development with the MD of Willow Creek, provided a written response on behalf of the MD of Willow Creek. Ms. Chisholm stated that the application might not be consistent with the MD of Willow Creek’s land use provisions of the municipal development plan (MDP) because it is unclear if the proposed buildings can meet setbacks to the municipal road allowance and property lines. The application’s consistency with the land use provisions of MD of Willow Creek’s MDP is addressed in Appendix A, attached.

Apart from municipalities, any member of the public may request to be considered “directly affected.” The NRCB received a response from one individual.

The person who submitted responses owns or resides on land within the 1.5 mile notification distance for affected persons. Because of his location within this distance, and because he submitted a response, he qualifies for directly affected party status. (See NRCB Operational Policy 2016-7: Approvals, part 7.2.1)

The directly affected party raised concerns regarding waste disposal (construction materials) and water quantity. These concerns are addressed in Appendix B.

## **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. The information on this file supports the assumption that risks to groundwater and surface water are low.

As part of my review of this application, I assessed the risk to the environment posed by the CFO’s existing manure storage facilities and manure collection areas. I used the NRCB’s environmental risk screening tool (ERST) to assist in my assessment of risk to surface water and groundwater (see NRCB Operational Policy 2016-7: Approvals, part 9.17). The tool provides for a numeric scoring of risks, which can fall within a low, moderate, or high risk range. (A complete description of this tool is available under CFO/Groundwater and Surface Water Protection on the NRCB website at [www.nrcb.ca](http://www.nrcb.ca).)

For the sake of efficiency, I first assessed the CFO’s existing feedlot pens and the hog barns using the ERST. These appear to be the CFO’s highest risk facilities, because the hog barns have below ground liquid manure pits and are therefore the closest to groundwater, and the feedlot pens, which have the highest potential to impact surface water, are also the closest to a water well. The assessment found that the hog facilities pose a low potential risk to groundwater and surface water, but the feedlot pens pose a medium potential risk to groundwater due to the proximity to a water well. However, the scoring assumed a worst-case scenario because there is no well information available. The existing water well monitoring condition from Authorization LA09002 will be carried over into this approval.

Because these are the CFO’s highest potential risk facilities, I presume that the CFO’s other existing facilities pose a low potential risk to both groundwater and surface water due to the larger distance to water wells and surface water. From a review of other information gathered in the course of this application, I am satisfied that the screening provided by the ERST is

adequate and that the presumption is not rebutted. A further assessment of the risks posed by these other facilities, using the ERST, is not necessary.

## **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. Chisholm also listed the setbacks required by the MD of Willow Creek's land use bylaw (LUB) and noted that the application might not meet these setbacks. I confirmed that all facilities will meet these setbacks.

I have considered the effects the proposed MSFs may have on natural resources administered by provincial departments. EPA has not made me aware of statements of concerns submitted under section 73 of the *Environmental Protection and Enhancement Act* / section 109 of the *Water Act* in respect of the subject of this application. Furthermore, the application meets AOPAs technical requirements, and the applicant has been reminded that it is their responsibility to ensure they receive the appropriate water licensing for the proposed increase in animals.

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 September 9, 2025.

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

Consistent with NRCB Operational Policy 2016-7: Approvals, part 9.10.9, I presumed that the effects in the environment are acceptable because the application meets all of AOPA's technical requirements. In my view, this presumption is not rebutted and I have not received any information to the contrary.

Consistent with NRCB Operational Policy 2016-7: Approvals, part 9.10.9, if the application is consistent with the MDP, then the proposed development is presumed to have an acceptable effect on the economy and community. In my view, this presumption is not rebutted. The land where the CFO is located is zoned Rural General.

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

## **10. Terms and conditions**

Approval LA25041 specifies the cumulative permitted livestock capacity as 3,000 beef finishers, 500 sows farrow to finish, 200 dairy cows (plus associated dries and replacements),

26,880 chicken layers, 26,880 chicken pullets, 3,000 chicken broilers, 300 geese, and 1,200 ducks, and permits the construction of the chicken layer/pullet barn and the duck/goose barn.

