

From: [Jeff Chipley](#)
To: [Laura Friend](#)
Cc: [Scott MacDougall](#); [Neal Sarnecki](#); [Jarvis Grant](#)
Subject: RE: NRCB Board Review Darcor RA22027 - Information Request to County
Date: April 10, 2024 12:51:43 PM
Attachments: [Board Information Request Correspondence - NRCB Darcor Hearing - County of Wetaskiwin - April 2024.pdf](#)
[Communique - Battle River Watershed Considerations RE Proposed CFO at Coal Lake.pdf](#)
[City of Wetaskiwin Position Regarding Darcor Holdings Confined Feeding Operation \(CFO\) Proposal - Email.pdf](#)
[2022-02-07 Letter fr City of Wetaskiwin re Confined Feeding Operation at Coal Lake.pdf](#)

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Good Afternoon Ms. Friend:

As requested by the Natural Resources Conservation Board (NRCB) in the correspondence date April 9, 2024, please find attached a response from the County of Wetaskiwin, which includes the requisite information.

Should there be any questions or clarification needed, please contact the undersigned.

Have an excellent rest of your day.

Regards,

Jeff Chipley, CLGM | Assistant CAO | County of Wetaskiwin No. 10

Box 6960, Wetaskiwin, AB, T9A 2G5

Office: 780-361-6223 | Cell: 780-387-6043 | Fax: 780-352-3486 | Toll Free: 1-800-661-4125

Website: www.county.wetaskiwin.ab.ca

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From: Laura Friend <Laura.Friend@nrcb.ca>

Sent: Tuesday, April 9, 2024 1:29 PM

To: Jeff Chipley <jchipley@county10.ca>

Cc: Bill Kennedy <Bill.Kennedy@nrcb.ca>; Fiona Vance <Fiona.Vance@nrcb.ca>; Andy Cumming <Andy.Cumming@nrcb.ca>; Francisco Echegaray <Francisco.Echegaray@nrcb.ca>

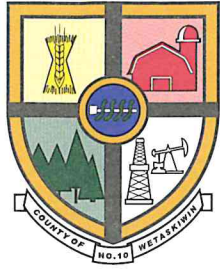
Subject: NRCB Board Review Darcor RA22027 - Information Request to County

Importance: High

Please refer to the attached letter.

This message was blind copied to Darrin Rasmuson, Damien Rasmuson, Lori Cridland, and Tom Ballhorn.

Laura Friend
Manager, Board Reviews
Laura.friend@nrcb.ca
403-297-8269



County of Wetaskiwin No. 10

P.O. Box 6960, Wetaskiwin, AB T9A 2G5

Phone: 780-352-3321

Fax: 780-352-3486

www.county.wetaskiwin.ab.ca

Strong Proactive Leadership • Safe Progressive Communities

April 10, 2024

Natural Resources Conservation Board
4th Floor, Sterling Place
9940 – 106 Street
Edmonton, Alberta T5K 2N2

Attention: Ms. Laura Friend, Manager, Board Reviews

Dear Ms. Friend:

RE: Board Information Request to County – Review of Decision Summary RA22027 – Darcor Holsteins Inc.

The County of Wetaskiwin is in receipt of your correspondence dated April 9, 2024 where the Natural Resources Conservation Board (NRCB) requests additional information with respect to the aforementioned matter involving Darcor Holsteins Inc. prior to the Review Hearing set for April 17, 2024. The County is pleased to provide the requested information.

First, provided is the communique that was received by the County of Wetaskiwin from the Battle River Watershed Alliance (BRWA) dated January 27, 2023. The County notes that this communique is publicly available on the BRWA Website at <https://www.battleriverwatershed.ca/wp-content/uploads/2023/02/Communique-Battle-River-Watershed-Considerations-RE-Proposed-CFO-at-Coal-Lake-1.pdf> and that the County is also aware that it was provided to NRCB Field Services, specifically Mr. Francisco Echegaray, in a Statement of Concern submission by Mike & Lynn Carwell on January 28, 2023 that the County was provided a copy of.

Secondly, with respect to the concerns relayed to the County by the City of Wetaskiwin, the County notes that the City, via their Chief Administrative Officer (CAO), verbally advised the undersigned on February 2, 2023 that the City had concerns and that the City would be sending correspondence to NRCB Field Services prior to the February 9, 2023 deadline. County Council was apprised as such. Subsequently, the City of Wetaskiwin did indeed send a Statement of Concern to Mr. Echegaray on behalf of NRCB Field Services on February 7, 2023, to which the County is privy to a copy of and provides it as requested.

In closing, the County of Wetaskiwin trusts that the above information is of value to the NRCB prior to the Review Hearing. If there are any questions regarding this matter, please contact the undersigned by phone at (780) 361-6223 or by email at jchipley@county10.ca.

Yours sincerely,



Jeff Chipley, CLGM
Assistant Chief Administrative Officer

Enclosures

:jc

cc: County of Wetaskiwin Council

Mr. Scott MacDougall, P. Eng., Chief Administrative Officer (CAO)

Mr. Neal Sarnecki, RPP, MCIP, Director of Planning & Economic Development

Mr. Jarvis Grant, Senior Development Officer



Battle River Watershed Considerations RE: Proposed CFO at Coal Lake

Communique

January 27, 2023 - Residents in the watershed recently reached out to the Battle River Watershed Alliance (BRWA) about the environmental considerations related to the application for a Confined Feeding Operation (CFO) at Coal Lake in Alberta. As a Watershed Planning and Advisory Council, the BRWA has a role to share information with stakeholders on land and water matters from the perspective of watershed management.

