

Decision Summary LA21011

This document summarizes my reasons for denying Approval LA21011 under the *Agricultural Operation Practices Act* (AOPA). Additional reasons are in Technical Document LA21011. All decision documents and the full application are available on the Natural Resources Conservation Board (NRCB) website at www.nrcb.ca under Confined Feeding Operations (CFO)/CFO Search. My decision is based on the act and its regulations, the policies of the NRCB, the information contained in the application, and all other materials in the application file.

Under AOPA this type of application requires an approval. For additional information on NRCB permits please refer to www.nrcb.ca.

1. Background

On February 17, 2021, Hutterian Brethren Church of Little Bow (Little Bow Colony) submitted a Part 1 application to the NRCB to expand an existing multi species CFO with the construction of a chicken layer barn with attached manure storage and for the increase of chicken layer numbers from 2,500 to 10,000.

The Part 2 application was submitted on February 25, 2021. On March 10, 2021, I deemed the application complete.

The proposed expansion involves:

- Increasing chicken layer numbers from 2,500 to 10,000 birds
- Constructing a new layer barn (66 m x 33.5 m) with attached manure storage (10.6 m x 10.6 m)

a. Location

The existing CFO is located at E½ 32-14-25 W4M in Vulcan County, roughly 15 km west of Champion, Alberta. The terrain is generally flat with relief in the form of the Little Bow River valley which is located immediately south and west of the CFO. The Little Bow River itself is located approximately 0.5 km south of the existing colony site and approximately 1 km south of the building site proposed in application LA21011.

b. Existing permits

Little Bow Colony (at its current location) was first permitted under Municipal Permit #98-062 which was issued by Vulcan County on December 12, 1998. This permit was issued for a hog operation with the capacity for 260 sows (farrow to finish). No other livestock facilities or livestock categories were addressed in this permit. Around this time, the Little Bow Colony was obliged by the Alberta Government to relocate from a site which is now occupied by Twin Valley Reservoir. Little Bow Colony has not received any permits from the NRCB since that time. The claimed grandfathered livestock capacity of the CFO is:

- 90 milking cows (plus associated dries and replacements)
- 120 sheep (grazing herd, facilities not covered by the AOPA)

- 500 turkeys
- 800 ducks
- 800 geese
- 3,000 chicken broilers
- 2,500 chicken layers
- 300 sows (farrow to finish)

The claimed grandfathered capacity was not disputed by any responses to the application notice.

The Alberta Infrastructure department of the Alberta Government, which existed at the time the Little Bow Colony was being relocated, was heavily involved in the relocation of facilities and construction of the new colony site. The files which exist from this time support the premise that the CFO existed on January 1, 2002. The CFO is therefore grandfathered with a deemed approval under section 18.1 of AOPA. That deemed permit includes Vulcan County permit #98-062. This deemed approval allows for the construction and operation of a mixed livestock type CFO.

As I am denying the permit, and in the interest of issuing a timely decision, I will not make a detailed determination of the deemed capacity of the CFO aside from confirming that it is above the threshold for an AOPA approval. The determination of the CFO's deemed permit status under section 18.1 of AOPA is explained in Appendix D, attached.

2. Notices to affected parties

Under section 19 of AOPA, the NRCB notifies (or directs the applicant to notify) all parties that are "affected" by an approval application. Section 5 of AOPA's Part 2 Matters Regulation defines "affected parties" as:

- In the case where part of a CFO is located, or is to be located, within 100 m of a bank of a river, stream or canal, a person or municipality entitled to divert water from that body within 10 miles downstream
- the municipality where the CFO is located or is to be located
- any other municipality whose boundary is within a specified distance from the CFO, depending on the size of the CFO
- all persons who own or reside on land within a specified distance from the CFO, depending on the size of the CFO

For the size of this CFO the specified distance is one mile. (The NRCB refers to this distance as the "affected party radius.")

A copy of the application was sent to Vulcan County, which is the municipality where the CFO is located, and to the Municipal District of Willow Creek which has a boundary within the affected party radius.

The NRCB gave notice of the application by public advertisement in a weekly newspaper in circulation in the community affected by the application. In this case, public advertisement was in the Vulcan Advocate on March 10, 2021. The full application was posted on the NRCB website for public viewing. As a courtesy, twelve letters were sent to people identified by Vulcan

County and the Municipal District of Willow Creek as owning or residing on land within the affected party radius.