Approval LA25041 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 LA25041 includes conditions that generally address construction deadlines, monitoring, document submission, construction inspection, and decommissioning. For an explanation of the reasons for these conditions, see Appendix C.

For clarity, and pursuant to NRCB policy, I consolidated the following permits with Approval LA25041: Authorization LA09002, Approval LA06032, Authorization LA06014, and Authorization LA03015 (see NRCB Operational Policy 2016-7: Approvals, part 11.5). Permit consolidation helps the permit holder, municipality, neighbours and other parties keep track of a CFO's requirements, by providing a single document that lists all the operating and construction requirements. Consolidating permits generally involves carrying forward all relevant terms and conditions in the existing permits into the new permit, with any necessary changes or deletions of those terms and conditions. This consolidation is carried out under section 23 of AOPA, which enables approval officers to amend AOPA permits on their own motion. Appendix C discusses which conditions from the historical permits are or are not carried forward into the new approval.

## 11. Conclusion

Approval LA25041 is issued for the reasons provided above, in the attached appendices, and in Technical Document LA25041.

Parkland Colony's deemed permit, and NRCB-issued Authorization LA09002, Approval LA06032, Authorization LA06014, and Authorization LA03015 are therefore superseded, and their content consolidated into this Approval LA25041, unless Approval LA25041 is held invalid following a review and decision by the NRCB's board members or by a court, in which case Parkland Colony's deemed permit, Authorization LA09002, Approval LA06032, Authorization LA06014, and Authorization LA03015 will remain in effect.

September 17, 2025

*(original signed)*  
Carina Weisbach  
Approval Officer

## Appendices:

- A. Consistency with municipal land use planning
- B. Determining directly affected party status and concerns raised
- C. Explanation of conditions in Approval LA25041

## 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. 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 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.)

### Municipal Development Plan (MDP)

Parkland Colony’s CFO is located in the MD of Willow Creek and is therefore subject to that county’s MDP. The MD of Willow Creek adopted the latest revision to this plan on August 2019, under Bylaw #1841. The parts and policies of the MDP relevant to this application are discussed below.

Part 2 states that agriculture is a predominant land use in the MD, though it also notes that it is important to balance other interests. One of the objectives in Section 2 states that one of the main objectives of the MDP is to mitigate the siting of a CFO to minimize conflicts with adjacent land uses. Policy 2.3 states that the MD shall establish guidelines with regards to the NRCB for the regulation and approval of CFOs within the MD. These guidelines are found in section 9.

This part and policy likely aren’t a relevant “land use provision”. Rather, I consider this to be a source of insight for the interpretation of the remaining portions of the MDP.

Policy 9.2 of the MDP directs the NRCB to consider six matters. These are quoted below (*in italics*); each one is followed by my discussion of how the provision is related to this application. The requested matters to consider are:

#### *(a) The cumulative effect of a new approval on any area near other existing CFO’s/ILO’s*

This policy is likely not a “land use provision” as it calls for project-specific, discretionary judgements about the types of cumulative effects that should be considered, and the acceptable maximum levels of each of these effects.

In a 2011 decision, the NRCB Board stated that consideration of cumulative effects is “not within the Board’s regulatory mandate. As a statutory decision maker, the Board takes its direction from the authorization legislation. AOPA does not provide for cumulative effects assessment” (Zealand Farms, RFR 2011-02 at 5).

For these reasons, I do not consider this MDP provision to be relevant to my MDP consistency determination. At any rate, this is not a new CFO.

*(b) Environmentally significant areas contained in the Municipal District of Willow Creek: Environmentally Significant Areas in the Oldman River Region report [the report]*

Parkland Colony's CFO is close to an area listed as "area of artesian flow" but is not close to or within any of the areas designated as of regional, provincial or national significance in the referenced report (Map 1 of the report). However, areas of local significance are not represented in the report.

