

#1 - REQUEST FOR REVIEW: RA20041/Manna Farms Ltd.

Filed By:	Manna Farms Ltd. (Mark and Nina Astner)
Deadline for RFRs:	November 30, 2020
Date RFR received:	November 27, 2020
Status of party as per Decision Summary:	Directly Affected

REQUEST FOR BOARD REVIEW
SUBMITTED TO THE NATURAL RESOURCES CONSERVATION BOARD

Application No:	
Name of Operator/Operation:	
Type of application (<i>check one</i>):	<input type="checkbox"/> Approval <input type="checkbox"/> Registration <input type="checkbox"/> Authorization
Location (<i>legal land description</i>):	
Municipality:	

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:

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:

5. CONTACT INFORMATION

(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:

5. CONTACT INFORMATION

(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:

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:

Address in Alberta:


Legal Land Description:

Phone Number:

Fax Number:

E-Mail Address:

Signature:


Optional

Date:

Required

If you do not meet the timeline identified, your request will not be considered.

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.

November 19, 2020

Camrose County
3755 – 43rd Avenue
Camrose, AB T4V 3S8
ATTENTION: Camrose County Councillors

Dear County Councillors,

Re: NRCB Application RA20041 Appeal, NE8-44-21-W4

Please accept this letter as a request for a relaxation ruling of setback of Municipal Development Plan Section 4.3.9 and a letter of support from you as we appeal the above-noted NRCB application, which was denied on or about November 6, 2020 due to non-compliance with the above section of the MDP. The NRCB mailed 79 notices to area residents concerning our application. There were 4 responses including 1 letter of support.

In 2003, an existing intensive livestock operation which has raised hogs on it since the 1920's was purchased. In 2005, additional facilities were constructed with the approval of both the County and the NRCB, bringing the total approved capacity to 3000. The operation was then dealing with both solid and liquid manure. The liquid was held in a lagoon and the solid was stored on engineered and approved manure pads, which were a source of odour and were constructed with drainage into a seasonal runoff waterway. Attached is a map from the County website, indicating the drainage flow of the runoff. As you can see, any runoff using that drainage channel travels for a number of miles and it doesn't reach Little Beaver Lake. Having both liquid and solid manure required multiple annual manure applications at different times by different hired custom operators, all of which was applied on the soil surface and subsequently, according to environmental regulations, was incorporated in the required time frame.

We operate our farm based on good stewardship practices and take pride in proper nutrient management. We have been and continue to sample the soil annually and apply nutrients through variable rate technology, allowing us to control and mitigate major nutrient buildup and leaching as such.

Being conscious of our geographic location and the impact of multiple manure applications every year, and an ever-increasing number of rural residents in our immediate area, the decision was made in 2020 to make a major investment to convert all the facilities to liquid manure, with no additional barns being constructed. This decision was expedited because of predicted material cost increases caused by the COVID-19 pandemic. Even then we didn't fore see to what level the materials increase would be. As such we require the additional numbers of animals for maximizing our facility to assist in repayment of the budget overrun.

Eliminating the straw-based dry manure removes any run-off and allows for one single manure application annually. With the increased volume of liquid to be applied, it allows us the option of contracting an applicator that could inject the manure directly into the soil, which will help mitigate lingering odours. Applicators that do direct injection require a minimum volume that we previously did not have.

The portion of the facilities that were straw-based required 12 square feet per hog, while the same facility with total slats require 8 square feet per hog. We are, therefore, requesting your support and allow us to utilize our facilities, which are the same external size as when they were constructed 15 years ago, and increase the livestock population to 4200. We are confident the changes/improvements we have made will decrease the potential impact on the environment, removes the risk of surface runoff and improves the air quality not only for ourselves but also for our neighbouring community.

We recognize that we are not the first relaxation request you have received in recent years and appreciate the latitude you have demonstrated, in previous relaxation rulings, in making our Ferintosh community and this County a progressive area to carry on the business of agriculture.

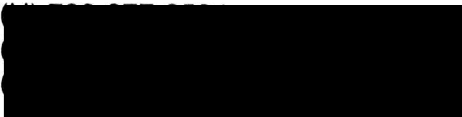
Thank you for this opportunity to improve our business and to contribute to the success of Camrose County as it continues to be a highly rated agricultural destination in our province.