3. Notice to other persons or organizations

Under section 19 of AOPA, the NRCB may also notify persons and organizations the approval officer considers appropriate. This includes sending applications to referral agencies which have a potential regulatory interest under their respective legislation.

Referral letters and a copy of the complete application were emailed to Alberta Health Services (AHS), Alberta Environment and Parks (AEP), and Alberta Transportation. The response from AEP relating to water allocation and licensing was forwarded directly to the applicant for their information and action.

4. Alberta Land Stewardship Act (ALSA) regional plan

Section 20(10) of AOPA requires that an approval officer must ensure the application complies with any applicable ALSA regional plan.

As required by section 4(1) of the South Saskatchewan Regional Plan (SSRP), I considered that document's Strategic Plan and Implementation Plan and determined that the application is consistent with those plans. In addition, there are no notices or orders under the Regulatory Details portion of the SSRP that apply to this application.

5. Municipal Development Plan (MDP) consistency

I have determined that the proposed expansion is inconsistent with the land use provisions of Vulcan County's municipal development plan as the subject land is located in the county's CFO exclusion zone. (See Appendix A for a more detailed discussion of the county's planning requirements.)

6. AOPA requirements

With respect to the technical requirements set out in the regulations, the proposed expansion:

- Meets the required AOPA setbacks from all nearby residences (AOPA setbacks are known as the "minimum distance separation" requirements, or MDS)
- Meets the required AOPA setbacks from water wells, springs, and common bodies of water
- Has sufficient means to control surface runoff of manure
- Meets AOPA's nutrient management requirements regarding the land application of manure
- Meets AOPA groundwater protection requirements for the design of floors and liners/protective layers of manure storage facilities and manure collection areas

The application meets all relevant AOPA requirements aside from being inconsistent with Vulcan County's MDP.

7. Responses from municipalities and other directly affected parties

Directly affected parties are entitled to a reasonable opportunity to provide evidence and written submissions relevant to the application, and are entitled to request an NRCB Board review of the approval officer's decision. Not all affected parties are "directly affected" under AOPA.

Municipalities that are affected parties are identified by the act as "directly affected." Vulcan County is an affected party (and directly affected) because the proposed expansion is located within its boundaries.

Ms. Anne Erickson, a development officer with Vulcan County, provided a written response on behalf of Vulcan County. Ms. Erickson stated that the application is not consistent with Vulcan County's land use provisions of the municipal development plan because it is located within a CFO exclusion zone. The application's consistency with Vulcan County's municipal development plan is further addressed in Appendix A, attached. Vulcan County also requested that a public hearing relating to the project be held.

Section 20(1)(b)(iv) of AOPA allows approval officers to hold "meetings and other proceedings" with respect to an approval application. Approval officers do not routinely convene public meetings even on applications that may be likely to generate public interest. However, approval officers regularly meet, provide information, and have conversations with parties, including municipalities, CFO operators, and neighbors to CFOs to provide information on the AOPA permit application process. The NRCB also provides information about the application process on its website, which explains how the public can participate in the application process. A fact sheet on this topic is provided to all parties who are sent courtesy letters as well as being available on the NRCB website. Therefore, I determined that the county's request to consider holding a public meeting regarding the application would not be beneficial, especially as I determined early on in the review process that I would have to deny the application as it is inconsistent with a provision in Vulcan County's MDP.

The Municipal District of Willow Creek is also automatically assumed to be an affected party for this application because it is within the notification radius for the application. In their response, the Municipal District of Willow Creek indicated that it had no comments relating to the application.

Apart from municipalities, any member of the public may request to be considered "directly affected." The NRCB received a single response from Iain and Sandra MacDougall (The MacDougall's).

The MacDougall's own land within the 1.0 mile notification radius for affected persons. Because of their location within this radius, and because they submitted a response, they are assumed to be directly affected parties for this application. (See NRCB Operational Policy 2016-7: Approvals, part 6.2)

The MacDougall's raised concerns regarding:

- Need for proper manure handling and incorporation
- Potential for groundwater contamination
- Potential for surface water contamination
- Water licensing

These concerns are addressed in Appendix B, attached.

