



**Grandfathered (Deemed) Permit Determination**  
**under the**  
***Agricultural Operation Practices Act***  
**966827 Alberta Ltd. (Merrick Campbell)**  
**SW-12-55-27-W4**  
**File # PB24001**

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## 1.0 Introduction and Background

This document sets out the written reasons for my determination of the livestock capacity and type in a deemed permit under the *Agricultural Operation Practices Act* (AOPA). The subject of the determination is a beef operation located on SW-12-55-27-W4 (this quarter section will be referred to as “the site”). The site is located in Sturgeon County, approximately 24 kilometres Southwest of Morinville. The process of ascertaining livestock capacity and livestock type under a deemed permit is known commonly as a “grandfathering” determination.

On February 2, 2024, Merrick Campbell of 966827 Alberta Ltd. contacted the Natural Resources Conservation Board (NRCB) and requested that the NRCB conduct a grandfathering determination for their beef confined feeding operation (CFO). The CFO operates under the corporate name of 966827 Alberta Ltd. and the land is owned by Merrick Campbell.

The confined feeding operation (CFO) has a Certificate of Compliance #5-92-08 issued by Alberta Agriculture and Alberta Environment on December 14, 1992. Certificate of Compliance #5-92-08 recognized that there was an existing 1,000 head beef feedlot at this site (Appendix A).

This CFO does not have a development permit from Sturgeon County. Under section 18.1(1)(a) of AOPA, CFOs that existed (even without a municipal development permit) on January 1, 2002, are grandfathered.

It is therefore necessary for me to determine:

1. Was there a “CFO” on this site on January 1, 2002?
2. Was the CFO above the permitting thresholds under AOPA on January 1, 2002?
3. If so, what was the footprint on January 1, 2002?
4. What were the structures on January 1, 2002? How were the structures being used?
5. What, if any, permits or licences did the operation hold?
6. What category(ies) and type(s) of livestock was the CFO confining and feeding, or permitted to confine and feed? What livestock numbers were permitted or being held for each type of livestock?
7. What was the capacity of the structures to confine livestock on January 1, 2002?
8. Is the claimed capacity within a reasonable range of the physical capacity on January 1, 2002?

On February 2, 2024, Merrick Campbell submitted a grandfathering determination request to the NRCB on behalf of 966827 Alberta Ltd. The grandfathering determination was requested at SW-12-55-27-W4 and it claimed 1,000 beef finishers (Appendix B).

For the reasons that follow, I concluded that under section 18.1 of AOPA, the CFO at SW-12-55-27-W4, currently owned by 966827 Alberta Ltd. (Merrick Campbell) has a deemed approval with the capacity for 1,000 beef finishers. The CFO has not been abandoned and the deemed NRCB permit under AOPA is still valid today.

To ensure transparency with AOPA and consistent decision-making, a complete and thorough investigation was conducted to address the questions listed above, ensuring that all relevant aspects of the operation were considered in making a formal grandfathering determination.

## 2.0 Context and Process

### 2.1 Legal Context

Under section 18.1(1)(a) of the *Agricultural Operation Practices Act* (AOPA), the owner or operator of a confined feeding operation that existed on January 1, 2002, for which a development permit was not issued by the municipality is deemed to have been issued a permit under AOPA. The capacity allowed by a deemed permit is the capacity of the enclosures to confine livestock at the CFO on January 1, 2002 – section 18.1(2)(a) of AOPA.

The term “capacity” refers to a CFO’s livestock numbers or manure storage capacity, not to the scope of the CFO’s facilities. The term “deemed capacity” refers to the maximum number of livestock, or maximum volume or tonnage of manure storage, allowed by a CFO’s deemed permit as determined under section 18.1(2) of AOPA.

The question of whether there was a “confined feeding operation” on this site on January 1, 2002 may turn on the definition of “CFO” in AOPA. In AOPA, “confined feeding operation” is a defined term in section 1(b.6):

*“confined feeding operation” means fenced or enclosed land or buildings where livestock are confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and any other building or structure directly related to that purpose but does not include ... livestock seasonal feeding and bedding sites....”*

To be grandfathered, a CFO must have been at or above AOPA threshold numbers on January 1, 2002. The Part 2 Matters Regulation under AOPA identifies the threshold to require a permit for beef finishers is 150 animals for a registration and 350 animals for an approval.

The Administrative Procedures Regulation under AOPA includes section 11 governing deemed permit investigations. Section 11(1) of the Regulation states that:

*11(1) At the request of an owner or operator for a determination related to a deemed permit under section 18.1 of the Act, or in response to a complaint where a determination of the terms or conditions or existence of a deemed permit is required, an inspector shall conduct an investigation to determine the capacity of a confined feeding operation or manure storage facility*

*(a) that was in place on January 1, 2002, or*

*(b) that was constructed pursuant to a development permit issued before January 1, 2002.*

The NRCB has formalized grandfathering decisions by adopting processes set out in section 11 of the Administrative Procedures Regulations under AOPA and through NRCB Operational Policy 2023-01: *Grandfathering (Deemed Permit)*. These documents provide the framework to establish the facts and the scope of the grandfathering determination process.

