

NO 5 - REQUEST FOR REVIEW: LA23050 / Ivy Ridge Colony

Filed By:

Greg and Sarah Olsen

Deadline for RFRs:

February 11, 2025

Date RFR received:

February 11, 2025

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 page 2, 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.	LA23050
Name of Owner/Operator or Operation	Hutterian Brethren of Ivy Ridge
Type of application (if known)	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Registration <input type="checkbox"/> Authorization
Location (legal land description)	144084 Range Road 265
Municipality	Willow Creek

2. Status Declaration

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

- I am the owner/operator
- I represent the owner/operator
- I represent the municipality
- 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 page 2, section #3)

3. Request for Reconsideration by Board of “Not” Directly Affected Status

Instructions. Only those parties **not** listed as directly affected in the approval officer’s decision are to complete this section.

- The Board can only consider RFRs submitted by "directly affected" parties. Those parties not listed as directly affected in the approval officer’s decision must first request the Board to reconsider their status. If the Board grants a party “directly affected” status, it will then consider their RFR.
- Upon receipt of a CFO application, the approval officer sends a notification letter to the “affected” parties. Affected parties are owners or occupants of land residing within a designated distance from the applied-for CFO. Operators and the municipalities located within the designated distance always have “directly affected” status.
- An affected party must apply for “directly affected” status by providing a written response to the approval officer’s notification letter by the deadline specified. The Board cannot reconsider the status of a party unless they had first responded to the approval officer.
- The approval officer determines the "directly affected" parties to the application based on the responses received and includes this determination in their decision.

My grounds for requesting a reconsideration of my “not” directly affected status are:

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:

Please see attached letter

5. Board Action Requested

If the Board grants a review of the approval officer's decision (either an approval, denial, cancellation, amendment, or deemed permit), only the "directly affected" parties are eligible to participate (see section #3). A review will be in the form of either a hearing or a written review.

If the Board grants a review, I would like it to:

- Reverse the approval officer's decision
- Amend or vary the approval officer's decision

If the Board decides to grant a review on a permitted decision, it may decide to amend or vary the permit terms and/or conditions.

Are there any new conditions, or amendments to existing conditions, that you would like the Board to consider?

Please see attached letter

6. Contact Information of Person Submitting the RFR

Name Greg Olsen & Sarah Olsen

Street/Box Address [REDACTED]

Town/City/Postal Code Stavelly, AB

Legal Land Description 144084 Range Road 265

Telephone Number [REDACTED]

Email Address [REDACTED]

Date February 11, 2025

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

Name

Address

Telephone Number

Email Address

Laura Friend, Manager of Board Reviews
Natural Resources Conservation Board
Email: laura.friend@nrcb.ca

Subject: Request for Board Review – **Approval LA23050**

Dear Ms. Friend,

I am writing to formally request a Board Review of the NRCB's decision to approve Application LA23050, regarding the Ivy Ridge Hutterite Brethren Confined Feeding Operation (CFO). As a directly affected party, I urge the Board to overturn this approval based on the following significant concerns, which have not been properly addressed under the Agricultural Operation Practices Act (AOPA) and NRCB procedures.

Points of Unacceptability

1. Failure to Adequately Address Community Concerns

The NRCB stated they only received 397 responses out of an actual submission of 727, excluding additional letters from the public and directly affected parties. This discrepancy highlights a serious lack of organization and thorough review. What other critical issues may have been overlooked in this decision?

Furthermore, an entire community and surrounding areas voiced strong opposition, yet this was ignored. What, then, constitutes a valid threshold for rejecting an application? If near-unanimous opposition is disregarded, the process fundamentally fails to serve affected communities.

2. Misrepresentation of Technical Compliance as Community Support

The decision appears to assume that meeting technical standards equates to addressing community concerns. This is a flawed rationale, as compliance with regulatory minimums does not reflect the lived realities and objections of affected residents.

3. Inadequate Environmental Impact Assessment

The NRCB has failed to ensure an unbiased and comprehensive environmental assessment. Approvals based on internal assessments lack transparency and fail to inspire public trust. The NRCB's own audit praises its performance, but real-world cases plus NRCB's own complaints and reporting reveal otherwise. This raises the question: How can we trust that an internal review is free from bias?

Moreover, there has been no groundwater monitoring requirement imposed on the CFO, despite known concerns over artesian flow conditions and water table risks. The potential for water contamination and depletion demands independent and rigorous assessment before any approval is granted.

4. Approval Granted Without Proven Water Access

A CFO of this magnitude requires a substantial water supply, yet no concrete plan for securing long-term water access has been established. Alberta Environment and Protected Areas (EPA) has confirmed that the Hutterian Brethren of Ivy Ridge lacks existing surface or groundwater licenses for this location. Approval without confirmed water resources is premature and irresponsible.

5. Inconsistency with Municipal Development Plan (MDP)

The Municipal District (MD) of Willow Creek has explicitly stated that this CFO does not align with their MDP. However, the NRCB has cited the very same framework as justification for approval. This contradiction undermines local governance and raises serious concerns about the decision-making process.

6. Negative Social and Economic Impacts

This CFO will have lasting negative effects on property values, community cohesion, and local businesses. Small-scale farmers and independent agricultural producers will struggle to compete against a tax-exempt colony that does not contribute meaningfully to the local economy.

Additionally, our rural schools and volunteer organizations are already struggling with declining enrollment and participation. The Hutterian Brethren do not send children to local schools or engage in community-building efforts, leading to further economic and social decline in Staveland and the surrounding area.

I implore the NRCB Board to overturn this approval and:

- **Reassess the validity of public input** and implement a more transparent and inclusive process for considering community objections.
- **Require an independent, third-party environmental impact assessment** before allowing approval decisions.
- **Mandate water approvals** in advance of decisions to prevent irreversible depletion of the water supply.
- **Provide clear justification for how this approval aligns with the MDP**, considering the MD of Willow Creek's opposition.
- **Implement stricter evaluation criteria for future CFO applications**, ensuring community concerns are not dismissed under the guise of technical compliance.

Given the overwhelming community rejection and the significant cumulative negative effects of this decision, I strongly urge the NRCB to rescind the approval of Application LA23050. The NRCB has a duty to protect both the environment and the well-being of rural Albertans, and this decision fails to uphold that responsibility.

Thank you for your time and consideration. I look forward to your response.

Sincerely,

Greg Olsen