



July 31, 2020

Natural Resource Conservation Board
#303, 4920 – 51 Street
Red Deer, Alberta
T4N 6K8

Attention: Lynn Stone

**RE: Application RA20032
Hutterian Brethren of Starland
Part of the NW 15 – 33 – 21 – W4th
Land Use Bylaw #1125
Municipal Development Plan #1142**

Please accept this letter in response to the above noted application for the construction of a new dairy barn and associated confinement and uses for the proposed Intensive Livestock Operation or Confined Feeding Operation within the jurisdiction of Starland County. We understand from the information as submitted that this is the same application as reviewed under application #RA20001 only with a slight variation to the location to a different parcel. The same concerns are outlined in our comments with respect to the above noted application for and Confined Feeding Operation.

Starland County has an approved Land Use Bylaw #1125 in effect since August 22, 2019. Under LUB # 1125 there is a Land Use District identified as “AI” or Agricultural Intensive District for the purpose confined feeding operations and those intended uses. Currently under the LUB those lands as identified herein are not situated within an “AI” District. The current classification of those lands as noted is “AG” Agricultural General District. Under LUB #1125 the “AG” district uses for a CFO is an unlisted use either permitted or discretionary. The reclassification of a district to “AI” shall take into a number of considerations to the proper classification of those areas. The goal is to protect and enhance conforming Confined Feeding Operations and the quality of life of the existing and future residents by providing an appropriate buffer separation that would limit the negative impacts between these incompatible land uses within the county and to ensure the location of new or expanded CFO’s are directed away from areas where contamination risks of groundwater, and development of other resources, are eminent.

As noted in the previous application for the same Confined Feeding Operation (CFO), the proposed development has been altered slightly to the South and West of the original

location. It is assumed this variation was made in the purpose of extending the distance between the proposed development and the Hamlet of Rumsey or to be considered on the perimeter or outside the “Exclusion Zone” as defined under the Starland County MDP. As outlined in the previous application, the Starland County Municipal Development Plan (MDP) has been in effect since October 9, 2019. Under Section 8.0 of the MDP, Confined Feeding Operations (CFO) and those restrictions associated with development within those defined areas of the MDP are outlined therein. The Starland MDP policy statement describes “Urban Areas” that include those urban centers including the nearby Hamlet of Rumsey situated SE of 24 – 33 – 21 – W4th. Where grouped country residences are located, they shall be considered as an “Exclusion Zone”. No new and/ or expanding CFO shall be permitted within the exclusion zone as identified on Map 6 of the Starland County Municipal Development Plan. Under Section 8.0 (9) of the MDP, it states, Confined Feeding Operations shall not be located within 3.2 kilometers (2 miles) of any urban areas, this area shall be considered as an Exclusion Zone. No new and/or expanding CFO shall be permitted within the Exclusion Zone as identified on Map 6. This policy is based on a concern for the resident’s quality of life and the potential future growth of the urban areas. The alteration of the proposed development may be identified outside the exclusion area depending on the actual siting, however, the impact on the urban community may not be lessened to any significant degree given the location and close proximity to those areas as defined using the prescribed formula as outlined under the MDP. It is in our opinion that the impact will remain relevant to the urban community of Rumsey given the variation to the location.

Under the Starland County MDP it further describes those areas where ground water sources may be impacted or influenced by CFO’s as outlined on Map 6 of the MDP document. Section 8 (10) of the MDP, states, Confined Feeding Operations shall not be located within 3.2 kilometers (2 miles) of any municipal water source this area shall be considered an Exclusion Zone. No new and /or expanding CFO shall be permitted within the Exclusion Zone as identified on Map 6. The Hamlet of Rumsey water supply is obtained by ground water source located within the excluded area as indicated. Here again the alteration of the development site provides some extension or distance relief, however, the CFO will certainly impact the nearby community of Rumsey and the reliance on a safe and dependable water supply.