The Natural Resources Conservation Board (NRCB) Application RA22027 is an application to register a dairy CFO with 190 milking cows (plus associated dries and replacements). The application further indicates this is an application to convert livestock category on a CFO (i.e. converting an existing hog operation of 440 sows and expanding it into a dairy CFO). The application was submitted to the NRCB by Mr. Damien Rasmuson of Darcor Holsteins Inc. The deadline for feedback is February 9, 2023.

BRWA is providing information on the NRCB application in the attached document in terms of watershed considerations, including:

- The state of Coal Lake, Battle River and its watershed, including data related to the drainage area, water quality, shoreline intactness and landscape pressures,
- Environmental and watershed management planning considerations, and
- Local land use policy, provincial environment guidelines, and legislation relevant in this context.

For context, the proposed CFO is in the County of Wetaskiwin. It is in the effective drainage area of the Coal Lake watershed, a sub-watershed of the Battle River watershed. Three ephemeral streams flow from the lands surrounding the CFO site into Coal Lake, including the area identified for manure application. Coal Lake is the drinking water source for the City of Wetaskiwin and is connected to the Battle River via Pipestone Creek. There is a potential downstream impact on water quality for Camrose, Wainwright, and other rural communities.

As a new dairy CFO, this CFO is not in compliance with the CFO exclusion zone set out in the County of Wetaskiwin Municipal Development Plan. In addition, BRWA recommendations under the *Non-point Source Pollution Management Implementation Guidelines* (2013) indicate that “efforts should be taken to limit the development of new Confined Feeding Operations within the effective drainage area of the Battle River and Sounding Creek watersheds.”

The BRWA state of the watershed data reports, watershed management recommendations, and other provincial guidelines provided in the attached document reinforce the need to maintain a CFO exclusion zone for Coal Lake to protect water quality in the lake, tributary streams, and Battle River.

- 30 -

Contact:
Sarah Skinner, Watershed Programs Manager
Battle River Watershed Alliance
sarah@battleriverwatershed.ca

BRWA ASSESSMENT OF WATERSHED CONSIDERATIONS

ABOUT THE PROPOSED CFO

NRCB Application RA22027 - Darcor Holsteins Inc. (Damien Rasmuson)
Confined Feeding Operation Registration, January 4, 2023

[Notice of Application](#) | [Part 1 Application](#) | [Part 2 Application](#)

- 190 milking cows (plus associated dries and replacements).
- Registration to convert livestock category on a CFO, ie. converting the existing hog operation (440 sows) and expanding it into a dairy CFO. "Currently there is 6 hog barns with 5 joined together. Propose to demolish stand alone barn completely. 2 wings of second barn to be demolished, 2 more converted to shop/storage. Final wing to be renovated for young stock. New barn to be constructed for 120 milking cows. Existing lagoon to be modified as per current NRCB specifications." (excerpt from NRCB application, Part 1)

LOCATION

- NE 14-47-23 W4M (Lat: 53.057909, Long: -113.250882)
- Lake elevation: 705m, CFO elevation: 745m
- Land base for manure application is outlined in the application. Noted below are areas identified for manure spreading (see Figure 1). Areas with water courses / ephemeral streams that flow into Coal Lake include:
 - NW/SW 13-47-23-W4
 - NW/SW 24-47-23-W4
 - SE 23-47-23-W4

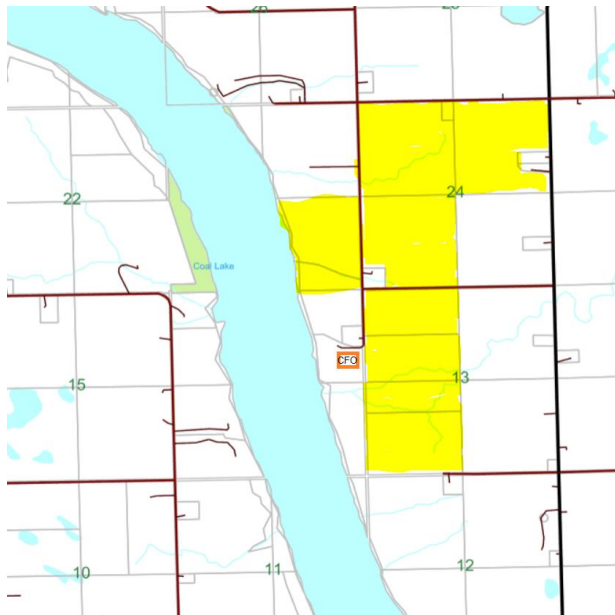


Figure 1: Rudimentary map to highlight site of the proposed CFO, areas identified for manure application, and ephemeral streams (ie. creeks or seasonal drainage courses)

ENVIRONMENTAL CONSIDERATIONS

- Coal Lake is the public drinking water source for the City of Wetaskiwin.
- There is major water management infrastructure at Coal Lake used to store water for flow augmentation on the Battle River and to provide the water supply for the City of Wetaskiwin.
- Coal Lake flows into Pipestone Creek, which is a tributary of the Battle River.
- Coal Lake and Pipestone Creek are part of the effective drainage area that is expected to contribute surface runoff, under average runoff conditions, to the Battle River, according to the Agriculture and Agri-Food Canada (AAFC) *Effective Drainage Area of the AAFC Watersheds Project - 2013* dataset (see Figure 2).
- The proposed CFO is located approximately 300 meters from the shores of Coal Lake.
- Manure spreading is proposed, at the shortest distance, within approximately 150 meters of Coal Lake.
- Manure spreading is proposed on fields in which three ephemeral streams (subwatersheds) flow to Coal Lake (see Figure 3).
- The ephemeral streams are visible from satellite imagery. The imagery also shows treed areas along the stream channels, which suggests that these are significant drainage areas within the subwatersheds of Coal Lake (see Figure 4).