The report also assessed the planning area for major physical constraints such as flood plains, unstable slope potential and areas of artesian flow. The map shows that the CFO is not located in any of these areas. I am of the opinion that the application is consistent with this provision; I have not been privy to information which refutes this.

*(c) Providing notice to adjacent landowners including applications for registration or authorizations*

This is likely not a "land use provision" because of its procedural focus and thus I do not consider it to be relevant to my MDP consistency determination. Because this is an approval, public notification was given and notification letters were sent to any landowners within 1.5 miles identified by the MD of Willow Creek. With that the notification requirements of AOPA have been met (see also Operational Policy 2016-7: Approvals, part 8.7)

*(d) Applying minimum distance separation calculations to all country residential development*

I interpret "minimum distance separation" as referring to the minimum distance separation (MDS) requirements in section 2 and Schedule 1 of the Standards and Administration Regulation under AOPA. There is no county residential development located within the category 2 MDS for Parkland Colony's CFO and the application meets AOPA's MDS requirements.

*(e) Restricting development in any wetland or riparian area*

The proposed barns are not located in a wetland or riparian area and meet AOPA's setbacks to common bodies of water. This provision is therefore met by the application.

For these reasons, I conclude that the application is consistent with the land use provision of the MD of Willow Creeks MDP.

In my view, the Land Use Bylaw is clearly incorporated in the MDP in several sections, especially in Policy 15.5 which states:

*"The development authority shall require the NRCB to take into consideration the policies adopted in this plan and the Land Use Bylaw, when issuing an approval."*

Therefore, I also considered the application's consistency with this document. Under the MD of Willow Creeks' Land use Bylaw (#1826 consolidated to Bylaw No 383/2020), the subject land is currently zoned as Rural General. CFOs are not listed as prohibited, permitted or discretionary land uses under this zoning. Ordinarily, a land use bylaw intends to preclude land uses that are not listed as permitted or discretionary (and that do not meet any other



relevant criteria). However, the land use bylaw lists “intensive livestock operations” (ILOS), defined essentially as CFOs below AOPA’s permit thresholds, as a discretionary use within areas zoned Rural General. Therefore, I interpret the omission of CFOs from the list of permitted and discretionary land uses as simply the municipality’s recognition that, since AOPA came into effect in 2002, the NRCB is responsible for permitting CFOs above AOPA’s thresholds.

As for the lot size restriction in section 2(4) of the Rural General part of the bylaw, which states that the “parcel size shall remain the same size for which the development approval was originally issued”, the lot size does not change due to this development. However, since CFOs are not listed in the LUB, it is my interpretation that the lot restrictions are intended to apply to ILOs that are permitted by the municipality and are not intended to apply to CFOs above AOPA’s permit thresholds.

Section 3 of the Rural General part of the bylaw lists several setbacks. Both proposed barns meet the 22.9 m road and 6.1 m property line setback requirements.

For these reasons, I conclude that the proposed chicken layer/pullet barn and duck/goose barn are consistent with the land use bylaw.

## **APPENDIX B: Determining directly affected party status and concerns raised**

The following individual qualifies for directly affected party status because he submitted a response to the application and owns or resides on land within the “affected party radius,” as specified in section 5(c) of the Agricultural Operation, Part 2 Matters Regulation: See NRCB Operational Policy 2016-7: Approvals, part 7.2.1.

Scott Van Vliet – Sheppard Creek Cattle Co.