8. Environmental risk of CFO facilities

The proposed layer barn and attached manure storage would meet or exceed AOPA construction requirements and are automatically assumed to pose a low risk to surface and groundwater. However, there may be circumstances where, because of the proximity of a shallow aquifer, or porous subsurface materials, an approval officer may require additional constructing monitoring for the facility to ensure the environment is adequately protected. In this case a determination was made that further monitoring would not be required at the site if my decision for denial is overturned by the NRCB's board following a review hearing.

As part of my review of this application, I assessed the risk to the environment posed by the CFO's existing manure storage facilities and manure collection areas. I used the NRCB's environmental risk screening tool (ERST) to assist in my assessment of risk to surface water and groundwater (see NRCB Operational Policy 2016-7: Approvals, part 8.13). The tool provides for a numeric scoring of risks, which can fall within a low, moderate, or high risk range. (A complete description of this tool is available under CFO/Groundwater and Surface Water Protection on the NRCB website at www.nrcb.ca.)

I found all of Little Bow Colony's existing CFO facilities pose a low potential risk to surface water and groundwater.

9. Other factors

Even though the application meets the technical requirements of AOPA and its regulations (aside from the inconsistency with the applicable MDP), AOPA requires that I deny the application because it is inconsistent with the MDP land use provisions in Vulcan County. In the case where the NRCB Board may choose to overturn my decision following a review hearing, I also considered other factors and have included a discussion of these below.

If the decision was to be overturned, AOPA would require me to consider matters that would normally be considered if a development permit were being issued. The NRCB interprets this to include aspects such as property line and road setbacks related to the site of the CFO. (Grow North, RFR 2011-01 at page 2). Approval officers are limited to what matters they can consider, though, as their regulatory authority is limited.

Ms. Erickson listed the setbacks required by Vulcan County's land use bylaw (LUB). The application meets these setbacks.

Finally, I considered the effects of the proposed expansion on the environment, the economy, and the community, and the appropriate use of land.

Consistent with NRCB policy (Approvals Policy 8.7.3), if an application was to be consistent with the MDP then the proposed development would be presumed to have an acceptable effect on the economy and community. This policy would also presume that the proposed expansion is an appropriate use of land (See NRCB Operational Policy 2016-7: Approvals, part 8.7.3.). In my view, this presumption of acceptability and appropriate use of land do not apply as the application is not consistent with Vulcan County's MDP.

10. Conclusion

Approval LA21011 is denied because of its inconsistency with Vulcan County's MDP land use provisions.

May 4, 2021

(Original signed)
Joe Sonnenberg
Approval Officer

Appendices:

- A. Consistency with the municipal development plan
- B. Concerns raised by directly affected parties
- C. Recommendation of conditions if a permit is issued
- D. Determination of deemed permit status

APPENDIX A: Consistency with the municipal development plan

Under section 20 of AOPA, an approval officer may grant an application for an approval only if the approval officer finds that the application is consistent with the “land use provisions” of the applicable municipal development plan (MDP).

The NRCB interprets the term “land use provisions” as covering MDP policies that provide generic directions about the acceptability of various land uses in specific areas and that do not call for discretionary judgements relating to the acceptability of a given confined feeding operation (CFO) development (See NRCB Operational Policy 2016-7: *Approvals*, part 6.4.). Under this interpretation, the term “land use provisions” also excludes MDP policies that impose procedural requirements. In addition, section 20(1.1) of the act precludes approval officers from considering MDP provisions “respecting tests or conditions related to the construction of or the site” of a CFO or manure storage facility, or regarding the land application of manure (These types of MDP provisions are commonly referred to as MDP “tests or conditions.”).

Little Bow’s CFO is in Vulcan County and is therefore subject to that county’s MDP. Vulcan County adopted the latest revision to this plan on April 4, 2012, under Bylaw #2012-003. The MDP also cross references IDP’s in general so I considered this plan to also apply to the application.

Part 4 of Vulcan County’s MDP deals specifically with CFOs. That part starts by stating (p. 14) that CFO development within the county

[c]ontinues to influence the local economy and landscape. The preservation of the agricultural lifestyle is promoted and maintained through these operations. The potential issues caused by CFOs may be mitigated through long-range planning so those nearby settlements can still enjoy the rural lifestyle of the County.

Sections 4.1 to 4.3 of the MDP provide specific policies for CFOs.

Section 4.1 reads:

“New confined feeding operations (CFOs) are not permitted to be established and existing confined feeding operations are not permitted to expand within the exclusion areas as shown on the map in Appendix B (re: Confined Feeding Operation Exclusion Area). However, although new CFOs and expansions to existing CFOs are prohibited in the exclusion areas (as per the map in Appendix B), improvements with respect to the maintenance and/or environmental protection of an existing CFO are permitted.”