### 2.2 Standard of Proof

Section 11 of the Administrative Procedures Regulation under AOPA states that an inspector shall conduct an investigation to determine capacity of a CFO in place on January 1, 2002. Grandfathering determinations require findings of fact. Whether a CFO existed on January 1,



2002, above threshold, is a question of fact. Similarly, what category and type of livestock, and what capacity the CFO was feeding on January 1, 2002 are also questions of fact.

If not otherwise specified in legislation, the standard of proof in a civil administrative proceeding like this is a “balance of probabilities”—that is, whether a relevant fact is more likely than not to be true.

## **2.3 Flexible Approach to Grandfathering Date**

Section 18.1 of AOPA focuses on facts as they existed on the precise grandfathering date of January 1, 2002. However, I generally sought evidence as to the type of livestock and the livestock capacity at the operation between 2000 and 2004 (See Operational Policy 2023-1: *Grandfathering (Deemed Permit)*, part 6.0). Considering the operation for at least two years before and two years past the January 1, 2002, grandfathering date seemed useful because witnesses might not remember what occurred on the exact date of January 1, 2002 and documents may not have the exact date. Also, considering how an operation functioned over a range of dates might shed additional light on how the operation functioned on a given day within that range.

The NRCB generally uses a pragmatic and flexible approach toward applying the January 1, 2002 grandfathering date. This approach is reasonable because a more rigid or stricter application of the January 1, 2002 grandfathering date could lead to unfair results if, for example, an operation happened to have emptied its enclosures on January 1, 2002, or was half-way through rebuilding or constructing the enclosures on that date, or had shut down temporarily due to a short-term market crises. Thus, the 2000 to 2004 range was meant to generate sufficient evidence to apply this pragmatic and flexible approach.

## **2.4 Notice**

Under Part 2 Matters Regulation of AOPA, the municipality where the CFO is located is an affected party (see section 5 of the regulation). As such, the NRCB provided notice of the grandfathering investigation to Sturgeon County and invited comments. The NRCB also sent information to Alberta Environment and Protected Areas.

I sought neighbours’ perspectives on the factual questions of capacity and type of livestock being confined and fed on January 1, 2002. I wanted to collect relevant historical information from those who may have lived in the area around that date. Notice is required in section 11(2) of AOPA’s Administrative Procedures Regulation. Before determining a deemed approval for an operation that was in place on January 1, 2002, the NRCB inspector is required to provide notice to those parties “who would be entitled to notice under section 19(1)” of AOPA for a new CFO with the same capacity.

In this case, the claimed capacity is 1,000 beef finishers, which puts the distance for affected persons entitled to notice under section 19(1) of AOPA at 1.0 miles. The distance is set out in section 5 of the Part 2 Matters Regulation.

On March 6, 2024, notice of the grandfathered (deemed) permit determination request was published in the *Morinville Press*. In the notice, I advised of the claim by Merrick Campbell on behalf of 966827 Alberta Ltd. for a deemed permit for 1,000 beef finishers, and I invited the public to provide written submissions related to the facilities, livestock capacity, and type of livestock produced by the CFO on January 1, 2002. I also invited the public to apply for status as directly affected parties. The deadline for written submissions was April 5, 2024.

In addition, on March 1, 2024, 27 notification letters were sent to people who (according to Sturgeon County) reside on or own land within a 1.0 mile radius of the operation who might have relevant information as to the capacity and type of livestock that the CFO produced around January 1, 2002. The notification letters included information similar to that in the newspaper notice.

The NRCB published notice of the grandfathering determination on its public website at [www.nrcb.ca](http://www.nrcb.ca), as well as the grandfathering determination request form submitted by Merrick Campbell.

### **3.0 Evidence**

#### **3.1 Information at the NRCB**

The confined feeding operation (CFO) has a Certificate of Compliance #5-92-08 issued by Alberta Agriculture and Alberta Environment on December 14, 1992. The Certificate of Compliance was issued to Don Campbell and Sons (including Merrick Campbell). Certificate of Compliance #5-92-08 recognized that there was an existing 1,000 head beef feedlot on SW-12-55-27-W4 (Appendix A).

#### **3.2 Information from Merrick Campbell**

Merrick Campbell provided eight documents to support the claimed grandfathered capacity of 1,000 beef finishers.

The first document dated January 7, 2000 is a cattle and feed inventory as of December 31, 1999 (Appendix C). This document shows that there were a total of 305 fat steers and heifers (average weight of 1,100 lbs) at this operation, along with 147 head of weaned calves (average weight of 500 lbs).

The second document is an aerial image of the operation dated May 12, 2001 (Appendix D). This image shows nine pens at this operation, with what appear to be cattle in many of them.

