

April 9 2019

Laura Friend, Manager, Board Reviews
Natural Resources Conservation Board
19th Floor Centennial Place
250 – 5th Street SW
Calgary AB T2P 0R4

Re: Request for Board Review #FA 19003
1577912 Alberta Ltd. (Hines Creek Farms)
Confined Feeding Operation

PLEASE BE ADVISED THIS LETTER IS A CONTINUED FORMAL OBJECTION AND STATEMENT OF CONCERN WITH RESPECT TO APPLICATION #FA19003

After reading and re-reading all the compiled information with regards to this Confined Feeding Operation I have a few comments and maintain all my concerns in my original Formal Objection and Statement of Concern with respect to this application.

You have invited us to make a submission to request the board reconsider our status as a directly affected party. "Submissions should clearly state how you would be directly affected by the proposed confined feeding operation". Herein lies the issue. BY YOUR RULES, I am not a directly affected party; I have no new information to "make" me a directly affected party. However, I will certainly be affected should you allow this CFO to proceed. It is easy for anyone not in my position to stand back and say that despite this being within 2.5 kms of my home, and land spreading of the manure within 800 meters of my home that I will not be affected. I invite any of you to come and purchase my beautiful property and home for the full value that it is today once a massive CFO barn is "on the way home." Standing on the highway adjacent to the proposed operation is a clear view of the treeline of my property. Yet I am not affected? You cannot tell me that any person in their right mind will be interested in purchasing my property for the value it is at today. If I move from this property do you think I would even look at places that were within 2.5 km of a confined feeding operation? YOU DO NOTHING TO PROTECT the small hobby farm. That is the real issue here. This Board should be looking at re-writing policy to include rules and regulations that 1) protect water and the environment, 2) protect the bystander, 3) not have "loopholes" and ease of amendments in the process and 4) ensure better transparency.

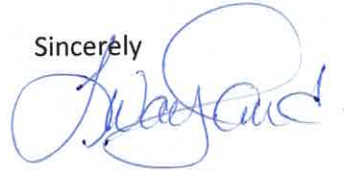
Hines Creek farms "feels" that their application "if approved will have little to no negative impact on the environment or our surrounding communities." I propose that the NRCB should review and re-write the regulations with regards to disposal practices. Any CFO should have to put in functioning bio-digestion to deal with any and all waste product from these operations. I "feel" that would mitigate some of the concerns that the communities affected by CFO's have. Why is it that this isn't automatically part of this process? You want an industrial barn you need an industrial disposal. Oh but wait, it is because they are very expensive! Which leads me back to my concern, the fact that it is fine for me to lose 2 or 3 hundred thousand dollars in the sale of my home, but it is not ok to expect the proponent to put out money that would mitigate environmental and financial damage to nearby areas? If disaster such as N5N1 was to strike and they were forced to cull all their birds at once such as is happening in China and Europe is prepared to do how would they dispose of these?

I contend that Colony CFO's do not promote economic growth in our MD. Due to the nature of their lifestyle they do not hire local people to work in the confined feeding operation. They purchase very little within our communities in our Municipal District. CFO's also do not pay a higher tax base, despite the fact that these are industrialized practices. Who gains in this scenario? Only the colony. This proposal would not help our Municipality in any way. There are safe zones in our County to put CFO's. If Hines Creek Farms truly feels the need to have Industrial farming perhaps they could purchase land in those zones.

I had hoped we would have a timely thaw to send pictures of just where the surface water runs and doesn't run with regard to all the land spread areas indicated in the original proposal. But with 1* and 3 feet of snow it will be a couple of days before the annual floods start.

It is unconscionable that the Natural Resources CONSERVATION Board is considering to reverse Mr. Nathan Shirley's denial of the proposed Confined Feeding Operation based on the M.D. of Clear Hills County Municipal Development Plan. The MD has written the MDP to ensure the protection of our water sources as apparently the Conservation Board fails to do that. Perhaps this Board should also consider a name change due to the fact that there is no Conservation involved. If you do not feel the sheer panic in my voice perhaps you can come enjoy a cup of coffee with me by my pond. It is our favorite place to relax. Perhaps we can organize it for the day they spread the manure, it is sure to be a nice day that day, after all it is the rules. I have been assured it only stinks for 2 days and that it really won't affect my life.

