

Decision Summary LA25055A

This document summarizes my reasons for issuing Approval LA25055A, an amendment of Approval LA25055, under the *Agricultural Operation Practices Act* (AOPA). Additional reasons are in Technical Document LA25055A. All decision documents and the full application are available on the Natural Resources Conservation Board (NRCB) website at www.nrcb.ca under Confined Feeding Operations (CFO)/CFO Search. My decision is based on the Act and its regulations, the policies of the NRCB, the information contained in the application, and all other materials in the application file.

Under AOPA this type of application requires an amendment of an approval. For additional information on NRCB permits please refer to www.nrcb.ca.

1. Background

On September 8, 2025, Approval LA25055 was issued to Midland Hutterian Brethren and Midland Farming Co. Ltd. (collectively referred to as Midland Colony) to expand an existing multi species CFO. This expansion involved constructing a pullet barn (with attached manure storage room) for 46,000 pullets and decommissioning a layer barn and a hog barn.

On September 12, 2025, Midland Colony submitted an application to amend the dimensions of the permitted pullet barn. The dimensions of the manure storage room remain the same as permitted.

The proposed modification involves:

- Constructing a pullet barn (amended from 91.5 m x 25.6 m to 82.3 m x 28.1 m) with attached manure storage room (18.5 m x 14.9 m (unchanged))

The application also notified the NRCB of a change to the proposed construction of an office space that is to be attached to the proposed pullet barn with attached manure storage room. The dimensions of the office space will be modified from 12.2 m x 25.6 m (in LA25055) to 92.m x 28.1 m. 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 existing CFO is located at SW-25-8-15 W4M in the Municipal District (MD) of Taber, roughly 18 km southeast of Taber, AB. The terrain is relatively flat. The closest common body of water is a marsh located approximately 500 m northeast of the existing broiler barn, across Range Road 151.

b. Existing permits

To date, the CFO is permitted under NRCB Approval LA25055, which superseded all previous permits. That permit allowed the construction and operation of a CFO with 100 milking cows (plus associated dries and replacements), 30,000 chicken layers, 1,800 chicken broilers, 46,000 chicken pullets, 400 geese, and 400 ducks. The CFO’s existing permitted facilities are listed in the appendix to the Approval LA25055A.

2. Notices to affected parties

Section 18 of AOPA allows for an application to amend an approval.

Section 19(1) of AOPA states that, on receipt of an application for an approval amendment, the approval officer must notify affected persons (including municipalities).

However, section 19(1.1) of AOPA states that, if in the approval officer's opinion, the proposed amendment is related to a minor alteration to an existing (permitted) building or structure that will result in a minimal change to its risk to the environment, if any, and a minimal change to a disturbance, if any, notification is not required under subsection (1).

I am of the opinion that the amendment application is for a "minor alteration" under the criteria in section 19(1.1).

The minor change on the pullet barn dimensions will not affect the interests of affected persons. Therefore, notification is not required for this amendment.

3. 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.

4. MDP consistency

In Approval LA25055, I determined that the application was consistent with the land use provisions of the MD of Taber's municipal development plan (MDP). There have not been any changes to the MDP since that decision was made. The proposed change in dimensions of the proposed pullet barn does not affect this determination. A new MDP consistency determination is not required.

5. AOPA requirements

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

- Meet the required AOPA setbacks from all nearby residences (AOPA setbacks are known as the "minimum distance separation" requirements, or MDS)
- Meet the required AOPA setbacks from water wells, springs, and common bodies of water
- Has sufficient means to control surface runoff of manure
- Meet 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 8, the amendment application meets all relevant AOPA requirements.

6. Environmental risk of CFO facilities

In Approval LA25055, I determined the proposed pullet barn posed a low risk to surface water and groundwater as it met the technical requirements of AOPA. The minor change to the dimensions of the pullet barn does not affect this determination.

7. Other factors

The decision summary for Approval LA25055 (e.g. part 9) discussed other factors to be considered, including effects on the environment, economy, the community, and the appropriate use of land. I have determined the change in dimensions to the pullet barn with attached manure storage room has no impact on these determinations.

8. Terms and conditions

Rather than issuing a separate “amendment” to Approval LA25055, I am issuing a new approval (LA25055A) that includes the amendment. Approval LA25055A therefore contains all of the terms and conditions in Approval LA25055, but with modifications to the pullet barn dimensions.

9. Conclusion

Approval LA25055A is issued for the reasons provided above, in Decision Summaries LA25055A, LA25055 and in Technical Documents LA25055A and LA25055.

Midland Colony’s NRCB-issued Approval LA25055 is therefore superseded, and its content consolidated into this Approval LA25055A, unless Approval LA25055A is held invalid following a review and decision by the NRCB’s board members or by a court, in which case Approval LA25055 will remain in effect.

October 1, 2025

(original signed)
Kelsey Peddle
Approval Officer