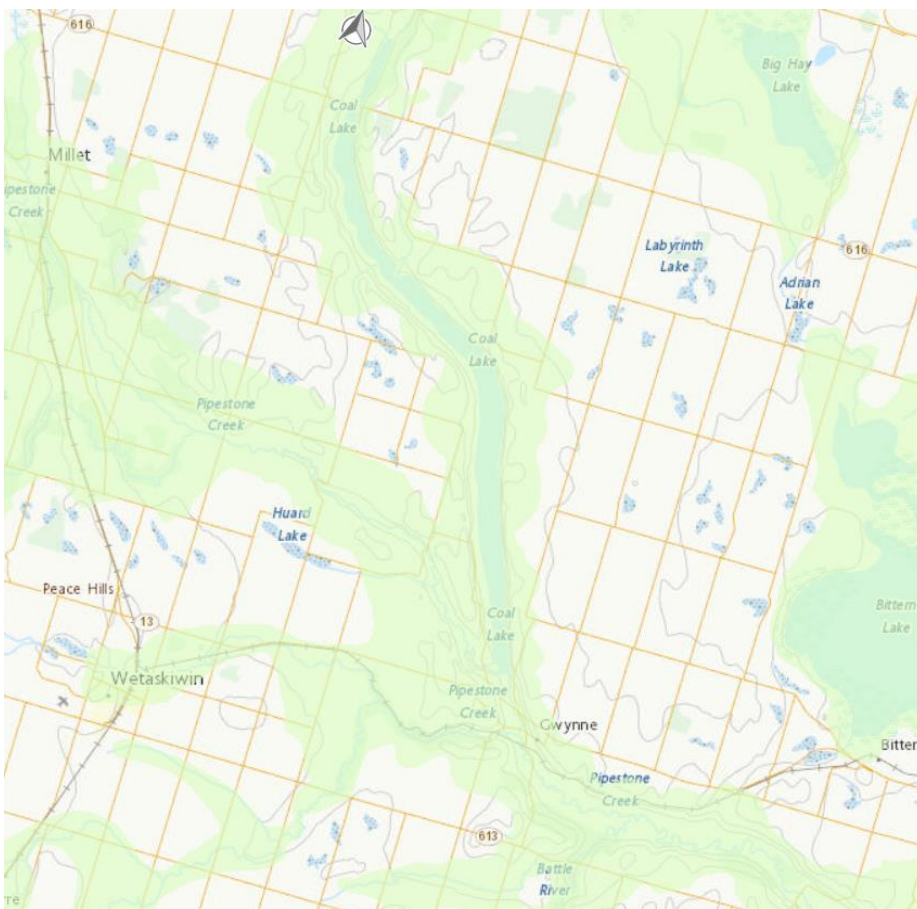


Figure 2: Effective drainage area (in green) in the Coal Lake watershed (source: AAFC Watersheds Project - 2013 <https://search.open.canada.ca/openmap/aeb7959a-9683-421a-be35-fb7c6100d0dc>)

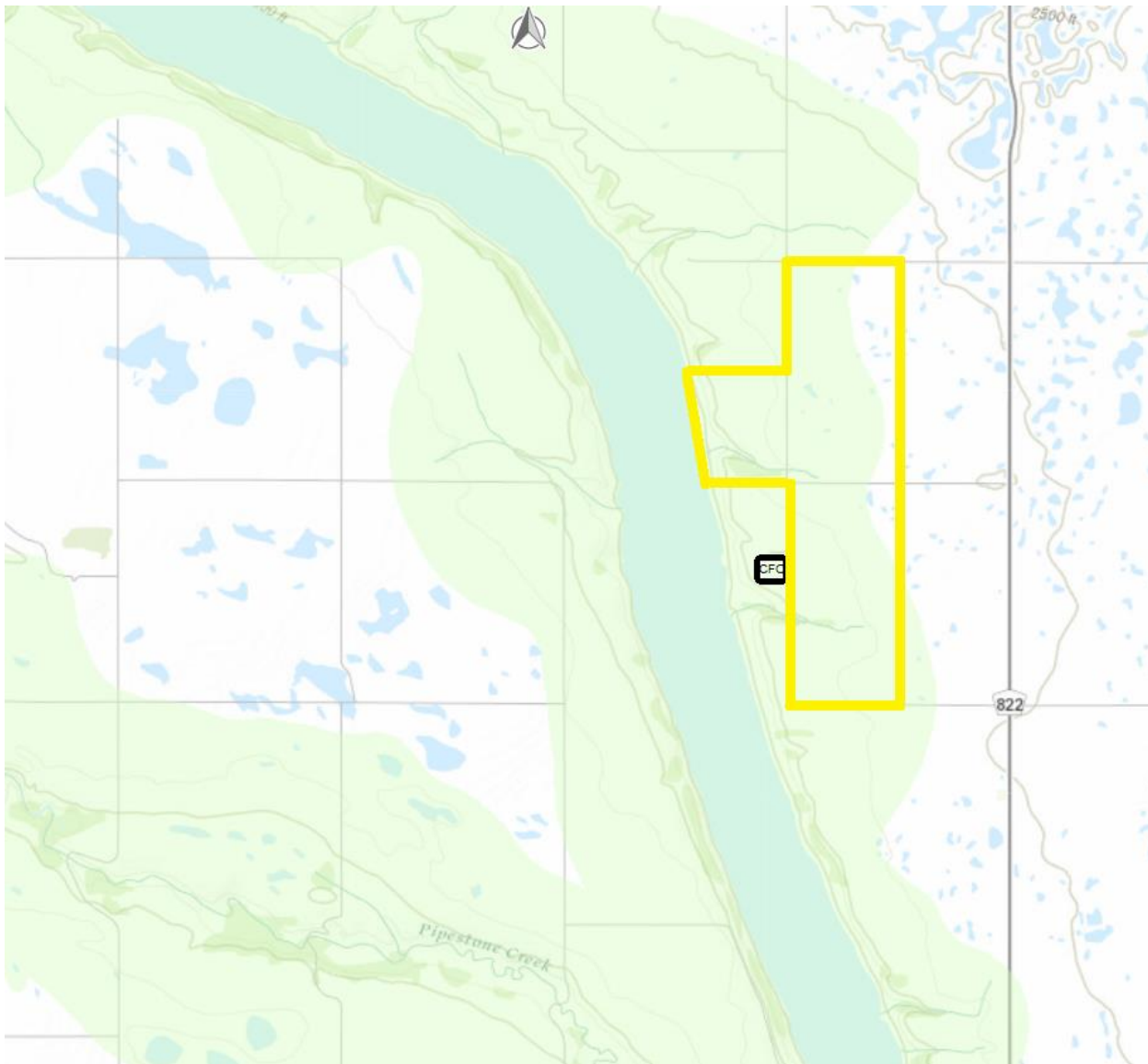


Figure 3: Land base for manure application within the effective drainage area (area inside yellow lines)

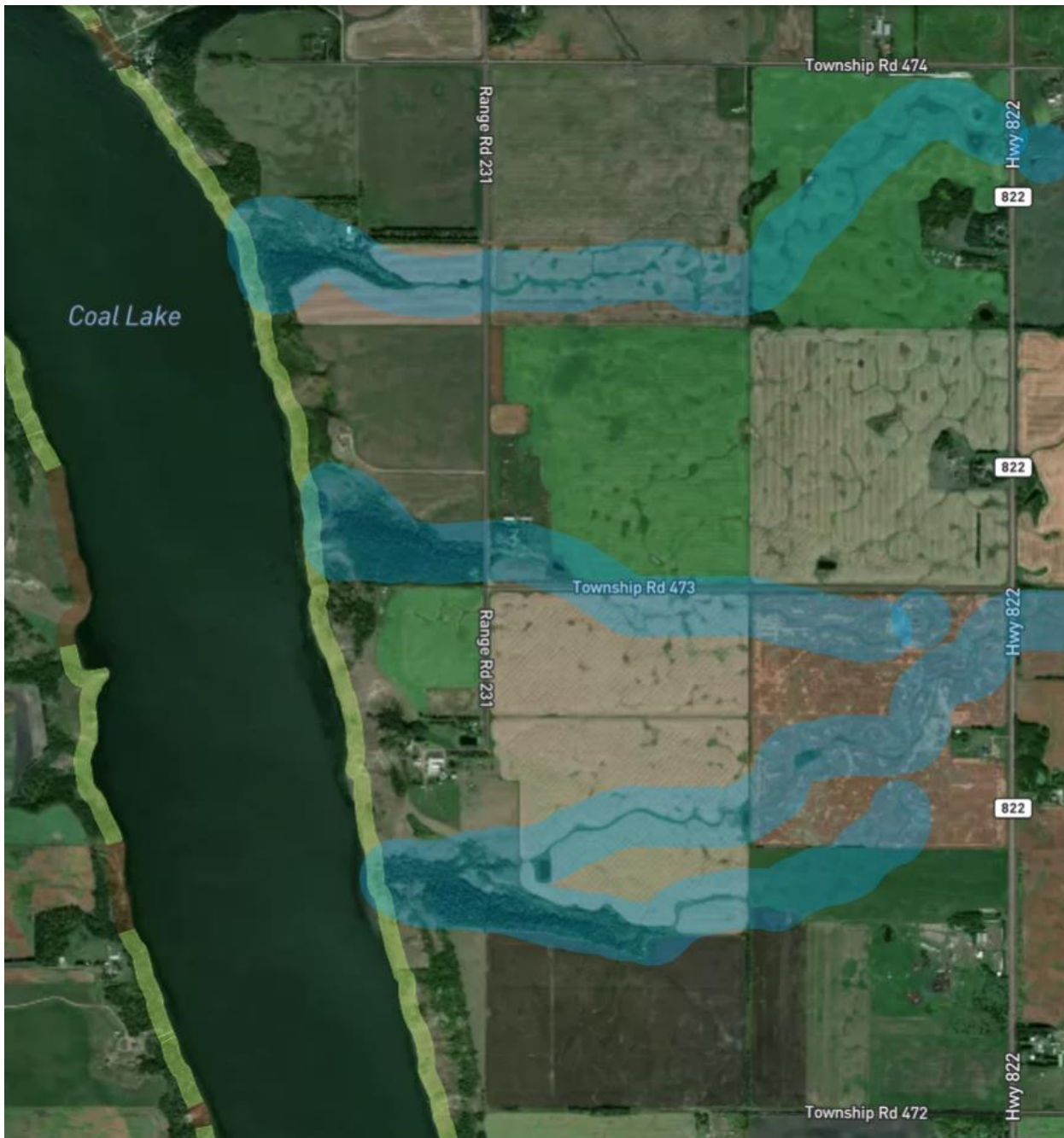


Figure 4: Satellite imagery of area surrounding the proposed CFO, with tributary stream channels highlighted in blue



LAND USE PLANS

Much of Coal Lake falls within the jurisdiction of the County of Wetaskiwin, while the northern part of the lake is in Leduc County. The proposed CFO is in the County of Wetaskiwin. A primary consideration in the NRCB decision is the municipal land use plans.

County of Wetaskiwin Municipal Development Plan

Objective 1.4 Minimize the land use conflict with Confined Feeding Operations and surrounding land uses

1.4.3 Any size of new Confined Feeding Operation (including Intensive Livestock Operation) must not locate within the following setback distances as illustrated in Figure 3.

- a) 2.4km (1.5 miles) from the boundary of any city, town, village, hamlet, and school and hospital.
- b) Under no circumstances can a new CFO be located within 1.6km (1 mile) of the following named lakes: Battle Lake, Buck Lake, Coal Lake, Pigeon Lake, Red Deer Lake, Wizard Lake and Twin Lakes.
- c) All other unspecified environmental features, including but not limited to lakes not specified in (b), wetlands, and watercourses shall have setbacks in accordance with Alberta Operation Practices Act and Regulations (AOPA) as amended.

Source: [County of Wetaskiwin Municipal Development Plan](#)

BRWA WATERSHED MANAGEMENT PLAN RECOMMENDATIONS

Non-point Source Pollution Management

The BRWA *Non-point Source Pollution Management Implementation Guidelines* offers recommendations for crop and manure beneficial management practices, where applicable. This advice was developed with broad input from watershed residents, stakeholders and decision-makers. Regarding CFOs proposed within the Battle River and Sounding Creek watersheds, the following is recommended:

- Recommendation 2.4.8: Efforts should be taken to limit the development of new Confined Feeding Operations within the effective drainage area of the Battle River and Sounding Creek watersheds.
Rationale: The effective drainage area is that portion of the watershed that might be expected to contribute runoff to the main stem during a flood with a return period of two years. As these areas regularly contribute water to the main stem, the potential for nutrient transport from these areas is greater than in non contributing areas.

Source: [Non-point Source Pollution Management Implementation Guidelines, PDF](#)

Source Water Protection

- Through its multi-stakeholder watershed management planning process, the BRWA has developed recommendations around source water protection:
 - It is recommended that source water protection plans be developed within the Battle River watershed, and that the planning areas include the watershed upstream of the drinking water intake locations for each community that relies on surface water sources in the watershed. The City of Wetaskiwin’s drinking water source is Coal Lake; as such, the source water protection planning area is recommended to include the Coal Lake and Pipestone Creek watersheds. This plan would identify risks to source water from the cumulative effects of land uses in the watershed, including from agricultural activities, and recommend management actions to minimize any potential adverse impacts. In this way, the long-term safety and security of this drinking water source would be supported. In the absence of this plan, proposed land uses within the watershed may not be properly evaluated and managed for their potential adverse impacts on the drinking water source.

Source: [Source Water Protection Implementation Guidelines, PDF](#)

Water Quality

- Coal Lake flows into Pipestone Creek, which is a major tributary of the Battle River. Water quality in the Battle River is impaired by high nutrient levels. Data from the Government of Alberta’s long-term river network monitoring station on the river near Driedmeat Lake (downstream of Coal Lake) indicates that for the sample period of 2003-2016, the Alberta River Water Quality Index scores for nutrients ranged from marginal to poor (with scores ranging from 21-46, on a scale of 0-100). The “marginal” score category ranges from 46-65, and indicates that “guidelines [are] often exceeded, sometimes by large amounts; quality is threatened, often departing from desirable levels”. The “poor” score category ranges from 0-45, and indicates that “guidelines [are] almost always exceeded by large amounts; quality is impaired and well below desirable levels”.
- In making land use decisions with the watershed context in mind, it is important to consider the cumulative effects of all land uses that may contribute to nutrient loading in lakes, wetlands, tributary streams, and the Battle River.

Source: <https://open.alberta.ca/opendata/river-water-quality-index-alberta>, with Battle River specific data compiled at: https://www.battleriverwatershed.ca/wp-content/uploads/2021/05/Battle-River-Water-Quality-Data_Branded-2021.pdf

Shoreline and Riparian Considerations

- Healthy riparian areas support improved water storage and filtration, among many other benefits (see <https://www.riparianresourcesab.info/importance>). Riparian intactness, pressure and prioritization data collected for the Battle River Watershed Alliance and North Saskatchewan Watershed Alliance (and available on the Riparian Web Portal and in the *Shoreline and Riparian Condition Assessment: County of Wetaskiwin*) indicate:
 - Current riparian intactness data for Coal Lake is reported as high intactness in the area of the proposed CFO (see Figure 5). However, on-the-ground observations from local residents indicate that cattle pressure along the hillside and shoreline may be impacting riparian and upland conditions (see Figure 6).
 - Overall riparian intactness for Coal Lake: 29.97 km (59.8%) high intactness, 11.31 km (22.6%) moderate intactness, 5.39 km (10.8%) low intactness, 3.41 km (6.8%) very low intactness
 - Catchment pressure is high in the watershed area around the proposed CFO (see Figure 7). Catchment pressure is defined as pressures on the landscape that may impact riparian health. This includes natural stressors (such as slope and land cover) and human stressors (such as land use intensity).
 - Steep slopes, bare ground, and limited woody vegetation along portions of the shoreline (and adjacent hillside) are factors that may contribute to higher landscape pressure in the Coal Lake watershed, which in turn leads to increased risk to riparian health (especially due to an increased risk of erosion in areas with steep slopes and limited woody vegetation to support soil stabilization).
 - Riparian areas along the eastern shore of Coal Lake have been identified as being of moderate conservation priority (see Figure 8).

Source: [Riparian Web Portal](#), *Shoreline and Riparian Condition Assessment: County of Wetaskiwin*, December 2021.
https://drive.google.com/file/d/15uyaJx_XJkgCp03kK_tXCRagCsinX-wh/view?usp=share_link

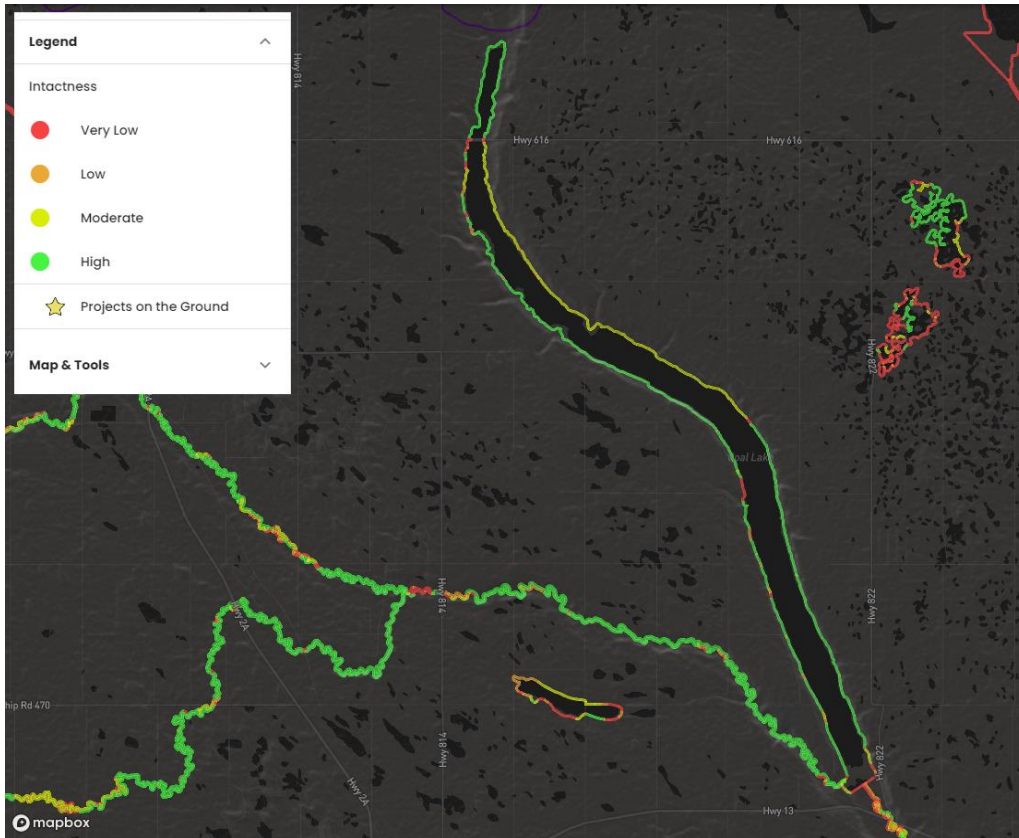


Figure 5: Riparian intactness data for Coal Lake (source: <https://riparian.info/#/riparian>)



Figure 6: Photo of hillside and riparian area in the vicinity of the proposed CFO, indicating potential pressures on riparian condition due to steep slopes, bare ground, limited woody vegetation cover, and livestock activity.

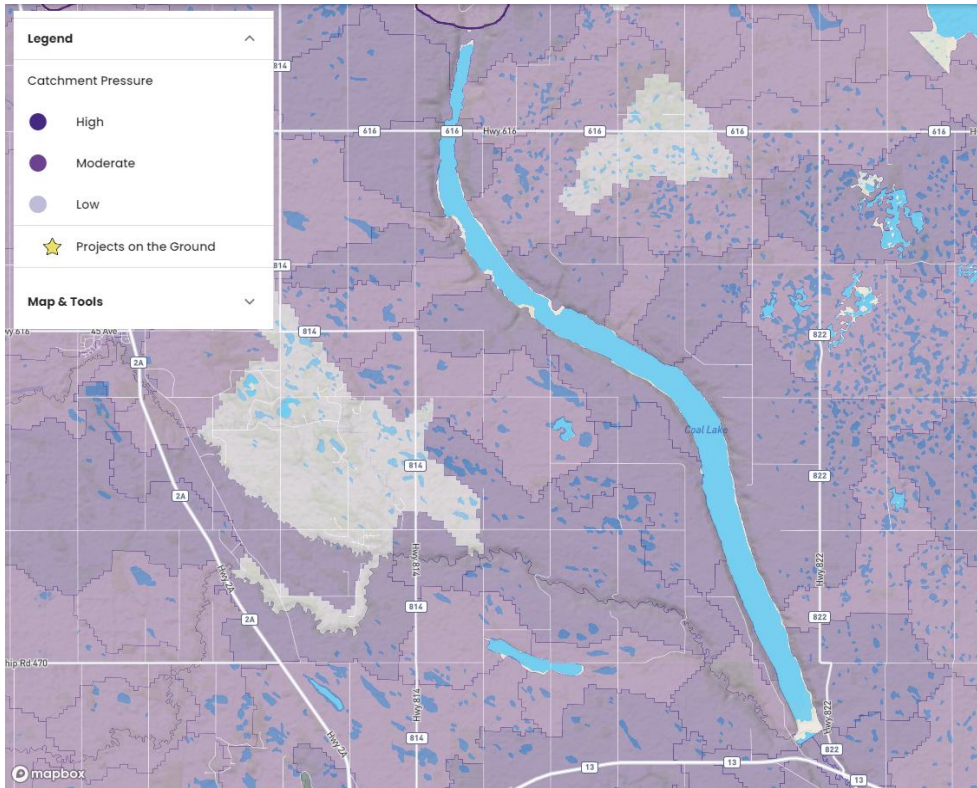


Figure 7: Catchment pressure data for Coal Lake (source: <https://riparian.info/#/riparian>)

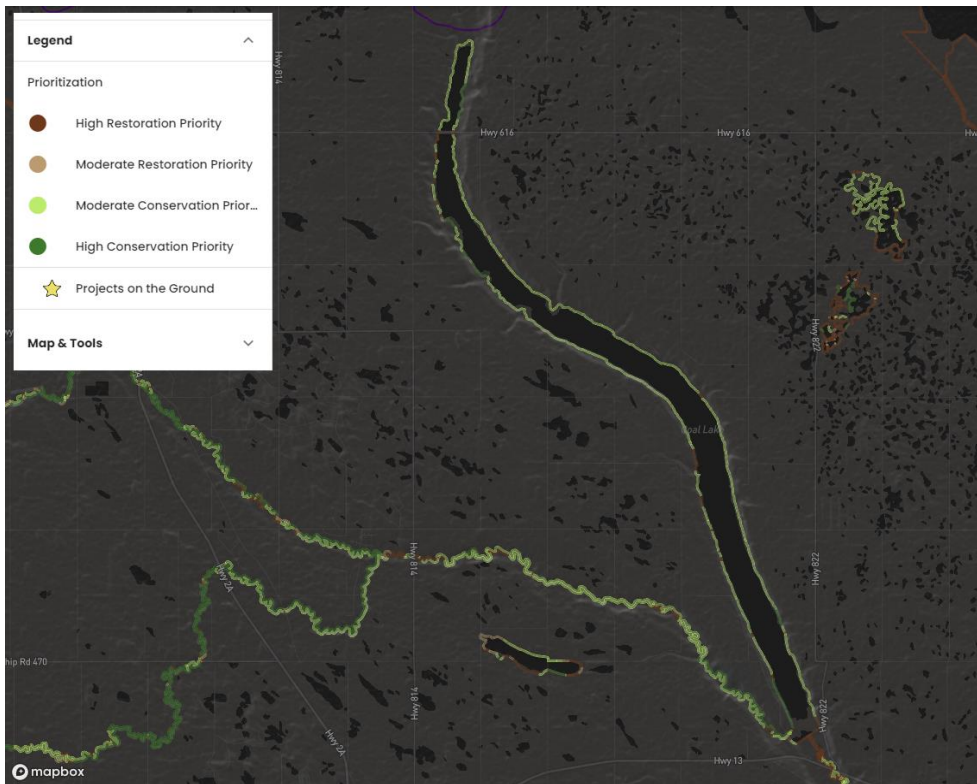


Figure 8: Riparian conservation/restoration prioritization data for Coal Lake (source: <https://riparian.info/#/riparian>)



ENVIRONMENTAL QUALITY GUIDELINES FOR ALBERTA SURFACE WATERS

The Government of Alberta demonstrates a commitment to protecting water quality in water bodies within Alberta as outlined in environmental quality guidelines and the new surface water quality management framework outlined below.

The Government of Alberta's *Environmental Quality Guidelines for Alberta Surface Waters* states that for lakes, there should be: "No increase in nitrogen (total) or phosphorus over existing conditions. Where nitrogen and/or phosphorus have increased due to human activity, develop lake-specific nutrient objectives and management plans where warranted." In addition, there are now site-specific surface water quality triggers and limits for nutrients, including nitrogen and phosphorus, in the Battle River (as outlined in the *Surface Water Quality Management Framework for the North Saskatchewan and Battle Rivers*).

Sources:

Government of Alberta. 2018. Table 1.5. Surface water quality guidelines for nutrients, *Environmental Quality Guidelines for Alberta Surface Waters*. Water Policy Branch, Alberta Environment and Parks. Edmonton, Alberta.

<https://open.alberta.ca/dataset/5298aadb-f5cc-4160-8620-ad139bb985d8/resource/38ed9bb1-233f-4e28-b344-808670b20dae/download/environmentalqualitysurfacewaters-mar28-2018.pdf>

Surface water quality management framework for the North Saskatchewan and Battle Rivers

<https://open.alberta.ca/dataset/a5049f19-d46c-4b43-8782-c10c076afe29/resource/382503d1-7c73-475c-856f-438e62571ab1/download/epa-north-saskatchewan-region-surface-water-quality-management-framework-2022.pdf>

MORE ABOUT BRWA

The Battle River Watershed Alliance (BRWA) is a non-profit organization that works in partnership with a diverse group of stakeholders to promote the health and sustainable management of land and water in the Battle River and Sounding Creek watersheds using the best science and social science available. Under the Government of Alberta's *Water for Life: Alberta's Strategy for Sustainability*, the BRWA was designated in 2006 as the Watershed Planning and Advisory Council (WPAC) for the Battle River and Sounding Creek watersheds in Alberta. As a WPAC, the BRWA has a role as convenor and collaborator with watershed stakeholders. Our role is to:

- Lead, promote and coordinate watershed management planning; and
- Inform, educate and involve stakeholders on water issues and watershed stewardship.

BRWA is made up of the people who live, work, and play in the Battle River and Sounding Creek watersheds. We are landowners, community members, agricultural producers, business owners, researchers, and decision-makers. We work together to ensure a stable economy, healthy natural areas, and resilient communities in this place that we love. We are dedicated to protecting our watershed for the current and future generations.

Visit our website here: www.battleriverwatershed.ca

Jeff Chipley

From: Jeff Chipley
Sent: February 2, 2023 1:43 PM
To: .County_Council
Subject: City of Wetaskiwin Position Regarding Darcor Holdings Confined Feeding Operation (CFO) Proposal

Good Afternoon Council:

As you may be aware, the Wetaskiwin Times has published an article with respect to the Darcor Holdings Confined Feeding Operation (CFO) Application that Council discussed at the January 24, 2023 Council General Meeting, which can be found here: <https://www.wetaskiwintimes.com/news/cfo-proposed-for-coal-lake>. Ms. Max from the Wetaskiwin Times was provided with the full, publicly available Request for Decision Package related to the matter and was advised of the resolution endorsed by Council as she contacted myself looking for said information. From my multiple reviews of the article, the information related to the County of Wetaskiwin is fully accurate.

However, I do note that in the article it stated *“Coal Lake provides drinking to the City of Wetaskiwin and while the City intends to express their concerns to the County and follow the legislated process, they are not intending to submit a written response to the NCRB.”* I am aware that City of Wetaskiwin Staff and Council have been inundated with numerous emails and phone calls inquiring about the position of the City and requesting that they take action.

This morning, I had an opportunity to speak with Sue Howard, Chief Administrative Officer (CAO) for the City, and she has advised me that the City will indeed be sending correspondence to the Natural Resources Conservation Board (NRCB) related to the matter by the deadline of February 9, 2023. I can also note that when we received the Referral Documents from the NRCB administratively, we suggested to the NRCB that they may wish to send the referral to the City of Wetaskiwin as well based on Coal Lake being the water source for the City and knowing that the Water Treatment Plant was adjacent to Coal Lake.

Ms. Howard has asked that I provide an update of the position of the City to our Council in order to hopefully mitigate the number of calls and emails inquiring about the matter as it has taken up quite a bit of time for their Administration, much like ours. Hopefully the above will suffice.

Additionally, we are just completing the final preparations on our Referral Correspondence that is slated to be sent to the NRCB based on the direction of Council and will be done prior to February 9, 2023.

In closing, I hope that the above information provides an update to the whole CFO situation, but if you have any questions or concerns, please feel free to let me know.

Have a great rest of your day!

Regards,

Jeff

Jeff Chipley | Assistant CAO | County of Wetaskiwin No. 10

Box 6960, Wetaskiwin, AB, T9A 2G5

Office: 780-361-6223 | Cell: 780-387-6043 | Fax: 780-352-3486 | Edmonton Direct: 780-429-0198 |

Toll Free: 1-800-661-4125

Website: www.county.wetaskiwin.ab.ca

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Francisco Echegaray, Approval Officer
303, 4920 51 Street
Red Deer, AB T4N 6K8
Francisco.echegaray@nrcb.ca

SENT BY EMAIL AND COURIER

Re: Confined Feeding Operation at Coal Lake – RA22027

Filer Information

Name (s): City of Wetaskiwin

Municipal Address: 4705 50 Avenue, Wetaskiwin AB T9 A 2E9

Address on Coal Lake: 470029 Rge Rd 231 Wetaskiwin County, AB T9A 1L2

Phone: 780-361-4430

Email: sue.howard@wetaskiwin.ca

The City of Wetaskiwin, hereby submit this Statement of Concern as a directly and potentially adversely affected party to the proposed Confined Feeding Operation (CFO). The City's Water Treatment Plant property is on the shores of Coal Lake which is downstream of proposed Confined Feeding and Manure Spreading Operation (RA22027).

The city is opposed to any operation that increases the nutrient load on the lake where our Water Treatment Plant pulls drinking water from. Not only would this require an increase to the chemical treatment of our water, but it could also impact our approval with AEP.

In addition, the city, as one of three-point source releasers in the battle river watershed who is responsible for improving water quality in the entire basin - we take exception to agricultural operations continuing to increase our costs in cleaning up the battle river and its tributaries.

We have begun working with AEP to look at Coal Lake as a source water protection area and this type of development would certainly be considered a risk to our drinking water source. Protection of our water sources must be the focus of all governments and approving authorities. We are strenuously opposed to any application that would increase the nutrient load on this lake.

If the NRCB approves this application, it is our hope that conditions be in the approval to ensure that an increase to the nutrient load on Coal Lake is not occurring. Such measures could include proper lagoon construction and maintenance, grading of the land to ensure onsite containment as much as possible, housing of the herd or barriers to stop herds from accessing portions of the land that drain directly to the lake, or any other engineering structure to contain the contamination.

Kind Regards,



Sue Howard (she/her) CLGM, PL. Eng., PMP
City Manager
Wetaskiwin City Hall (4705 50 Avenue)
Box 6210, Wetaskiwin, AB T9A 2E9
(p) 780.361.4430

sue.howard@wetaskiwin.ca | www.wetaskiwin.ca