The third document is an inventory of cattle as of December 31, 2001 (Appendix E). This document lists a total of 150 fat steers and heifers, along with 143 weaned calves and 188 grass steers at this operation.

The fourth document is a cattle and feed inventory as of January 3, 2003 (Appendix F). This document lists the following cattle inventory: 68 weaned steer calves, 87 weaned heifer calves, 96 fat heifers (1,300 lbs), 41 grass steers (1,200 lbs) and 151 grass steers (1,200 lbs).

Both documents (Appendix E & F) also indicate that the Campbells were a member and were feeding cattle under the Fort Feeders Co-op Association. The association provides loans to producers for purchasing and feeding cattle.

Documents five, six, seven and eight are fat cattle sale records for December 12, 2003, December 22, 2003, February 20, 2004, and April 16, 2004 (Appendix G). These records show that finished ("fat") yearling steers and heifers were being sold from this operation at the average finished weights of 1250-1350 lbs.

On February 13, 2024, NRCB Approval Officer Nathan Shirley and I met with Merrick Campbell. At this time, we also inspected all of the operation's facilities. Merrick Campbell provided the following information about his operation:

- Around 2002, feedlot animals were both home raised and purchased. The majority of the feedlot animals were purchased, approximately 50 animals annually were home raised.
- This operation would purchase cattle in the winter and background them. In the summer these cattle would go to pasture and then come back to the feedlot in the fall where they were finished and then sold as finished animals the following spring.
- Around January 1, 2002, the feedlot pens were not typically used in the summer as the animals were on pasture. However, sometimes larger framed calves were kept in feedlot pens in the summer and finished.
- The feedlot was always separate from the cow-calf herd. There were separate pens and the cow-calf herd was managed to the south of the feedlot or to the east of the feedlot
- The cows always calved on grass, there were no “calving pens” at the operation.
- Currently, this operation backgrounds calves in the feedlot pens during the summer and up until November/December. The backgrounders are fed silage.
- Handling and sorting corrals are located north of “Pen #7” and the feed mill is located north of “Pen #8” (Appendix I).
- During the site inspection, Merrick Campbell provided me with the bunk lengths of each pen.

### **3.3 Information from Municipality**

Under the Part 2 Matters Regulation under AOPA, the municipality where the CFO is located is an affected party (see section 5 of the regulation). As such, Sturgeon County is an affected party and is also a directly affected party in this deemed permit determination, as they would be if this were an application for an approval today.

On March 15, 2024 I received a written statement from Sturgeon County in regards to this operation (Appendix H). In this written statement Sturgeon County confirmed that this operation holds a Certificate of Compliance (#5-92-08) dated December 14, 1992.

In their written statement, Sturgeon County also stated: “To our knowledge the cow-calf and feedlot operation has continued to operate since 1992. The County has no concerns with the Confined Feeding Operation.”

### **3.4 Evidence from Neighbours**

The newspaper notice in the *Morinville Press*, as well as the notification letters mailed to residents and owners within 1.0 miles of the CFO, invited people to provide written statements related to the capacity and type of livestock being confined by the CFO on January 1, 2002. I did not receive any written responses from neighbouring landowners or residents.

### **3.5 Evidence from Other Agencies**

On March 6, 2024 a notification letter was sent to Alberta Environment and Protected Areas. I did not receive a response from this agency.

## **4.0 Analysis and Findings**

### **4.1 Was There a CFO on Site on January 1, 2002?**

Under AOPA, a seasonal feeding and bedding site (SFBS) is not a “confined feeding operation.”

*“confined feeding operation” means fenced or enclosed land or buildings where livestock are confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and any other building or structure directly related to that purpose but does not include ... livestock seasonal feeding and bedding sites...*

where

*1(i) “seasonal feeding and bedding site” means an over-wintering site where livestock are fed and sheltered;*

I considered the evidence above and concluded that nine pens (Appendix I) were part of a “CFO” on January 1, 2002. NRCB Operational Policy 2015-2: *Distinguishing Between Confined Feeding Operations and Seasonal Feeding and Bedding Sites (for Cattle Operations)* provides guidance on how to make this distinction for cattle operations. I used the decision tree and a factor table (Table 2) in this policy to make my conclusions.

In the decision tree, a facility is automatically considered a CFO facility if it is used to confine and feed cattle between July 1 and September 15. From historical records I reviewed, and from my discussions with the operator, I concluded that around 2002, typically this operation did not feed cattle between July 1 and September 15 as the animals were sent to pasture. I understand that animals were sometimes fed in the CFO during the summer, however it was more common for them to be sent to pasture. Therefore, I moved onto the second level of this decision tree.

The second level of the decision tree asks the question if the facility is used only for a cow-calf operation outside of the grazing period. From my discussion with Merrick Campbell regarding the management and housing of the cow-calf herd and from historical records provided by Merrick Campbell which showed that this operation was feeding and selling finished animals (Appendices C and G), I conclude that this facility did not meet the criteria of being used only for a cow-calf operation around 2002. Therefore, I moved to the third level of this decision tree.