Sincerely



MRS. Terrie Wayland

Cc: Todd Lowen

REQUEST FOR BOARD REVIEW
SUBMITTED TO THE NATURAL RESOURCES CONSERVATION BOARD

Application No:	FA 19003
Name of Operator/Operation:	1577912 AB Ltd Hines Creek Farms
Type of application (check one):	<input type="checkbox"/> Approval <input type="checkbox"/> Registration <input type="checkbox"/> Authorization
Location (legal land description):	
Municipality:	Clear Hills County

I hereby request a Board Review of the Approval Officer's Decision and have the right to request a Board review because (please review all options and check one):

- I am the producer seeking the approval/registration/authorization.
- I represent the producer seeking the approval/registration/authorization.
- I represent the municipal government.
- I am listed as a directly affected party in the Approval Officer's Decision.
- I am not listed as a directly affected party in the Approval Officer's Decision and would like the Board to review my status.

IMPORTANT INSTRUCTIONS

1. You must meet the specified 10-day timeline; otherwise your request will not be considered.
2. Section 1 of this form must be completed only if you are requesting that the Board review your status as "not directly affected". Sections 2 to 5 must be completed by all applicants.
3. This form must be signed and dated before it is submitted to the Board for its review.
4. Be aware that Requests for Board Review are considered public documents. Your submitted request will be provided to all directly affected parties and will also be made available to members of the public upon request.
5. For more assistance, please call Laura Friend, Manager, Board Reviews at 403-297-8269.

1. PARTY STATUS

(IF YOU ARE NAMED A DIRECTLY AFFECTED PARTY IN THE APPROVAL OFFICER'S DECISION, YOU DO NOT NEED TO COMPLETE THIS SECTION)

Party status ("directly affected" or "not directly affected") is determined pursuant to the provisions of the *Agricultural Operation Practices Act* (AOPA) and its regulations. Upon receipt of an application, the Approval Officer must notify any affected parties. Affected parties include municipalities and owners or occupants of land as determined in accordance with the regulations. To obtain directly affected status, the owner or occupant notified in the above process must provide a written submission to the Approval Officer during the stage at which the Approval Officer considers the application. The Approval Officer will then determine who the directly affected parties are and include this determination in the Decision Summary.

Under its governing legislation, the Board can only consider requests for review submitted by directly affected parties. If you are not listed as directly affected in the Approval Officer's decision, you must request that the Board reconsider your status (*please note that under the provisions of AOPA, the Board cannot reconsider the status of a party who has not previously made a submission to the Approval Officer during the application process*).

In order to request your status be reconsidered, you must explain why your interests are directly affected by the decision of the Board. Please list these reasons below:

My grounds for requesting directly affected status are as follows:

Please see attached letter
and refer to original objection.

5. CONTACT INFORMATION
(ALL PARTIES MUST COMPLETE THIS SECTION)

Contact information of the person requesting the review:

Name: Terrie Wayland
Address in Alberta: P.O. Box 67 Hines Creek AB
T0H 2A0
Legal Land Description: NW 8 - 85 - 5 W6 South Portion
Phone Number: [REDACTED] Fax Number: _____
E-Mail Address: ta.wayland@gmail.com

Signature: [Handwritten Signature] Date: April 9/20

Please note that all sections of the form must be completed in order for your request to be considered. Also, if you do not meet the timeline identified, your request will not be considered. Form must be signed and dated before being submitted for Board consideration

If you are, or will be, represented by another party, please provide their contact information (Note: If you are represented by legal counsel, correspondence from the Board will be directed to your counsel)

Name: _____
Address: _____
Phone Number: _____ Fax Number: _____
E-Mail Address: _____

When you have completed your request, please send it, with any supporting documents to:

Laura Friend, Manager, Board Reviews
Natural Resources Conservation Board
19th Floor Centennial Place
250 - 5th Street SW
Calgary, AB T2P 0R4

Phone: 403-297-8269
Email: laura.friend@nrcb.ca

Please note, Requests for Board Review are considered public documents. Your submitted request will be provided to all directly affected parties and will also be made available to members of the public upon request.

For more assistance, please call Laura Friend, Manager, Board Reviews at 403-297-8269.

October 30 2019

Nathan Shirley, Approval Officer
Provincial Building, 201, 10008 – 107 Street
Morinville AB T8R 1L3

Re: Notice of Application # FA 19003
1577912 Alberta Ltd. (Hines Creek Farms)
Confined Feeding Operation

Please be advised this letter is a Formal Objection and Statement of Concern with respect to Application #FA19003

Name: Terrie Wayland
Mailing Address: P.O. Box 67 Hines Creek AB T0H 2A0
Legal Land Description: NW 8 85 5 W6 South Portion
Phone Number: 780-772-9405
Email: tawayland@gmail.com

I have lived here on this property for 24 years. My kids were born and raised here. I have served my community over the years but mostly I love the country life, taking pride in the beauty my family has created here on our hobby farm and in our home.