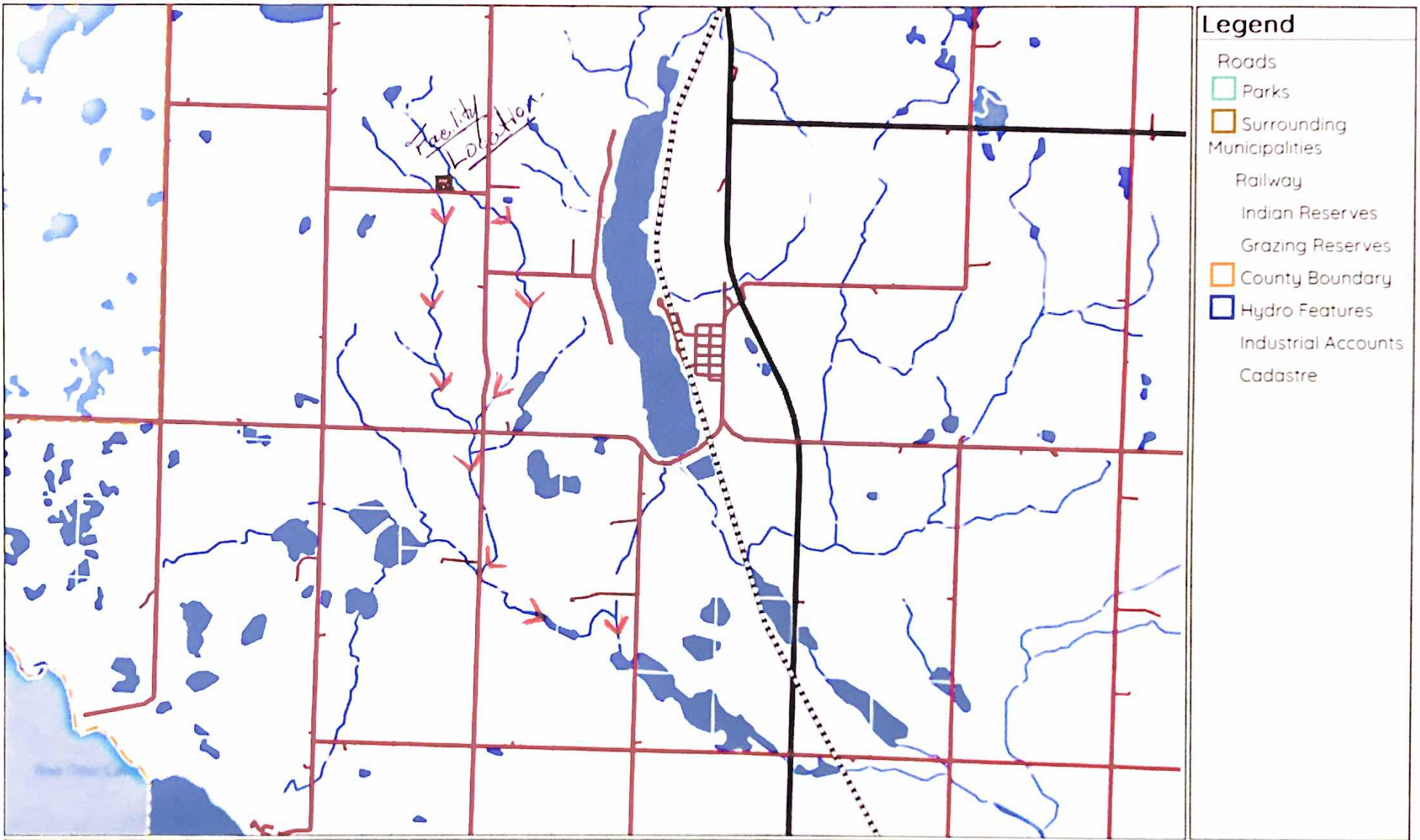
Thank you for your time and consideration. Please feel free to call Mark at 780-878-1646 with any questions or concerns you may have.

Sincerely yours,

Handwritten signatures of Mark and Nina Astner. The signature on the left is circled in black. The signature on the right is written in a cursive style.

Mark and Nina Astner
Manna Farms Ltd.
R. R. #1
21418 Township Road 441A
Ferintosh, AB T0B 1M0





Legend

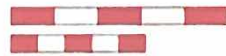
- Roads
- Parks
- Surrounding Municipalities
- Railway
- Indian Reserves
- Grazing Reserves
- County Boundary
- Hydro Features
- Industrial Accounts
- Cadastre



Scale 1:56,128

1 Mi

1 Km



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