

September 29, 2022

Laura Friend
Natural Resources Conservation Board

RE: Decision Summary RA21045 -Rebuttal Response from Directly Affected Party
Greg Thalen and G&S Cattle Ltd
NW 3 47 2 W5

Firstly, let us clearly state that we are in full support of the denial of the above application declared on August 31, 2022.

Secondly, as a directly affected party, owing agricultural land, we offer the following concerns in rebuttal to the applicant's request for review, in conjunction with our original letter of concern dated March 25, 2022.

A) The applicant suggests that the unique surrounding community is not adversely affected if this proposal is to be approved. We are part of the unique Pigeon Lake and watershed communities and are, and will be, adversely affected.

- topography mapping shows the dugout residing at the NW corner of our property, which is adjacent to the applicant's property, is vulnerable to runoff from the spreading of catch basin fluids. We have used this water source for cool dips in the hot summer and have concern for our health continuing this activity.

- we rely on well water and depend on having access to a clean and safe well water. A manure catch basin that has a likelihood of contaminating our water source would be devastating.

- the decline in air quality, which will occur, and the exposure of elevated dangerous airborne particulates on a 24/7/365 day basis, are a direct concern given our current medical conditions.

- we have experienced furnace shut down and subsequent expenses with respect to fly infestations. The technician claiming that he has never in his 30 years, experienced or seen such a bad occurrence. Yearly, for the period April thru October, we have had to take measures ensuring any and all outdoor vents are adequately covered. The likelihood of these infestations worsening is prevalent if the proposal is approved.

- we have had an experience of loose/stray cattle on our property belonging to the applicant. We went door knocking to find someone responsible. It took several days and multiple calls before being addressed. The fact that our water hole and crop were being compromised was of no time sensitive concern to the applicant's staff. This demonstrates poor operatorship.

- the distress and anxiety currently felt over our financial future as retired seniors cannot be overstated. If this request for review by the applicant is successful, and the application subsequently approved, the financial repercussions to our loss of value and ability to sell has devastating financial consequences.

- there is no reason to believe that the current lack of community cooperation on behalf of the applicant will not continue on a go forward basis. Given the outpouring of concern and anxiety imposed upon the community/neighbours with this application, it has been inconceivable that no effort has been exercised by the applicant to acknowledge, participate or address. The likelihood is, that this behaviour will continue. This bodes poorly for healthy and positive community/neighbour relations if the applicant's request for review and potential reversal of the decision is successful.

We ask the NRCB grant directly affected party status to all of the parties from the surrounding community that have requested directly affected party status. They will be impacted by this proposal being approved.

B) The applicant's suggestion that the position of the Pigeon Lake Watershed Association (PLWA) on the application is not relevant and not representative of the community is misguided and uninformed. Just as we knew, over 24 years ago, when we purchased our property that it was in a sensitive watershed, so should have the applicant when the property was purchased just a few years ago. To suggest that the financial viability of his operation is jeopardized with the denial of the application is to conclude that the appropriate due diligence before he purchased the property within this sensitive watershed was inadequate.

The PLWA's overwhelming support from the local community, municipality and summer villages is clearly evident in its membership and years of documented community cooperation of working together. They are award winning in their scientific analysis and approach toward the lakes health. The applicant is clearly not supportive of the PLWA nor its initiatives, but to deny the level of support for, and significance of their efforts, is erroneous.

C) The applicant argues that there was unfair focus on the concerns of unaffected parties.

The decision granted only 4 additional parties directly affected party status along with those within the 1.5 mile radius. In light of the unprecedented number of legitimate letters of concerns submitted, it could hardly be seen as unfair focus. It again demonstrates the applicant's consistent lack of acknowledgement and appreciation for the overwhelming objection to the proposal.

Summer Villages, representing thousands, and spending years and millions of dollars to commit to the health of the lake is a show of dedication that is to be applauded and not diminished by saying that it was unfair focus.

Also, the applicant's lack of recognition to the Indigenous band's concerns anywhere in the request to review letter, is a clear indication of the lack of understanding as to the importance of Pigeon Lake and the health of the lake to their past present and future as reconciliation continues to move in a positive direction.

D) The applicant's claim of jobs and economic benefits to the community needs to be quantified and compared to the quantified loss of economic benefit if the application were to be approved. It is the net difference which defines where the true economic benefit lies.

It is true to say, however, that campers do not vacation in parks that have the constant stench of manure. Fishermen do not fish in contaminated lakes that have no fish. And, recreational and non recreational property owners do not invest in properties located near industrial sized businesses, especially CFOs. All of this dominoes to suffering local businesses and eventual, and significant, decline in tax revenue. It is appropriate to conclude that a unique lake and watershed community of thousands is economically dependent on the lake being healthy and the upholding of the denial of the application and denial of the applicant's request for review is the correct course of action.

We conclude by asking that the applicant's request for review of the Decision be denied. We ask that the overwhelming will of our community, in our democratic society, be honoured.

Respectfully,
Ken and Leslie Nieradka

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