

In the matter of Requests for Review
under section 25(1) of the
Agricultural Operation Practices Act, RSA 2000, c A-7
of a decision by an Approval Officer set out in
Decision Summary LA20014

SUBMISSION OF THE APPROVAL OFFICER

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On behalf of the Approval Officer

1. Thirteen parties have requested that the Board review the decision of the Approval Officer in file LA20014 (Hutterian Brethren Church of Granum). Of the thirteen parties:
 - a. Six were determined by the Approval Officer to be directly affected parties;
 - b. Five of these parties were determined by the Approval Officer not to be a directly affected party; and
 - c. Two of these parties did not submit a response to the application notice.
2. The Approval Officer takes no position on whether the Board should dismiss the applications for review (RFRs), or schedule a review. The Approval Officer also takes no position on what matters should be included in a review, if the Board were to grant a review.
3. Approval Officers do not routinely make submissions on RFRs. In this case, however, the Board and RFR participants may benefit from information and documents that clarify the context of procedural issues raised in some of the RFRs. The documents are attached as PDFs to the e-mail covering this submission. They are labelled both by Document number and by date (e.g. 20200729 for July 29, 2020).
4. In relation to Mr. Byron Westwell's RFR, please see:
 - a. Tear sheet notice from Claresholm Local Press on June 30, 2020 [**Document 1**];
 - b. List of addresses from County, amended June 23, 2020 [**Document 2**];¹
 - c. List of addresses from County, amended July 9, 2020 [**Document 3**];¹
 - d. Copy of courtesy letter dated June 23, 2020, sent to Mr. Westwell on July 9, 2020 [**Document 4**].
5. In relation to Mr. Chatterton's RFR, please see:

¹ To minimize unnecessary disclosure of personal information, this list is redacted to black out (a) mailing addresses, and (b) names of individuals who did not submit an RFR.

- a. Screenshot of NRCB database entry dated August 24, 2020 [**Document 5**].
6. In relation to Dr. Vonda Chatterton's RFR, in Appendix B of Decision Summary LA20014, the Approval Officer determined that (among others) Don Chatterton and Radon Chatterton were directly affected by the application as they resided on or owned land within the affected party radius. The Approval Officer also determined that (among others) Vonda Chatterton was not directly affected by the application. Please note that:
- a. The chicken layer barn is proposed to be located at SE 25-11-28 W4;
 - b. N ½ 25-11-28 W4 is within the affected party radius. Don Chatterton and Radon Chatterton are included as owners on title for N ½ 25-11-28 W4; Vonda Chatterton is not. There are no residences on this half section.
 - c. NW 4-12-27 W4 is not within the affected party radius. NW 4-12-27 W4 has a few residences on it.
7. In relation to Ms. Pam Heyland's RFR, please see:
- a. Screenshot of NRCB database entry dated August 26, 2020 [**Document 6**]; and
 - b. E-mail from Approval Officer Carina Weisbach to Ms. Heyland on September 1, 2020 [**Document 7**].
8. Finally, it is important to note that the Approval Officer issued a Registration under section 22 of the *Agricultural Operation Practices Act*, not an Approval under section 20.

RESPECTFULLY SUBMITTED THIS 24th DAY OF SEPTEMBER, 2020

Fiona N. Vance
Chief Legal Officer – Operations
Natural Resources Conservation Board