

NO. 1 - REQUEST FOR REVIEW: RA22026 / Rimrock Cattle Company Ltd.

Filed By: **Rimrock Cattle Company Ltd.**

Deadline for RFRs: March 23, 2023

Date RFR received: March 13, 2023

Status of Party as per Decision Summary: Directly Affected Party (operator)

**REQUEST FOR BOARD REVIEW OF AN
APPROVAL OFFICER DECISION**
Submitted to the Natural Resources Conservation Board

NRCB Application No.	
Name of Operator or Operation	
Type of application (if known)	<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 (RFR) of the approval officer's decision.
I have the right to request a Board review because:
(review the options and check one)**

- I am the operator.
- I represent the operator.
- 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 deadline specified in the approval officer's decision letter or 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. Requests for Board review are considered public documents. Your request will be provided to all directly affected parties and will be posted on the NRCB website.
4. For more assistance, please call Laura Friend, Manager, Board Reviews at 403-297-8269.

1. Party Status

(IF YOU ARE NAMED A NOT DIRECTLY AFFECTED PARTY IN THE APPROVAL OFFICER'S DECISION, YOU MUST COMPLETE THIS SECTION)

Party status (either "directly affected" or "not directly affected") is determined pursuant to the provisions of the *Agricultural Operation Practices Act (AOPA)* and regulations. Upon receipt of an operator's application, the approval officer must notify any affected parties. "Affected parties" includes municipalities and owners or occupants of land as determined by the AOPA regulations. To obtain "directly affected" status, the owner or occupant must provide a written submission to the approval officer by the deadline specified in the published notice. The approval officer will then determine who the "directly affected parties" to the application are and include this determination in their decision.

Under its legislation, the Board can only consider requests for Board 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. 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 review decision of the Board.

My grounds for requesting directly affected status are:

2. Grounds for Requesting a Review

(ALL PARTIES MUST COMPLETE THIS SECTION)

In order to approve an operator's application, approval officers must ensure the requirements of AOPA have been met. Your grounds for requesting a Board review should identify any AOPA requirements, or other 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:

3. Reasons you are Affected by the Decision

(ALL PARTIES MUST COMPLETE THIS SECTION)

In order to support your reasons for requesting a Board review, 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:

4. Action Requested

(ALL PARTIES MUST COMPLETE THIS SECTION)

I would like the Board to take the following actions with 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 of the approval officer's decision (*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. The Board cannot make amendments unless it first decides to grant a review of the approval officer's decision. Are there any new conditions, or amendments to existing conditions, that you would like the Board to consider?

5. Contact Information

(ALL PARTIES MUST COMPLETE THIS SECTION)

Contact information of person(s) requesting the review:

Name:

Address in Alberta:

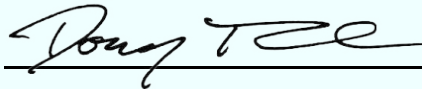
Legal Land Description:

Phone Number:

Fax Number:

E-Mail Address:

Signature: _____



Date: _____

This form must be received by the deadline specified in the approval officer's decision letter or your request will not be considered.

If you will be represented by legal counsel or another party, provide their contact information. Correspondence from the Board will be directed to that person.

Name:

Address:

Phone Number:

Fax Number:

E-Mail Address:

**When you have completed your request form email it,
along with any supporting documents, to:**

Laura Friend
Manager, Board Reviews
Natural Resources Conservation Board

Phone: 403-297-8269

Email: laura.friend@nrcb.ca

Requests for Board Review (RFRs) are considered public documents. Your request will be provided to all directly affected parties and will be posted on the NRCB website.

For more assistance, please call Laura Friend, Manager, Board Reviews at 403-297-8269.

Rimrock Cattle Company Ltd.

High River Alberta T1V1M4

March 13, 2023

Laura Friend
Manager, Board Reviews
Natural Resources Conservation Board
Laura.friend@nrcb.ca
Tel: 403-297-8269
Letter delivered by e-mail March 13, 2023

Rimrock Cattle Company Ltd. (previously Korova Feeders) would like to request a review from the NRCB board.

We recognize that the approval officer was unable to approve our application to expand head numbers due to the inconsistency with the County's Municipal Development Plan (MDP) land use provisions. We would like the board to review and consider the following;

1. No public consultation was done by the County when rolling out the 12 new Intermunicipal Development Plans (IDP) on how the new IDP's would impact minimal distance for CFO's under the MDP Agriculture Policy 11 (iii).
2. When the MDP was reviewed and adopted in 2021, they highlighted other areas within the MDP to align better with the Land Use Bylaw but never highlighted anything related to MDP Agriculture Policy 11 (iii) and the impact it would have on CFO's when IDPs were formed. As mentioned by County staff and Reeve (explained below) it was simply an oversight and is why no public consultation was held.
3. The MDP Agriculture Policy 11 (iii) is the same today as it was 5 years ago when this CFO was originally built.
4. The closes point of the IDP to the CFO is the town lagoon where it is very unlikely any residence would live.

In discussions with Barb Hazelton, Manager, Planning & Development and Jerry Wittstock, Reeve of Kneehill County they noted the following;

1. The county only realized the minimal distance would be impacted and inconsistent with AOPA after the new IDP's were in place and CFO's started to realize its impact. It was simply an oversight.
2. The county referenced that the MDP is a template, that was used from other templates/versions. MDP Agriculture Policy 11 (iii) "template" happened to reference an IDP. Prior to being mandated by the province to form IDPs, the county only had one IDP that the MDP Agriculture Policy 11 (iii) impacted. When the provincial government forced IDPs to be completed within such a short timeframe, the MDP wording was never reviewed in parallel with the IDPs to see how the 12 new IDPs would impact existing CFOs and the MDP Agriculture Policy 11(iii) .
3. The intent/spirit of the County MDP and Agriculture Policy 11 is to prevent CFOs from building within 1 mile from an urban fringe. Not necessarily from the 12 new IDPs that extend much

Rimrock Cattle Company Ltd.

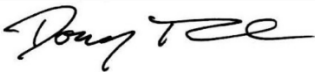
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further from the borders of a hamlet, village, town, city or neighbouring county. This is why when the CFO was originally built (in 2018) the county had no concern given that the CFO is beyond the 1 mile required distance from the Village of Acme.

Rimrock will look to grow as a business, but it will be done in the most responsible and sustainable way. We believe by growing we improve the economic outlook for our communities – this includes seeing our schools maintain or grow its occupancy, and watching our grocery stores, banks, coffee shops exist and thrive in our community. We have always and will continue to support kids in our communities by providing support to the local foodbanks, swimming pool or other leisure centres, 4-H programs, and kid camps/sporting events. We want to see a thriving rural community and we will always be here to support that.

We hope the board would consider our request to review the decision by approval officer Lynn Stone. Should you require any additional information please don't hesitate to contact Doug Price or Kendra Donnelly.

Sincerely,



Doug Price
President
Rimrock Cattle Company Ltd.