I feel I am a "directly affected party" despite being outside of the zone. The farthest edge of the proposed development is 2.5 km to my property line. The distance between some of the proposed manure spreading sites is even less than that, the shortest distance being approximately 800 meters. I do not understand how I could not be a directly affected party.

Speaking of the disposal of manure and compost, a look at the Clear Hills County Map distinctly shows a tributary on one of the proposed quarters for disposal, NE 6 85 5 W6. Another quarter is approximately 400 meters from another river. While these setbacks may be deemed appropriate by NRCB and AOPA standards, they are not allowable by county bylaws. If I have read the information correctly, on the NRCB fact sheet it says NRCB "cannot approve an application unless it meets the requirements of AOPA, including consistency with the land use planning provisions of the local municipal development plan". After going through the application, I do not understand where the farm is actually applying to draw water from due to requesting the application be separate from the water act license. There is mention of water source that appears to have an inconsistency. This lack of transparency is an area of concern. I have failed to locate within the application how the deceased birds and possible cows (or any parts pieces and by-products of the CFO) are to be disposed of. I also have a concern with the fact the notice of application does not distinctly give the full number of birds. Associated pullets should list the 21000, or perhaps it is 22000 or even 27000, (the number has been written over so the number is not clear) so that people in the area understand there are going to be 50,000 birds in a confined space. I also have questions as to why they would list 5 milk cows. They have an existing cattle operation that by all outward appearances looks to be extremely well run. This is another lack of transparency as I can't help but question if these milk cows were put in so in the future it is easy to "amend" the application and transform it into a feed lot or some other form of intensive farming operation. Our local newspaper has become not much more than a flyer, we no longer even have a local office here, plus only a few stores now carry the paper (a distribution choice by the publisher) so it is difficult to find the newspaper. Yet this is the only way other than committing to searching the nrcb

website weekly for applications and amendments. This is also not a fair expectation that it is "up to me" to protect myself. This policy of notification should be expanded and someone like myself (and the other 8 neighbours in close proximity) at 2.5 km away should receive a letter of notification.

With this number of birds I don't see how odour won't be an issue. There are 3 manure storage pads proposed with this application. While it is covered by a roof, it is out in the open where odours will be an issue. Spring run-off will also be an issue, I don't see where there are any extraordinary measures to ensure spring run-off won't affect the storage areas and vice versa. I did see the mention of dead man blocks and pony wall, however after perusing several best practises from both Canada and the US I was unable to identify what this practice was and how it will protect spring run-off. Here, surface water fills dugouts, ephemeral draws, tributaries, creeks and finally the Peace River. In this area everything eventually ends up in the Peace. It is common for entire fields to have a significant layer of water on them. This entire proposal is not meeting Clear Hills County bylaws of being 3.2 km away from any water catchment area. This year was a wet summer, water tables were up as there was low areas in fields that had water sitting all season. This is indicative that we don't have the best drainage due to our soil base, yet the application has land spreading happening near water and green zones. Not only is the manure at the time of application an issue, the run off after torrential rainstorms or spring thaw is a danger to carry any component of the manure such as phosphorus and nitrogen into the Montagneuse River. This has to be a consideration on the part of the nrcb to protect our watershed. Torrential rainstorms are becoming increasingly common here, as they are everywhere.

Finally, the issue of property values. We have improved and built up our large acreage as part of our lifestyle. While the neighbours have a right to do what they wish on their property, it should not be at the expense of mine. We spend most of our time outdoors from April till September, our quality of life should not be interrupted by neighbors who moved in fairly recently and choose an industrialized farming method that isn't suitable to the area. Farming practices here range from hobby to grain and cattle. Should a massive confined feeding operation come in, no person will purchase my property that is a mere 2.5 km away. The value of my property will decrease significantly and this is not a reasonable expectation that I should just accept this.

There are 9 residences within 5 or less km of the proposed CFO. This does not include the applicants themselves nor a few residences' that will be affected by the landspreading of the manure. This is not just a case of "not in my backyard", I believe these operations should be in an exclusive industrial zone and not in anyone's back yard. This is not a farm. This application is an industrialized practice trying to invade farms and acreages.

In closing I hope you take due diligence in reviewing all components of this application and deny said application due to the proximity of both residences in the adjacent area and the Montagneuse/Peace watershed that is far too close to this proposed site.

Yours Truly

Teresa Wayland
P.O. Box 67
Hines Creek AB
T0H 2A0