Under the Starland County Municipal Development Plan Section 8 (5) and (6) refer to areas where the dependence of groundwater for residential, municipal, and agricultural are significant and whereby the restriction of any expansion or development of confined feeding operations is recommended. These evaluations are based on the Starland County Ground Water Assessment 1999 report.

The location of the development on the NW of 15 – 33 – 21 – W4th is situated in an area as described in the Section 8 (6) of the MDP as areas of “High Risk of groundwater contamination. Within the plan it describes the areas of “high risk” of groundwater contamination, new confined feeding operations and expansions thereto should not be allowed unless it can be proven that the groundwater contamination risk has been

minimized and appropriate mitigation measures have been taken to prevent possible groundwater contamination in accordance with best practices and scientific methods. The proposal outlines the effluent containment structures and those means to have retention of animal wastes within those facilities. The likelihood of an event of surface contamination is relevant given the existing topography of the land. Many areas on the property have water ponding or collecting in natural areas within the parcel and in proximity to the development. These surface waters also serve as the recharge source of the aquifer and ground water sources. Any contamination of the surface waters will impact the quality of the ground water in those areas and potentially the water source for the Hamlet of Rumsey.

Construction of the site will require the landscaping of those portions of the parcel and intern the displacement of the surface waters further impacting those surrounding properties. The application does not reference how or where the surface waters will be managed under the proposed development.

As referenced in this letter, the municipality has concerns with the proposed development in relation to contamination of ground water, waste retention facilities, the disposal of wastes and existing water retention ponds or wetlands situated on the property. In reference to this application and the previous location, water use and potential water demands are not included in the application. No ground water assessment reports are provided in the application to illustrate or determine the impact on the groundwater and sustainability of the ground water source for this area of the County.

Specific Concerns pertaining to the development of a Confined Feeding Operation on the NW of 15 – 33 – 21 – W4th:

1) Manure Waste

The storage of animal waste and the spreading and incorporation of manure wastes upon the area and lands indicated in the application are a great concern. The lands identified, all have a number of natural surface water retention ponds throughout. The risk of seepage into those water sources are concern as the surface water is easily contaminated.

2) Ground Water Sustainability

From the information supplied in the application package there is no reference to the water diversion rates for the intended uses and if this has any impact on the surrounding properties and ground water sources. Ground water sustainability for this development has not been addressed in the information package as provided and does not include hydrogeological evaluations or reports of the water source for this area. The diversion of water to sustain the livestock operation will directly impact the surrounding properties including the Hamlet of Rumsey and supply of water to our residents of this community. Due to the lack of information pertaining to water diversion associated with the property, Starland County believes it is of paramount importance that a hydrogeological evaluation be undertaken to review all water diversion requirements for the proposed development and any future development prior to any consideration of approval. This report shall

incorporate a survey and impact assessment of all surrounding water wells in the area that are considered to be or have potential to be impacted from the development and those waters diverted from the same aquifer.

3) Future Development

In reference to the application, the proposal is for the construction of a dairy barn and associated buildings and confinement facilities. The application does not refer to any other use or projected use of the land that would be associated with any large farming operation. Any future expansion or development of livestock operations including poultry, swine, cattle or other will directly influence the intensity of use upon the land and those surrounding properties. The environmental impact will extend past the boundaries of the parcel to neighboring lands and residential properties.

In consideration of all the factors and concerns noted, Starland County strongly recommends that the Confined Feeding Operation and the development of the proposed dairy barn and associate uses be denied based on better planning practices and environmental considerations as further noted in the Starland County Municipal Development Plan and Land Use Bylaw.

Thank you for this opportunity to comment on the proposed operations within Starland County, if you have any questions regarding this matter, please contacts the undersigned.

Yours truly,

A handwritten signature in blue ink, appearing to read "Glen V. Riep", is written over a blue oval-shaped line.

Glen V. Riep
Development Officer