Section 4.1 precludes new CFOs in the exclusion zones shown in Appendix B of the MDP. Little Bow Colony’s existing CFO is located within the exclusion zone shown in this MDP appendix. As the application involves an increase in livestock numbers, I do not see justification in being able to grant the application based on it being “*an improvement with respect to the maintenance and/or environmental protection of an existing CFO*”. I therefore find the application to be inconsistent with the land use provisions of the MDP and as stated in Decision Summary LA21011, I have denied the application.

Sub-sections 4.2(a), (c) and (d) of the MDP also provide several setbacks to roads. Based on the site plan, the proposed CFO facility would meet these setbacks.

Sub-section 4.2(b) states that applications for CFOs “adjacent” to a highway “should be referred to Alberta Transportation for a roadside development permit.” This is likely not a land use provision (and, therefore, is not relevant to my MDP consistency determination), because of its procedural focus. At any rate, as noted in part 3 of the decision summary above, the NRCB notified Alberta Transportation of Little Bow’s application and they confirmed that a roadside development permit is not required.

Sub-sections 4.3(a) and (b) of the MDP list two factors that the NRCB “should consider” in its review of approval applications. These factors are:

- (a) the cumulative effects of a new approval on any area near other existing confined feeding operations; [and]*
- (b) impacts on environmentally sensitive areas shown in the report, “Vulcan County: Environmentally Sensitive Areas in the Oldman River Region”;*

Sub-section (a) is likely not a “land use provision,” because it calls for project-specific, discretionary judgements about the types of cumulative effects that should be considered and the acceptable maximum levels of each of those effects.

Sub-section (b) is also likely not a “land use provision,” as it calls for project-specific, discretionary judgements about the acceptable levels of impacts on environmentally sensitive areas. Nevertheless, as Little Bow’s CFO is within Vulcan County’s CFO exclusion zone, I have denied the application.

Sub-section 4.3(c) calls for “giving notice to adjacent landowners” of AOPA permit applications. This policy is likely not a “land use provision” because of its procedural focus. At any rate, as explained above, the NRCB sent twelve courtesy letters, advising of the application, to the persons whose land is within one miles (1.6 km) of the CFO site and published a general public notice in the local newspaper, in addition to notifying Vulcan County, the Municipal District of Willow Creek, and several referral agencies. Therefore, the NRCB’s notice process for approvals is consistent with this MDP policy, in addition to satisfying AOPA’s notice requirements.

Lastly, sub-section 4.3(d) of the county’s MDP calls for the NRCB to consider “proof of the availability of water, specifically, confirmation of access and appropriate provision of the sufficient quantity and suitable quality of the required water supply.” This sub-section is not a “land use provision,” or, the sub-section is a “term or condition” under section 20(1.1) of AOPA. Therefore, this sub-section is not relevant to my MDP consistency determination (Beyond the MDP consistency context, under NRCB policy, approval officers will consider water supply issues only to the extent of requiring applicants to sign one of the water licensing declarations on page 6 of Technical Document LA21011. See Operational Policy 2016-7: *Approvals*, part 8.10).

With consideration of the discussion above, I have concluded that the application is inconsistent with the land use provision of Vulcan County’s MDP which precludes CFO expansion within the exclusion zone area, unless to improve maintenance or environmental protection. The county’s response confirms my conclusion.

Intermunicipal Development Plan (Bylaw No. 2015-006 and Bylaw No. 1717)

As discussed above, in my view I must also consider the land use provisions of the Vulcan County and Municipal District (M.D.) of Willow Creek No. 26 Intermunicipal Development Plan (Bylaw No. 2015-006 and Bylaw No. 1717) which was enacted in April 2015.

The following policies from the Intermunicipal Development Plan (IDP) pertain to CFOs:

4.3.1 Existing CFOs located within the Plan Area will be allowed to continue to operate under acceptable operating practices and within the requirements of the Agricultural Operation Practices Act and Regulations.

4.3.2 New CFOs are not permitted to be established within the CFO Exclusion Area as per the Little Bow River Project Intermunicipal Development Plan, Section 4.2 Policy 4.2.2, as illustrated on Map 12.