The third level of the decision tree addresses whether a facility is adjacent to a permitted CFO. In 2002, this facility did not meet this criterion. As a result, this facility (as of January 1, 2002) can not be classified as a CFO or a SFBS under this decision tree, and the facility must be assessed based on the nine factors in Table 2 of Policy 2015-2.

I assessed this facility (as of January 1, 2002) based on the factors in Table 2. I considered the combination of factors in this table, as no single factor is determinative of a CFO or SFBS. Because the footprint of the facility has not changed since 2001, I used aerial imagery from 2001 and 2020 (Appendices D and I) to assess the following nine factors:

<b>Generic Factors</b>	<b>Assessment of the facility as of January 1, 2002</b>	<b>CFO or SFBS Characteristic</b>
Timing of feeding in the facility	Typically animals were fed in facility when grazing was unavailable	SFBS
Livestock type	Finishers	CFO
Bedding site	Permanent, not moved within or across years	CFO
Feeding area	Fence line feeding using permanent bunks	CFO
Manure management	Concentrated in the facility. Manure must be removed and spread or stored	CFO
Density of confinement	Unknown	-
Infrastructure	Significant permanent infrastructure	CFO
Vegetation	No vegetation, pens are not used as pasture or annually cropped	CFO
Max # of animals being confined at any one time	<1,000 head	SFBS

Based on this assessment and the combination of factors, I conclude that as of January 1, 2002, this facility was used as a CFO, rather than a SFBS. See Appendix I for a map identifying which enclosures (pens) at this operation were used for confined feeding on January 1, 2002.

#### **4.2 Was the CFO Above AOPA Threshold on January 1, 2002?**

The AOPA threshold number for beef finishers is  $\geq 150$  animals. Based on the evidence provided by Merrick Campbell, I find that this CFO had capacity for 1,000 beef finishers, which is above the threshold. Accordingly, the CFO's livestock capacity was above threshold on January 1, 2002 and it has a deemed approval permit.

#### **4.3 CFO Footprint and Structures**

The evidence set out above and in the 2001 and 2020 aerial imagery (Appendices D and I) shows that the footprint of the feedlot has not changed since 2001. My February 13, 2024 site inspection, also confirmed that the feedlot footprint has not changed. I conclude that the footprint of the CFO today is the same footprint that existed on January 1, 2002.

Based on this evidence, I have concluded that on January 1, 2002, this CFO consisted of the following manure collection areas (MCAs). Because these measurements were taken on Google Earth 2020 aerial imagery, they are approximate measurements as some areas of the aerial image were difficult to see (see Appendix J for pen footprint measurements).

- Pen 1 – 36,142 ft<sup>2</sup>
- Pen 2 – 49,192 ft<sup>2</sup>
- Pen 3 – 21,921 ft<sup>2</sup>
- Pen 4 – 38,073 ft<sup>2</sup>
- Pen 5 – 9,998 ft<sup>2</sup>
- Pen 6 – 25,266 ft<sup>2</sup>
- Pen 7 – 37,059 ft<sup>2</sup>
- Pen 8 – 39,611 ft<sup>2</sup>
- Pen 9 – 29,857 ft<sup>2</sup>

This CFO also consisted of the following ancillary structures:

- Handling and sorting corrals

See Appendix I for a map of all MCAs and ancillary structures.

#### 4.4 Livestock Type

As to livestock type, the supporting materials show that this CFO was confining beef finisher cattle as the weights of the shipped “fat” cattle (averaging 1,250 lbs and 1,350 lbs, Appendix G) fall within the “cows/finishers (900+lbs)” category of the Part 2 Matters Regulation under AOPA.

#### 4.5 CFO Livestock Capacity

The NRCB *Grandfathering (Deemed Permit)* policy at 6.3.3 provides:

If there is no MD permit, then field services staff determine the capacity of the enclosures to confine livestock (“physical capacity”) under section 18.1(2)(a) of AOPA.

Importantly, it is the capacity to confine feed, rather than the actual number of confined livestock, that determines capacity for this deemed approval.

I took steps to verify if the claimed capacity of the feedlot (1,000 beef finishers) would have fit into the feedlot in 2002. As the footprint of the feedlot has not changed since 2002, I used Google Earth aerial imagery from 2020 to verify the livestock capacity.

A useful tool to verify the evidence is Technical Guideline Agdex 096-81 *Calculator for Determining Livestock Capacity of Operations as They Existed on January 1, 2002* (see NRCB Operational Policy 2023-1: *Grandfathering (Deemed Permit)* at 6.3.2).

The guideline says:

Space allocations for beef cattle are based on pen size, bunk length for full feed, and bunk length for limited feed. All three factors should be considered. The bunk length is often the deciding factor for large pen spaces.

