

#1 - REQUEST FOR REVIEW: LA20014 / Granum Colony

Filed By: **Pam Heyland**

Deadline for RFRs: September 17, 2020

Date RFR received: September 15, 2020

Status of party as per Decision Summary: N/A

REQUEST FOR BOARD REVIEW
SUBMITTED TO THE NATURAL RESOURCES CONSERVATION BOARD

Application No:	LA20014
Name of Operator/Operation:	Granum Hutterite Colony
Type of application (<i>check one</i>):	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Registration <input type="checkbox"/> Authorization
Location (<i>legal land description</i>):	SE25-11-28W4
Municipality:	M. D. of Willow Creek

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:

I live on NW36-11-28, although I do not fit within the "directly affected party", living within .5 miles I do live within a mile. Therefore, I believe I will be direct impacted by this decision, as I will be travelling the same roads and will be drawing from the same water source.

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 smell will definitely impact our quality of life, as will the dust. The dust also plays a big factor in the health our cattle. Dust is a known causes for respiratory problems.~~

~~We live on a hill, with a beautiful panoramic view of the Porcupine Hills, this will be affected with there is an unsightly chicken barn place in the middle.~~

~~We moved to an old homestead with an established yard. From 1980 until 2014 our well flowed at 2.5 gal/ minutes. We were able to make it work; now however, since the well was pulled, approximately six years ago on SE25-11-28-W4, we had to spend a great deal of money and effort to find water. The well then flowed around 0.5 gals/minute, until the flow was insufficient water for the cattle and for domestic use, 2018. I was a real nightmare with the water flow, hauling water, dealing with frozen lines, all the while attending to my sick husband, who was in the hospital. In 2019 a cistern was put in to collect water. Although we have been told the NRCB does not deal with any water issues that is a major concern for me. Having to worry whether or not there will be enough water has been a constant worry. If the chicken barn does get approved just going to the tap will be done with more trepidation.~~

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 quality of live will be reduced. We will spend more time on the road hauling water, causing a negative impact to the already taxed infrastructure.

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:

The Board should reverse their decision because the location of the chicken barn will affect many people's livelihood. It will be drastically impact our livelihood with the inability to have sufficient water and the need to treat cattle and horses with respiratory illness from the increased dust.

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.

Again, we realize the NRCB does not deal with water issues. However, I feel that our quality of life has been impacted, having already dealt with little to no water flow, and quality of life does fit within NRCB's mandate. Therefore, I believe it would be incumbent that a water review be done before a final decision be made.

5. CONTACT INFORMATION

(ALL PARTIES MUST COMPLETE THIS SECTION)

Contact information of the person requesting the review:

Name: Pam Heyland
Address in Alberta: [REDACTED]
Claresholm, Alberta T0L 0T0
Legal Land Description: NW36-11-28
Phone Number: [REDACTED] Fax Number: _____
E-Mail Address: [REDACTED]

Signature: Pam Heyland Date: September 10, 2020

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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