4.3.3 New CFOs are not permitted to be established within the CFO Exclusion Area as defined in the Vulcan County Municipal Development Plan and illustrated on Map 12.

4.3.4 Any existing CFO permit holders may be allowed to expand operations within CFO Exclusion Areas if it is to upgrade and modernize (within the requirements of the Agricultural Operations Practices Act and Regulations), demonstrating changes will reduce negative impacts (e.g., odours) to the residents of the area, additional environmental protection will be considered, and comments from both the municipalities are received and considered by the NRCB.

4.3.5 If either Vulcan County or the M.D. of Willow Creek No. 26 are in receipt of an application for new or expanded CFOs within the Plan Area, they shall forward a copy of the application to the other municipality.

Policy 4.3.1 and 4.3.4 would apply to application LA21011 since it's for an expansion at an existing CFO. However, in this case, the application does not involve an upgrade which aims strictly to reduce negative impacts or to increase environmental protection.

Policy 4.3.2 and 4.3.3 do not apply to the application as there is an existing CFO, and the application is not for a new operation.

Policy 4.3.5 is not a land use provision, but rather refers to process between the two municipalities. In any case, the NRCB referred application LA21011 to both municipalities.

For these reasons, I conclude that the application is also inconsistent with the land use provisions of the IDP again as the application is not for an upgrade and modernization to reduce impacts, or for environmental protection.

APPENDIX B: Concerns raised by directly affected parties

Concerns from directly affected parties

The MacDougall's raised the following concerns:

- Need for proper manure handling and incorporation
- Potential for groundwater contamination
- Potential for surface water contamination
- Water licensing

Need for proper manure handling and incorporation

Regulations under AOPA give operators four options for manure handling. One option is to provide proof of access to sufficient land to apply the amount of manure generated by the CFO in the year following the issuance of a permit. Little Bow Colony chose to prove access to available lands, and for this proposal, 207 hectares of irrigated land or 412 hectares of dark brown soil are required. Little Bow Colony provided 4000 hectares of suitable irrigated and dark brown land for manure spreading, for the first year after the approval is issued. AOPA sets out nutrient loading limits for soils on which manure is applied. In addition setbacks from common bodies of water, residences and property boundaries are also set out. After taking these setbacks into account, Little Bow Colony still has more than sufficient land available for manure spreading.

Potential for groundwater contamination

I assessed the risk to groundwater posed by all of Little Bow Colony's existing and proposed facilities. As discussed in Decision Summary LA21011, and as detailed in Technical Document LA21011, all facilities were found to pose a low potential risk to groundwater.

Potential for surface water contamination

The Little Bow River is located immediately south of Little Bow's existing CFO. As part of my assessment of the application, I assessed the risk to surface water posed by all of Little Bow Colony's existing and proposed facilities. As discussed in Decision Summary LA21011, and as detailed in Technical Document LA21011, all facilities were found to pose a low potential risk to surface water.

There is also the potential for manure spreading to contaminate the Little Bow River. As noted above, Little Bow Colony has provided proof that it has access to sufficient land base for manure spreading (in the case where the NRCB board was to direct an approval officer to issue a permit). In addition to providing proof of access to sufficient land for manure application, operators are required to meet the manure spreading setbacks and to keep manure spreading and soil sampling records. Together, these requirements significantly minimize the potential for manure constituents to leave the land on which they are applied and enter water bodies.

Water licensing

Water licensing and allocation is under the jurisdiction of Alberta Environment and Parks (AEP). I therefore forwarded a copy of the application to this agency. The comments provided by AEP relating to water licensing have been forwarded to the applicant for their information and action. Whether or not a permit is issued under the AOPA, it is the applicant's responsibility to ensure all appropriate water licences and permits are in place for their CFO.

APPENDIX C: Recommendation of conditions if a permit is issued

If the NRCB Board should direct an approval officer to issue an approval (following a Board review), I recommend that the following conditions should be considered:

a. Construction Deadline

Little Bow Colony proposes to complete construction of the proposed new layer barn with attached manure storage by the year 2025. This time-frame is considered to be excessive for the proposed scope of work. In my opinion, three full building seasons would be more reasonable. I would recommend a deadline which allows for three full construction seasons be included as a condition in the approval.

b. Post-construction inspection and review

The NRCB's general practice is to include conditions in new or amended permits to ensure that the new or expanded facilities are constructed according to the required design specifications. Accordingly, the approval should include conditions requiring:

- a. the concrete used to construct the liner of the manure collection and storage portion of the layer barn with attached manure storage to meet the specification for category D (solid manure – dry) in Technical Guideline Agdex 096-93 “Non-Engineered Concrete Liners for Manure Collection and Storage Areas.”
- b. Little Bow Colony to provide documentation to confirm the specifications of the concrete used to construct the manure storage and collection portions of the layer barn with attached manure storage.