The guideline sets out different calculations for northern or southern Alberta – in this case, the CFO is in northern Alberta. Therefore, according to this guideline, pen space is 250 ft<sup>2</sup>/animal, full feed bunk space is 1.0 ft/animal and limited feed bunk space is 2.5 ft/animal.

The formulas for beef finisher calculations in northern Alberta include:

- Pen Calculated Animal Number = Pen Area (ft<sup>2</sup>) ÷ 250 ft<sup>2</sup>/animal
- Bunk Space Full Feed Calculated Animal Number = Bunk Length (ft) ÷ 1.0 ft/animal
- Bunk Space Limited Feed Calculated Animal Number = Bunk Length (ft) ÷ 2.5 ft/animal

I used Google Earth aerial imagery from 2020 to determine the approximate area of the nine pens at this site. The total calculated pen area was 287,119 ft<sup>2</sup> (Appendix J). I also verified the bunk lengths that were provided to me during my February 13, 2024 site inspection using this aerial imagery. The total bunk length for these nine pens is 1,248 feet.

Therefore, by using the calculated pen areas and bunk lengths for this site (Appendix J), Agdex 096-81 suggests that for this site, the pen footprint space would allow a total capacity of 1,148 beef finishers. The full feed bunk space would allow a total capacity of 1,248 beef finishers and the limited feed bunk space would allow a total capacity of 499 beef finishers.

Based on this analysis, the claimed capacity of the feedlot (1,000 beef finishers) fits within the Agdex 096-81 calculated capacity range of 499 to 1,248 beef finishers.

#### **4.6 Reasonable Range of Physical Capacity**

I assessed whether the claimed capacity (1,000 beef finishers) is within a reasonable range of the physical capacity on January 1, 2002 – in other words, would the claimed 1,000 beef finishers have fit into these pens in 2002?

The claimed capacity of 1,000 beef finishers is within a reasonable range of the physical capacity of the CFO on January 1, 2002, as calculated above.

#### **5.0 Affected Persons and Directly Affected Parties**

Section 11(5) of the Administrative Procedures Regulation under AOPA requires that an inspector's decision report on a grandfathered (deemed) permit determination include reasons on whether affected persons who made a submission are directly affected parties.

Directly affected parties may have their response considered in a grandfathering determination and may submit a request to the NRCB's Board for a review of a grandfathering determination. If not directly affected, they may not have these options.

Affected persons in this determination were the municipality in which the operation is located (Sturgeon County) and all neighbours who own or occupy land within the 1.0 mile notification distance. By proxy through section 19 of AOPA, these are determined by section 5 of the Part 2 Matters Regulation.

"Directly affected parties" are typically a subset of "affected persons." Under section 19(6) of AOPA, the applicant for an approval and municipalities that are "affected persons" are automatically directly affected parties. As such, 966827 Alberta Ltd., Merrick Campbell, and Sturgeon County are directly affected parties.

In deciding who else would be considered a directly affected party, I referred to the NRCB's Approvals policy section 7.2.1 paragraph 2 which states "*The NRCB presumes that persons who reside on or own land within the notification distance also qualify for directly affected party status, if they provide written response to the notice within the posted response deadline.*"

In this case, no neighbouring landowners within the notification distance submitted a written response, therefore there are no additional directly affected parties.

#### **6.0 Status of Deemed Permit Today**

##### **6.1 Abandonment**

While a grandfathering determination is limited to a point in time – January 1, 2002 – the NRCB also takes this opportunity to assess the validity or status of a deemed permit, today. In other words, for a permit that is deemed under AOPA, does that same permit exist with the same terms in 2024? This assessment may be useful to provide certainty to prospective buyers, sellers or lenders, municipalities, regulators (such as the NRCB), and the owner and operator of the CFO.

In a decision concerning a grandfathered (deemed) permit determination (RFR 2020-04 *Stant Enterprises Ltd.* at pg. 4), the NRCB Board implied that where 18 years have passed since the time window used in a grandfathering, it may be appropriate to evaluate a question of abandonment. If a facility were abandoned, that might invalidate its deemed permit today.

The NRCB's Operational Policy, 2016-3 *Permit Cancellations under AOPA Section 29* (updated April 23, 2018) guides how to assess whether an operation or facility is abandoned. The policy also directs the approval officer (or inspector) to consider:

- the CFO's current use, if any
- the CFO's current condition
- what, if any, steps are being taken to keep the CFO's facilities in condition such that they could resume being used for livestock management without major upgrades or renovations
- when the CFO stopped being used, and the owner's reason for stoppage
- whether the operation changed ownership during the period of disuse
- the owner's reason for ceasing or postponing use and owner's intent with respect to future use of the CFO
- the value of the CFO facilities (independent of their permitted status) and the cost of reconstructing them if reconstruction is needed.