The directly affected party raised the following concerns:

- 1) Water quantity (water shortages)
- 2) Loss of property value due to disposal of building materials in area

### Water quantity and the overdrawing of the aquifer in the area

Alberta Environment and Protected Areas (EPA) has jurisdiction over water licencing of surface water and groundwater use under the *Water Act* and has the necessary expertise to do that. There are strict procedures and requirements for the issuance and transfer of water licences that are followed by EPA. Therefore, for efficiency and to avoid inconsistent regulation, NRCB approval officers generally do not consider water supply concerns when reviewing AOPA permit applications, other then ensuring applicants sign one of the water licensing declarations. The application was sent to EPA for their comments. In their response, a representative of EPA stated that Parkland Colony has all the required water licences in place to cover the increase in water needs for the proposed expansion. Individuals who have concerns about water licensing and use can contact EPA's Regulatory Assurance Division (Calgary) at 403-297-5891.

### Loss of property value due to disposal of building materials in area

The NRCB's Board has consistently stated that concerns regarding effects on property values are not a subject for the Board's review under AOPA or for approval officers' consideration of permit applications. According to the Board, impacts on property values are a land use issue which is a “planning matter dealt with by municipalities in municipal development plans...” (Zealand Farms, RFR 2011-02, p.5). The disposal of building materials is outside the jurisdiction of the NRCB. Parkland Colony is encouraged to consult the MD in respect to proper disposal of building materials.

## **APPENDIX C: Explanation of conditions in Approval LA25041**

Approval LA25041 includes several conditions, discussed below, and carries forward or deletes a number of conditions from Authorization LA09002, Approval LA06032, Authorization LA06014, and Authorization LA03015 (see sections 2 and 3 of this appendix). Construction conditions from historical Authorization LA09002, Approval LA06032, Authorization LA06014, and Authorization LA03015 are listed in the appendix to Approval LA25041.

### **1. New conditions in Approval LA25041**

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

Parkland Colony proposes to complete construction of the proposed new chicken layer/pullet barn and duck/goose barn by the end of 2027. Although this timeframe is vague, two construction seasons are considered to be reasonable for the proposed scope of work. The deadline of December 31, 2027 is included as a condition in Approval LA25041.

#### **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 LA25041 includes conditions requiring:

- i) Parkland Colony to provide evidence or written confirmation from a qualified third party that the concrete used for the manure collection and storage area in the chicken layer/pullet barn and the duck/goose barn meets the required specifications for category D (solid manure - dry) in Technical Guideline Agdex 096-93 "Non-Engineered Concrete Liners for Manure Collection and Storage Areas."

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 LA25041 includes a condition stating that Parkland Colony shall not place livestock or manure in the manure storage or collection portions of the new chicken layer/pullet barn and the duck/goose barn until NRCB personnel have inspected the chicken layer/pullet barn and duck/goose barn and confirmed in writing that they meet the approval requirements.

#### **c. Decommissioning of the existing chicken layer barn and duck/goose barn**

Parkland Colony proposed to decommission the existing chicken layer barn and duck/goose barn once the new barns are fully functional. This is reasonable to allow for a smooth transition. The permit holder to decommission the existing old chicken layer barn and duck/goose barn according to Technical Guideline Agdex096-90 for solid manure facilities posing a low risk to groundwater and surface water. The decommissioning shall occur within one year of construction of the newly constructed facilities, unless otherwise directed, in writing, by the NRCB."

### **2. Conditions carried forward as written or updated**

#### Authorization LA03015

#### **3. Nutrient Management Plan:**

- a. All manure applied to the described lands, section 11-15-28-W4, N 1/2 2-15-28-W4 and W½ 12-15-28-W4, shall be by the direct injection method only with a maximum allowable ponding of liquid manure on 5% of the land surface.

- b. There must be no liquid manure application on snow-covered or frozen ground
- c. As a minimum, records of the following are to be kept on an annual basis: i) The legal land location of each field on which manure is applied. ii) The size of each field. iii) The date when the manure from the operation is applied. iv) The volume or weight of manure applied to each field. v) The results of soil sampling (N, P, E.C) of the land prior to applying manure. vi) These records to be implemented by October 30, 2003, and be made available to the NRCB as requested.

