

No 3 - REQUEST FOR REVIEW: RA23022 / Mitchel Kroetsch

Filed By: Thomas Rohe

Deadline for RFRs: September 11, 2024

Date RFR received: September 9, 2024

Status of Party as per Decision Summary: Directly Affected Party



Request for Board Review (RFR) of an Approval Officer CFO Application Decision

Instructions

1. **Eligibility.** Only those parties listed as “directly affected” in the approval officer’s CFO application decision, or those parties requesting reconsideration of their status (see section #3), are eligible to request a Board review (RFR).
2. **Jurisdiction.** The Board’s jurisdiction in Alberta to review a decision by an approval officer is set out in sections 20(5), 22(4), and 23(3) of the *Agricultural Operation Practices Act* (AOPA).
3. **Deadline.** The NRCB must receive an RFR by the deadline specified in the approval officer’s decision cover letter. The AOPA Administrative Procedures Regulation does not allow consideration of time extension requests or late submissions.
4. **Public Documents.** RFRs and attachments are public documents.
5. **Submission.** Submit this form and any attachments by email to Laura Friend, Manager of Board Reviews at laura.friend@nrcb.ca. Contact her at 403-297-8269 for assistance.

1. Confined Feeding Operation (CFO) Application Details

NRCB Application No.	RA23022
Name of Owner/Operator or Operation	Mitchel Kroetsch
Type of application (<i>if known</i>)	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Registration <input type="checkbox"/> Authorization
Location (<i>legal land description</i>)	NW 15-42-16 W4M
Municipality	Flagstaff County

2. Status Declaration

I hereby request a Board review of the approval officer’s decision:
(*You must check one*)

- I am the owner/operator (directly affected party)
- I represent the owner/operator
- I represent the municipality (directly affected party)
- 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 therefore I am requesting my status be reconsidered (see section #3)

4. Request for a Board Review (RFR)

All parties or their representative must complete this section. If you need more space, include an attachment.

- Approval officers must ensure that a CFO application meets the Alberta legislative requirements before they approve it. Conversely, approval officers must deny an application if the requirements are not met. (Sections 20 and 22 of the *Agricultural Operation Practices Act (AOPA)*).
- If you believe the **approval officer failed to adequately address an issue (or issues)**, state the issue(s) and provide your reasoning below.
- The issue(s) must have been in front of the approval officer at the time they made the CFO application decision; the Board will not consider any new issues.
- Include how the decision affects you, such as any damage or bias you believe would occur to you because of the approval officer's decision.

My grounds for requesting a Board review of the approval officer's decision are:

See Attachment

6. Contact Information of Person Submitting the RFR

Name Thomas Rohe

Street/Box Address [REDACTED]

Town/City/Postal Code Heisler

Legal Land Description 4; 16; 42; 17; NE

Telephone Number [REDACTED]

Email Address [REDACTED]

Date September 9, 2024

7. Contact Information of Legal Counsel or Representative (if applicable)

Name _____

Address _____

Telephone Number _____

Email Address _____

These are my concerns:

I am Thomas Rohe and very concerned about the establishing of the planned Confined Feeding Operation. My concerns are as followed:

- Water usage of 5,000 head of livestock; we are on the same water supply. We are concerned that we will have a water shortage or worst case scenario, our well is getting dry. Who will pay for drilling a new well?
- Water contamination; long-term contamination of our water from the CFO runoff running into our water source and spreading high volume of manure close by, including antibiotic waste.
- Reduced air quality, bad odour and more flies, known as bacteria carriers, could lead to health issues. There is an increase of infectious illness amongst livestock kept in high density, high excrement situations and the germs from these illnesses can travel further than the 1.5 mile 'zone' – by air, insects and fallout from dust and manure spreading. We did not move to countryside just to have to worry about our health.
- More flies will mean more rodents and predators.
- My wife suffers from chronic migraines which are also triggered by bad air quality, odour and noise. The planned CFO will increase her migraine attacks.
- Our acreage is also an investment for our retirement plan. Due to poor air quality, increasing fly population, higher traffic volumes and dust - all because of its short distance to the proposed CFO, our property will for sure lose on value and we will lose money which we are counting in for an affordable retirement living.
- The CFO will cause an increase in traffic due to cattle transport trucks, feed and grain trucks, manure spreading equipment, etc. and damage our already badly maintained highway and roads. We as taxpayers, will end up paying more taxes for maintaining the roads.
- The noise level will increase from traffic and cattle.
- There is already so much crime in Flagstaff County and a big business like this will for sure attract more criminals in our area. I am working up north and my wife is home alone very often.

When we decided to buy our acreage, we did not expect that we have to worry about all of these concerns and the CFO next door will reduce our quality of life immense.

We are desperately asking that the application (RA23022) to establish a Confined Feeding Operation at NW 15-42-16 W4M will be denied.

Sincerely,

Thomas Rohe