From my observations and from information obtained during my site inspection, I was able to assess the status of the site:

- In 2012, the operation transitioned from a finishing operation to a backgrounding operation.
- The CFO is currently being used to background calves in the summer months until November/December.
- There was no indication of any intent not to operate as a CFO in the future.
- During my site inspection on February 13, 2024, I observed permanent infrastructure consisting of permanent pens constructed which included wind walls, automatic waterers, and fence line feeding panels. I also observed handling and sorting corrals. The infrastructure appeared to be well maintained and in good condition. Most of the pens were empty at the time of inspection with the exception of a couple of pens which housed some weaned calves and bulls.
- Based on my observations of the conditions of the site, the CFO can continue being used without any major upgrades or renovations.

Having considered the evidence and issues that relate to assessing abandonment, I am of the opinion that the CFO at SW-12-55-27-W4 is not abandoned.

## **6.2 Disturbed Liner**

The *Grandfathering (Deemed Permit)* Policy states that facilities that are deemed to have an AOPA permit retain that deemed status only as long as the essential conditions of those facilities remain as they were on January 1, 2002.

The policy objective behind grandfathering is to protect legitimate expectations and reduce unfairness to operators who did not receive adequate notice of AOPA Part 2 taking effect from being expected to conform to the "new" standards. When AOPA was being developed, the expectation was that, over time, older facilities would adhere to AOPA's requirements as they



were upgraded or replaced. The idea is that, prior to AOPA, operators made their investment decisions on the basis of the rules as they stood at the time, and that it would be unfair to subject those operators to the new rules.

If an operator substantially changes the liner of a grandfathered manure storage facility or collection area, then the policy objective behind grandfathering that liner is erased. In addition, as a general rule, if a deemed facility is changed in a way that constitutes “construction” under AOPA, including the NRCB’s interpretation, then that facility will lose its deemed status. This rule applies even where the “construction” does not alter the existing liner (e.g. but where capacity of manure storage or collection increases). Further explanation of what constitutes “construction” is provided in NRCB Operational Policy 2012-1: *Unauthorized Construction*, and the NRCB’s *Livestock Pen Floor Repair and Maintenance* Fact Sheet.

In this case, there is no information that any liners or protective layers for the CFO facilities were disturbed in a way that would constitute “construction” and would invalidate the deemed permit.

## **7.0 Conclusion**

Having reviewed all the evidence listed above, I have determined that the CFO at SW-12-55-27-W4, currently owned by 966827 Alberta Ltd. (Merrick Campbell):

1. existed on January 1, 2002
2. was above AOPA permitting thresholds for beef finisher animals on January 1, 2002
3. has the same footprint (for confining cattle) today as it did on January 1, 2002
4. has the same structures (for confining cattle) today as it did on January 1, 2002
5. does not have a development permit issued prior to January 1, 2002 from Sturgeon County
6. was feeding beef finisher animals on January 1, 2002
7. had enclosures with the physical capacity to confine 1,000 beef finisher animals on January 1, 2002
8. claimed capacity of 1,000 beef finisher animals is within a reasonable range of the physical capacity of beef finisher animals on January 1, 2002.

Therefore, under section 18.1 of AOPA, the owner or operator of the CFO has a deemed approval with the capacity for 1,000 beef finishers.

I have determined that the CFO has not been abandoned, has not had any of its liners disturbed, and the deemed NRCB permit under AOPA is still valid today.

Furthermore, I conclude that the only directly affected parties of this decision are: 966827 Alberta Ltd., Merrick Campbell and Sturgeon County.

July 10, 2024

(Original signed)

Cathryn Thompson  
Inspector – Natural Resources Conservation Board

## **8.0 Appendices**

- A. 5-92-08 Certificate of Compliance (Alberta Agriculture), dated December 14, 1992
- B. Grandfathering Determination Request to NRCB (February 2, 2024)
- C. Cattle and feed inventory as of December 31, 1999, dated January 7, 2000 (supplied by Merrick Campbell)
- D. May 12, 2001 Aerial Image of Operation (supplied by Merrick Campbell)
- E. December 31, 2001 Cattle inventory (supplied by Merrick Campbell)
- F. January 3, 2003 Cattle and feed Inventory (supplied by Merrick Campbell)
- G. Fat Cattle Sale Records, dated December 12, 2003, December 22, 2003, February 20, 2004 and April 16, 2004
- H. Response from Sturgeon County (March 15, 2024)
- I. 2020 Google Maps Imagery (labelling done by Cathryn Thompson)
- J. Livestock Capacity Calculations (per Agdex 096-81)

# Appendix A



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December 15, 1992

Don Campbell and Sons  
R.R. #1  
Calahoo, Alberta  
T0G 0J0

Enclosed is your Certificate of Compliance for your existing feedlot operation. Note that you should have at least 125 acres of cultivated land on which to spread manure, and that any future expansion would require a permit from the M.D. of Sturgeon.

If you have any questions, please give me a call.

Sincerely,

A handwritten signature in cursive script, appearing to read "Wayne Winchell".