#### Authorization LA06014

Condition 5. Manure Storages states:” a. *The NRCB is to be notified immediately if there is an overflow or leak from any of the manure storages.*”

#### Approval LA06032

Condition 4. Manure Application

- c. Manure must not be spread on frozen or snow covered ground.

#### Authorization LA09002

Condition 4: Water Well Testing Reporting states: *“Drinking water quality tests for chlorides and nitrates must be conducted annually on the water well(s) within 100 metres of the confined feeding operation with the results submitted annually to the NRCB by March 31, beginning in 2010.”*

This condition will remain and include, beside any water wells within 100 m of a CFO facility, the water well located north of the feedlot in the season feeding bedding site. However, the wording will be updated to reflect current monitoring requirements and will therefore state:

“The permit holder shall sample and test raw groundwater from any wells within 100 m of a CFO facility and the water well located north of the feedlot pens (as indicated in Technical Document LA25041) according to water well monitoring requirements prescribed by the NRCB in writing. The NRCB may, based on the monitoring results and at its discretion, revise those requirements from time to time, in writing.”

### **3. Conditions not carried forward from Authorization LA03015, Authorization LA06014, and Approval LA06032**

Pursuant to section 23 of AOPA (approval officer amendments), I have determined that conditions #1 a. to c., and 3 c. from Authorization LA03015, conditions #6, 7b, and c, from Authorization LA06014, and conditions #4 a, to c from Approval LA06032, should be deleted and therefore are not carried forward to Approval LA25041. My reasons for deleting these conditions:

#### Authorization LA03015

Condition 3. Nutrient Management Plan: states in c. *“No liquid manure shall be injected within 10 meters of a common body of water”*.

This condition is the same as section 24(9)(a) Standard and Administration Regulation and is therefore included in the opening paragraph of this permit that states that, “the permit holder shall comply with the requirements of the *Agricultural Operation Practices Act* (AOPA) and the

regulations passed pursuant to that act". Because this condition is repetitive it can be deleted and will not be carried forward.

#### Approval LA06032

Condition 4. Manure Application states:

- "a. Solid manure applied to cropland must be incorporated within 48 hours of spreading.*
- b. Liquid manure must be either directly injected or surface applied and incorporated within 48 hours of spreading.*
- d. Records as identified in AOPA and its associated regulations must be maintained."*

These conditions are the same as section 24 Standard and Administration Regulation and are therefore included in the opening paragraph of this permit that states that, "the permit holder shall comply with the requirements of the *Agricultural Operation Practices Act* (AOPA) and the regulations passed pursuant to that act". Because these conditions are repetitive they can be deleted and will not be carried forward.

#### Authorization LA06014

Condition 6. Nutrient Management states:

- "a. The operator must maintain manure application records as identified in AOPA and its associated regulations."*

This condition is the same as section 24(9)(a) Standard and Administration Regulation and is therefore included in the opening paragraph of this permit that states that, "the permit holder shall comply with the requirements of the *Agricultural Operation Practices Act* (AOPA) and the regulations passed pursuant to that act". Because this condition is repetitive it can be deleted and will not be carried forward.

Condition 7. Manure Application states:

- "a. Manure must not be spread on frozen or snow covered ground.*
- d. Liquid manure must be either directly injected or surface applied and incorporated within 48 hours of spreading.*
- e. Solid manure applied to cropland must be incorporated within 48 hours of spreading."*

Conditions 7a is repeat of the condition in Approval LA06032 and will not be carried forward.

Conditions – 7b and c are the same as section 24 Standard and Administration Regulation and are therefore included in the opening paragraph of this permit that states that, "the permit holder shall comply with the requirements of the *Agricultural Operation Practices Act* (AOPA) and the regulations passed pursuant to that act." Because these conditions are repetitive, they can be deleted and will not be carried forward.