The NRCB routinely inspects newly constructed facilities to assess whether the facilities were constructed according to their required design specifications. To be effective, and to reduce risk to the operator, these inspections must occur before livestock or manure are placed in the newly constructed facilities. The approval should include a condition stating that Little Bow Colony shall not place livestock or manure in the manure storage or collection portions of the new layer barn with attached manure storage until NRCB personnel have inspected the layer barn with attached manure storage and confirmed in writing that it meets the approval requirements.

2. Consolidation of previous permits and conditions

For clarity, and pursuant to NRCB policy, previously issued Municipal Permit #98-062 should be consolidated with Approval LA21011 (see NRCB Operational Policy 2016-7: *Approvals*, part 10.5). Consolidating permits generally involves carrying forward all relevant terms and conditions in the existing permits into the new permit, with any necessary changes or deletions of those terms and conditions, and then cancelling all existing permits once the new permit is issued. This consolidation may be carried out under section 23 of AOPA, which enables approval officers to amend AOPA permits on their own motion.

Therefore, in addition to containing the new terms and conditions, Approval LA21011 should include all existing terms and conditions from Municipal Permit #98-062. Construction conditions that have been met should be identified and included in an appendix to Approval LA21011.

APPENDIX D: Determination of deemed permit status

Little Bow Colony claims that its CFO is grandfathered (that is, it has a “deemed” permit) under section 18.1 of AOPA. As I am denying this permit and no other AOPA permits have been issued for the site, I am limiting the grandfathering determination in this decision to:

- Confirmation of the CFO footprint as of January 1, 2002
- Confirmation that the CFO had a capacity above the AOPA Approval threshold on January 1, 2002

As I have denied this application, Little Bow Colony’s deemed permit and capacity will otherwise remain. If the NRCB board was to overturn my decision and to direct an Approval Officer to issue a permit, I would recommend that a full grandfathering determination and amalgamation of deemed permit be made by the Approval Officer.

The claimed grandfathered capacity of the CFO is as follows:

- 90 milking cows (plus associated dries and replacements)
- 500 turkeys
- 800 ducks
- 800 geese
- 3,000 chicken broilers
- 2,500 chicken layers
- 300 sows (farrow to finish)

It should be noted no responses to the application notice disputed this capacity or the grandfathered status of Little Bow Colony’s CFO.

The CFO holds Municipal Permit #98-062 issued by Vulcan County on December 2, 1998 which pertained only to approval for a hog operation. This permit does not specifically address any other livestock or facilities which existed at the site at the time this permit was issued, though it does confirm the CFO had permitted capacity for at least 250 sows (farrow to finish) on January 1, 2002 and therefore holds a deemed approval under the AOPA.

The Government of Alberta obliged the Little Bow Colony to relocate to its current location in order to accommodate the construction of the Twin Valley Dam. The former colony site was located in what is now Twin Valley Reservoir and facilities at the new site were constructed to accommodate multiple livestock types (dairy, swine, and various poultry). Planning and construction activities for the relocated colony occurred in the mid 1990’s through to 2002. The new colony site became operational in 2002.

I also, to the best of my ability utilizing readily available resources, determined the grandfathered footprint of the CFO. I reviewed air photos taken between 1999 and 2015 as well as construction plans which were prepared for Alberta Infrastructure and determined that the footprint of the CFO has not changed since being approved prior to January 1, 2002. This determination is difficult to make based on air photos alone due to the limited aerial imagery that is available for the site (I had access to a single air photo taken between 1999-2003, and several air photos taken between 2010-2015). I relied heavily on plans that had been prepared for Alberta Infrastructure and my own general assessments of facility ages made during the site visit.

The only facilities that have been constructed adjacent to the site since January 1, 2002 have been confirmed as being associated with the Colony's sheep herd. As discussed in Technical Document LA21011, these facilities fall outside of the NRCB's jurisdiction as they are not CFO related. I did not identify any changes to the CFO footprint which has occurred since AOPA took effect on January 1, 2002.