Wayne Winchell  
REGIONAL ENGINEER

WW/lr  
Encl.

c.c. Ken Gwozdz - Development Officer  
Gizela Chizik - Public Health Inspector  
Sheldon Imrie - Environmental Engineer

COPY



# CERTIFICATE OF COMPLIANCE

## FOR CONFINEMENT LIVESTOCK FACILITIES

CERTIFICATE No. 5-92-08

APPLICATION No. 5-92-08 THIS CERTIFICATE DATED December 14 1992

OWNER/OPERATOR Don Campbell and Sons

OWNER/OPERATOR ADDRESS R.R. #1, Calahoo, Alberta T0G 0J0

THIS CERTIFICATE REFERS TO The existing 1000 head beef feedlot on S.W. 12-55-27-W4

ON THE BASIS OF THE APPLICATION SUBMITTED AND FOLLOWING A RECENT INSPECTION OF THE SITE, THIS CONFINEMENT LIVESTOCK FACILITY IS CONSIDERED TO BE IN SUBSTANTIAL COMPLIANCE WITH THE REQUIREMENTS OF THE CONFINEMENT LIVESTOCK FACILITIES WASTE MANAGEMENT CODE OF PRACTICE.

ANY REQUIREMENTS SET OUT IN THIS CERTIFICATE BY THE DEPARTMENT OF THE ENVIRONMENT OR THE DEPARTMENT OF AGRICULTURE MUST BE SATISFIED FOR THIS CERTIFICATE TO REMAIN IN FORCE.

ISSUED JOINTLY BY



ENVIRONMENT

AGRICULTURE

\* A CERTIFICATE OF COMPLIANCE WILL BE ISSUED UPON SUCCESSFUL COMPLETION OF THE PROJECT



ENVIRONMENT

CERTIFICATE NO.

..5-92-00.....

TERMS, CONDITIONS AND REQUIREMENTS ATTACHED TO CERTIFICATE OF COMPLIANCE

CAMPBELL AND SONS  
RR 1  
CALAHOO AB T0G 0J0

RE: Feedlot Operation (667 animal units)  
on the Southwest Quarter of Section 12,  
Township 55, Range 27, West of the 4th Meridian

1. The owner/operator is to ensure that all runoff associated with the feedlot operation of this facility is contained within the owner's property.
2. The owner/operator is to maintain a high degree of cleanliness in and around this facility and employ modern technology to minimize odour nuisances to neighbouring residences.
3. All manure is to be land spread at a rate not to exceed the nutrient requirements of the crop to be grown.
4. Due to the proximity of this feedlot to neighbouring residents, extra care must be taken when spreading manure and waste to ensure a minimum odour nuisance.
5. Periodic analysis of any drinking water wells is recommended.



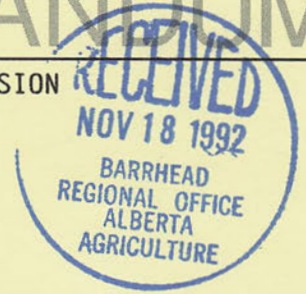
Sheldon Imrie  
Standards and Approvals Division  
Edmonton



# MEMORANDUM

ENVIRONMENT

STANDARDS AND APPROVALS DIVISION



FROM Sheldon Imrie  
Environmental Engineer  
Water Quality Branch

OUR FILE REFERENCE

YOUR FILE REFERENCE

TO Wayne Winchell  
Regional Agricultural Engineer  
Alberta Agriculture

DATE November 13, 1992

TELEPHONE 427-5888

SUBJECT Certificate of Compliance  
Don Campbell and Sons

Enclosed are the environmental terms for the above operation.

  
Sheldon Imrie

Enclosure

tdd/2194C





Box 174, 23 Sir Winston Churchill Avenue, St. Albert, Alberta T8N 1N3 Telephone: 459-6671 Fax: 460-2829

1992 11 18



Mr. Wayne Winchell  
Regional Agricultural Engineer  
Alberta Agriculture  
Northwest Regional Office  
Box 1540  
Barrhead, AB  
T0G 0E0

Dear Wayne

Re: Certificate of Compliance  
SW 12-55-27 W4  
M.D. of Sturgeon  
Don Campbell and Sons

An inspection of the above-noted facility was completed.

From an environmental health point of view no problems were obvious.

Yours truly,

Gizela Chizik, C.P.H.I.(C)  
Public Health Inspector

GC/lp





**Municipal District of Sturgeon No. 90**  
9601 - 100 Street, Morinville, Alberta T0G 1P0 Telephone 939-4321

October 26, 1992

YOUR FILE:

OUR FILE:

Alberta Agriculture  
Northwest Regional Office  
Box 1540  
Barrhead, Alberta  
T0G 0E0

Attention: Wayne Winchell  
Regional Agricultural Engineer

Dear Sir:

Re: Existing 1000 Head Beef Feedlot  
Don Campbell & Sons  
SW 12-55-27-W4th

We acknowledge receipt of your October 15, 1992 letter regarding Don Campbell's application for a Certificate of Compliance on their existing Beef Feedlot.

