

#3 - REQUEST FOR REVIEW: PR19005 / Stant Enterprises Ltd.

Filed By:	Brent and Tracey Calvert
Deadline for RFRs:	May 15, 2020
Date RFR received:	May 15, 2020
Status of party as per Grandfathering Decision:	Not Directly Affected

REQUEST FOR BOARD REVIEW
 SUBMITTED TO THE NATURAL RESOURCES CONSERVATION BOARD

Application No:	
Name of Operator/Operation:	Feedlot Stant Enterprises Ltd.
Type of application (check one):	<input type="checkbox"/> Approval <input type="checkbox"/> Registration <input type="checkbox"/> Authorization
Location (legal land description):	NW 18-40-4 WSM
Municipality:	Clearwater 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:

We would like to request "directly affected" status due to the fact that we live within the 1.5 mile radius. We live south of the feed lot on RR 5-0 1/2 mile. We were never contacted in any way shape or form. We found out through word of mouth from our neighbor on May 14 2020 at roughly 21:00 hrs.

our land location is SE 13-40-5 W5M

2. GROUNDS FOR REQUESTING A REVIEW

(ALL PARTIES MUST COMPLETE THIS SECTION)

In order to approve an application, NRCB Approval Officers must ensure the requirements of AOPA have been met. Your grounds for requesting a Board review should identify any requirements or specific issues that you believe the Approval Officer failed to adequately address in the Decision.

My grounds for requesting a review of the Approval Officer's decision are as follows:

- the feed lot creates a large amount of traffic to the area with the transfer of animals in and out of the area as well as hauling feed into the feed lot.

Last fall when the "New operators" of the Feed lot were silaging off of Stan Taylor's Home quarter we reported unsafe driving habits of these new operators. They were deliberately driving through the stop signs without barely even slowing down, driving at excessive speeds creating excessive amounts of dust showing a total lack of respect for those of us that live in the area. The county peace officer came out and shot them down.

→ How has the county of Clearwater been notified of this? (changes to feed lot)
when we phoned the county about for information about the changes with the feed lot they can't give us any information. There must be some kind of Annual road use agreement at the very least for the extensive use of RR-50. TWP 40-2

It seems to us that all of this is trying to be done as quietly as possible almost like the "ask for forgiveness rather than for approval" approach.

3. REASONS YOU ARE AFFECTED BY THE DECISION

(ALL PARTIES MUST COMPLETE THIS SECTION)

In order to support your reasons for requesting a review, please explain how you believe you would be affected by the Approval Officer's decision.

I believe that, as a result of the Approval Officer's decision, the following prejudice or damage will result:

Our road will take greater abuse than it can handle as will the bridge they cross daily on the county road. This Bridge has already been in less than perfect shape for numerous years.

4. ACTION REQUESTED

(ALL PARTIES MUST COMPLETE THIS SECTION)

I would like the Board to take the following actions with the respect to the Approval Officer's decision:

- Amend or vary the decision
- Reverse the decision

Please describe why you believe the Board should take this action:

→ Our Area will be greatly affected with the travelling of vehicles to and from the site

→ What kind of road use agreement has been made with the County of Clearwater?

→ Where will the manure be spread that is created from all of these animals?

→ How will this affect the land value of our property?

If the Board decides to grant a review (in the form of either a hearing or a written review), all directly affected parties are eligible to participate. The Board may consider amending the Approval, Registration, or Authorization on any terms and conditions it deems appropriate. **Please note the Board cannot make any amendments unless it first decides to grant a review.**

If a review is granted by the Board, are there any new conditions, or amendments to existing conditions, that you would like the Board to consider? It is helpful if you identify how you believe your suggested conditions or amendments would address your concerns.

5. CONTACT INFORMATION

(ALL PARTIES MUST COMPLETE THIS SECTION)

Contact information of the person requesting the review:

Name:

Brent : Tracey Calvert

Address in Alberta:

Box 153

Leslieville, AB

Legal Land Description:

SE-13-40SW5

Phone Number:

[REDACTED]

Fax Number:

E-Mail Address:

[REDACTED]

Signature:

Tracey Calvert

Date:

May 15, 2000

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

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