

#1 - REQUEST FOR REVIEW: LA21011 / Hutterian Brethren Church of Little Bow

Filed By:	Hutterian Brethren Church of Little Bow (Darius Hofer)
Deadline for RFRs:	May 26, 2021
Date RFR received:	May 26, 2021
Status of party as per Decision Summary:	Directly Affected

REQUEST FOR BOARD REVIEW
SUBMITTED TO THE NATURAL RESOURCES CONSERVATION BOARD

Application No:	LA 210H
Name of Operator/Operation:	Hutterian Brethern Church of Little Bass
Type of application (check one):	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Registration <input type="checkbox"/> Authorization
Location (legal land description):	E 1/2 32-14-25 W 4m
Municipality:	Vulcan County

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.

5. CONTACT INFORMATION

(ALL PARTIES MUST COMPLETE THIS SECTION)

Contact information of the person requesting the review:

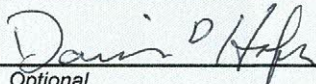
Name: Darius Hofer

Address in Alberta: Box 1587
Vulcan Alberta

Legal Land Description: E 1/2 32-14-25 W4M

Phone Number: 403-634-8635 Fax Number: 403-897-2431

E-Mail Address: lbcmanager@outlook.com

Signature:  Date: May 26-21
Optional 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

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#1

Hutterian Brethren Church of Little Bow face the loss of existing quotas & associated income and contracts.

#2

The future of not only livestock operation but also livelihood ^{of its members} are directly effected.

#3

We feel that this is a special case ~~and~~
~~circumstances~~ and the concerns of all the parties
involved should be heard and addressed accordingly.

(#3) It has been brought to the colony's attention that the quarters to the east and north are not in the exclusion zone and the colony may entertain the idea of relocating the barn to one of the quarters. However the quarters mentioned have irrigation pivots on them. And a transfer would result in a 10% loss of water rights that cannot be replaced, as there are none available for purchase. There is also a substantial cost involved with putting in a new pipeline to a different parcel of land, which deems this a less than ideal option.

(#4) The last and possibly most concerning consideration we would like to bring to the approval officers attention is how this decision affects the colony's agricultural and livestock operations in the future as the exclusion zone is in direct conflict with ~~with~~ all existing CFO's at that location and any possibility of expansion. However we also understand the importance of protecting the environment and natural resources and look forward to addressing this with all the parties effected.

(#1) Hutterian Brethren Church of Little Bow was re-located to the current location by the provincial Government in 2002. The Colony had minimal input in regards to where the colony was to be re-~~located~~ established. Therefore we feel it is important for the approval officer to take into consideration that the government and local planning and development parties would have been in control of the relocation process and its effects on the colony and its agricultural and livestock operations in the future.

(#2) We would also like the approval officer to consider that Hutterian Brethren Church of Little Bow face loosing some and possibly all their owned layer quota, because the caging system no longer meets industry standards and is considered obsolete by the Egg Board of Alberta. Such a loss would have substantial financial impact on the future of the operation.

Little Bow Colony and the Egg Board of Alberta came to an agreement in 2020 to give ~~the~~ the operation until 2024 to meet the caging requirements.

The Existing facility is deemed too small to facilitate the cage upgrade and a new larger facility was needed. This provided the colony an opportunity time to apply for an expansion.

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.

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: