

From: [REDACTED]
To: [Kelsey Peddle](#)
Subject: Application LA24002
Date: May 14, 2024 4:35:34 PM
Attachments: [NRCB letter.docx](#)

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Hello Kelsey,

Please find attached my letter of concern regarding Van Huigenbos Farms Ltd. application LA24002.

Regarding Concern #9 in my letter, I will provide names and references if needed. I don't want this to be a he/said she/said scenario and the individual has agreed to substantiate the claims made in this section. The MD Councillors actions are currently being reviewed by the MD of Willow Creek as well and more information can be provided.

I have also attached pictures from May 7th of this year showing water drainage into the Willow Creek Valley the drain installed, as well , if needed, I have pictures of the far north pens showing cattle in those pens on May 7th of this year.

Thanks

Bruce and Val Kostelansky

Re: Application LA24002

Van Huigenbos Farms Ltd.

SE 21-9-26 W4M

To Whom it May Concern

Let me start this letter by saying that this is an uncomfortable process as the applicant is a neighbor and I wish I didn't have to do this.

We have owned the land we live on for 24 years and did not expect to be living next to one of the proposed largest CFO's in the MD of Willow Creek. As a result, we have a number of concerns.

1. The set back distance- As per the regulations for the type of cattle being fed the setback distance is 526m. I don't have to tell you that using the setback distance calculator you can change the distance by changing the class of livestock, Mr. Van Huigenbos has selected Beef Feeder Calves, which allows him to achieve a maximal number of animals under the permit. According to the numbers you have provided I am 530m from the proposed operation, outside of the setback distance by 4m. This distance is based on the decommission of the far north pens and thus sets the distance at the next row of pens to the south. My first concern is that at the time of this application these pens were not decommissioned, there were cattle in these pens all winter and were at the time of this application. If there were cattle in those pens, they were active and therefore the setback distance would include them. This would then put us within the setback distance and I would have a direct say about the proposed expansion. Either the pens are decommissioned, or they are not. It is also a pretty tough pill to swallow knowing that the setback distance changes with the expansion factor and not a scientific factor, nothing has changed except the operation is getting larger and the setback distance is getting smaller. Google maps is reportedly accurate to within a couple of meters. Is 4 meters within the +/- accuracy factor? Also, if I read the AOPA act correctly it states you **may** have the ability to accept the expansion factor(3) For the purposes of subsection (2), an approval officer or the Board **may** apply the expansion factor of 0.77 only if 3 or more years have passed since the completion of the most recent construction arising out of an approval, registration or authorization or an amendment of an approval, registration or authorization. I don't believe it states in this section that you must apply the expansion factor.
2. As the set back distance is determined by the number and type of animals, I have concerns about how this is going to be monitored. The NRCB's current method of

having the producer fill out a form telling them numbers and types seems dubious at best. I see on the application the pens are to be constructed with RCC, it is well known in the industry that RCC allows for significant increases in pen density. As I follow this point through, recently Mr. Van Huigenbos was expanding his runoff basin for his existing lot and a stop order was placed on him by the NRCB. The reason Mr. Van Huigenbos was expanding the collection basin was because it was overflowing and flowing down the hill into the creek bottom within meters of Willow Creek. While this might be considered proactive on Mr. Van Huigenbos's part it highlights one of two facts. Either the engineering was flawed and the NRCB approved a facility with inadequate run off facilities or the number of animals in the lot exceeded the capacity of the system. How do I know that the proposed catch basins are adequate? If you believe in gravity, you know that eventually manure (not my chosen word) flows downhill. If you assure me the engineers are indeed capable, then how do you assure me about the types and number of animals in the lot? Mr. Van Huigenbos can mix match numbers and types of animals depending on manure output. If 4m is all the difference that is needed for this expansion to proceed then 16504 head, is 4 head too many.

3. In the application it is noted that the application for water usage will be separate and not directly involve the NRCB. I still feel it is appropriate to bring up this item as according to NRC requirements for this class of livestock water usage will be approximately 80,000 gallons per day. When you add that to the daily usage of the feed mill on site that steam flakes corn for up to 30,000 head per day, that water usage is substantial. There appears to be no onsite water storage facility in the development plan. If it is well water being used, how can I be assured that the expansion won't affect my well or the multitude of users that rely on this aquifer. I don't think expansion applications should be looked at in a vacuum, water and where it comes from is under intense scrutiny and should be evaluated when considering applications of this size. The effects on the aquifer and on those surrounding the proposed expansion have to be taken into consideration.
4. When looking at the application I see that the feed alleys are running East and West. I have concerns about the alleys exiting onto RG Rd 263. Currently there are 4 different approaches being used by Mr. Van Huigenbos onto Rg Rd 263 and the vehicles (employees, semi's, manure hauling vehicles) have little regard for those driving on RG RD 263. These feed alleys cannot exit directly onto Rg Rd 263.
5. The infrastructure, specifically RG RD 263 cannot handle the increased traffic the current CFO has brought. Processing feed for 30,000 head has significantly increased the heavy truck traffic. Safety is a huge concern as barely passible roads with heavy trucks weaving from side to side to maneuver around severe ruts and potholes is a disaster waiting to happen. With the proposed expansion this will only increase heavy truck traffic. Again, these applications and the demands they put on the

infrastructure cannot be looked at in a vacuum and consultation with local governing bodies (The MD of Willow Creek No. 26) is vital.

6. It goes without saying that living within 4 meters of a legal setback distance from a large CFO such as the one proposed brings into concern all the negatives associated with a CFO. Odor, dust, flies, surface water contamination and ground water contamination. Living within 4 meters of the legal set back distance of this operation will no doubt have a significant negative impact on my ability enjoy the outdoors and the property I have poured my life into. I can be assured the odor, dust, flies etc. won't stop at my yard entrance. Whether you take property value into consideration or not, it is pretty easy to figure out how that equation affects me, and the many other property owners close to an expansion of this magnitude. The use of RCC pens only magnifies these issues, you only need to look into your own records and see how the number of complaints about Rim Rock Feeders increased secondary to feedlot reconstruction.

7. Control of surface water

As per the AOPA regulations,

Surface water control system 6(1) If required by an approval officer or the Board, an owner or operator of a confined feeding operation or manure storage facility must ensure that the operation or facility has (a) a natural surface water control system, (b) a constructed surface water control system, or (c) a combination of both systems that meets the requirements of this section. (2) The design, placement, construction, installation, maintenance, replacement, removal and operation of the surface water control system must comply with the following: (a) the system must limit the amount of surface water and run-on and runoff flowing through and from the operation or facility;

There are huge concerns by me and most everyone downstream on Willow Creek about surface water. Mr. Van Huigenbos has placed drains, one of which is less than 100m from feedlot pens that collect and drain water down a coulee into the Willow Creek bottom. This is located on the East side of the feedlot. On the west side of the feedlot water runs down the hill out of the feedlot to within meters of Willow Creek. This speaks to the location of a large CFO on the banks of Willow Creek, it is only natural that things flow downhill. The fact that Mr. Van Huigenbos has instilled a drainage system to further enhance this drainage only highlights the operations insensitivity to the Willow Creek drainage system. I suspect that you have received a number of letters speaking to the concern about Willow Creek. I will attach pictures showing the drainage after 20mm of rain, according to your regulations it must be able to comply with 90mm of rain in 24 hours for the Fort Macleod area. One can only imagine the amount of water flowing down the hill when this occurs.

I have brought up this issue previously with the NRCB and if you read the section above from the AOPA I am not sure you interpreted it correctly as it refers to surface water. I don't believe it is possible for there not to be cross contamination with drains placed

this close to feedlot pens and water naturally flowing out of the other end. If you look at the attached pictures from the west end of the feedlot, normal water doesn't foam.

8. Another concern resides with the development area that we live in. I live in the Intermunicipal Development Plan which is a buffer zone between the MD of Willow Creek and the Town of Fort Macleod. As this proposed expansion is occurring within that development area it is important that not only the MD but the Town of Fort Macleod be appraised of the application as proposed locations for manure spreading are immediately adjacent to the Town of Fort Macleod Municipal boundary.

9. My final concern is with the ethics of this entire proceeding. I am sure other letters have mentioned that a town hall meeting took place for concerned landowners and citizens of the surrounding area. At this meeting a councilor for the MD of Willow Creek announced mid meeting that he was with the MD and listened to the concerns of those present. What this MD councilor failed to mention was that he was also secretly recording the meeting to provide Mr. Van Huigenbos information about what was discussed. The Van Huigenbos's then used this information to admonish some participants for attending and even stating that he was grandfathered and could dump as much water and manure down the coulee towards the creek as he wanted. Other representatives of Van Huigenbos Farms contacted family members of those who attended and threatened their livelihood if they didn't fall in line. I don't believe the Government of Alberta should be accepting of bullying by an applicant or clandestine recordings by elected officials in order to facilitate an application.

Thank-you for taking the time to hear our concerns, we like many of the other landowners are not against agricultural developments we just feel this is not the right location for a development of this size.

Bruce and Val Kostelansky

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