Upon review of the Municipal Land Use Bylaw 636/89 and our files, this existing intensive beef operation complies with our Municipal regulations as the use exists. If the existing operation was to be expanded in the future, a Permit from the Municipal District would be required from the landowner.

Therefore, we have no further comments to offer at this time.

Please be advised that Greg Daruda is no longer with the Municipal District of Sturgeon.

If we can be of any further assistance to your office, please do not hesitate to contact the undersigned at 939-4321.

Yours truly,

Ken Gwozdz  
Development Officer

KG/lab

Northwest Regional Office

Box 1540  
Barrhead, Alberta  
Canada T0G 0E0

Telephone 403/674-8264  
Fax 403/674-8309

October 15, 1992

Sheldon Imrie  
Environmental Engineer  
Water Quality Branch  
Alberta Environment  
9820-106th Street  
Edmonton, AB  
T5K 2J6

Enclosed is an application for a Certificate of Compliance for Don Campbell and Sons on their existing 1000 head beef feedlot on SW12-55-27-W4. Could you please review this application and pass on any comments or concerns your office may have. Thank you for your cooperation.

*Original signed by WW*

Wayne Winchell  
REGIONAL AGRICULTURAL ENGINEER

WW/bn

enc.

Northwest Regional Office

Box 1540  
Barrhead, Alberta  
Canada T0G 0E0

Telephone 403/674-8264  
Fax 403/674-8309

October 15, 1992

Ken McAmmond  
Health Inspector  
Sturgeon Health Unit  
Box 174  
23 Sir Winston Churchill Avenue  
St. Albert, AB  
T8N 1N3

Enclosed is an application for a Certificate of Compliance for Don Campbell and Sons on their existing 1000 head beef feedlot on SW12-55-27-W4. Could you please review this application and pass on any comments or concerns your office may have. Thank you for your cooperation.

*Original signed by WW*  
Wayne Winchell  
REGIONAL AGRICULTURAL ENGINEER

WW/bn

enc.



Northwest Regional Office

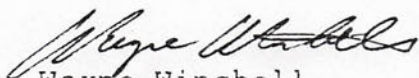
Box 1540  
Barrhead, Alberta  
Canada T0G 0E0

Telephone 403/674-8264  
Fax 403/674-8309

October 15, 1992

Greg Daruda  
Development Officer  
M.D. of Sturgeon  
9601 100 Street  
Morinville, AB  
T0G 1P0

Enclosed is an application for a Certificate of Compliance for Don Campbell and Sons on their existing 1000 head beef feedlot on SW12-55-27-W4. Could you please review this application and pass on any comments or concerns your office may have. Thank you for your cooperation.



Wayne Winchell  
REGIONAL AGRICULTURAL ENGINEER

WW/bn

enc.

**APPLICATION FOR A CERTIFICATE OF COMPLIANCE**  
FOR THE CONSTRUCTION OR OPERATION OF CONFINEMENT LIVESTOCK FACILITIES

Application No.: 5-92-08 Date of Application: \_\_\_\_\_

1. HAS A CERTIFICATE PREVIOUSLY BEEN ISSUED ON THIS LAND?

\_\_\_\_ Yes    ✓ No    \_\_\_\_ Don't Know

2. TYPE OF FACILITY:

1 \_\_\_\_ New                      2 ✓ Existing  
3 \_\_\_\_ Expansion            4 \_\_\_\_ Remodelling


3. EXPECTED COMPLETION DATE \_\_\_\_\_

4. OPERATION OWNER - (Individual, Partnership, Company)

(A) Name: CAMPBELL AND SONS

(C) Telephone No. \_\_\_\_\_

(B) Address: RR1

Day 

CALATHO

Eve. \_\_\_\_\_

TOGOJO

5. LOCAL CONTACT MAN - (Manager, Foreman, etc. where other than Owner)

(A) Name: \_\_\_\_\_

(C) Telephone No. \_\_\_\_\_

(B) Address: \_\_\_\_\_

Day \_\_\_\_\_

Eve. \_\_\_\_\_

6. LOCATION:

(A) I) Municipality: M.D. OF STURGEON

II) 8W 1/4 of Sec. 12 Tp. 55 Rg. 22 W of 4 th Mer.

III) Size of titled parcel on which the livestock facility is to be located 160 ACRES

\_\_\_\_\_ ha/ac.

IV) Zoning of building site AGRICULTURE

(I.e. Agriculture, Country Res., Subdivision, Don't Know, etc.)

OFFICE USE ONLY:

1. If yes, give previous certificate number:

3 \_\_\_\_\_

2. 4 \_\_\_\_\_

3. 5 \_\_\_\_\_  
(YY/MM/DD)

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

9 \_\_\_\_\_

11 \_\_\_\_\_

Recommended  
MDS Distance

## (B) Distance and Direction of Proposed Facilities from Border of Nearest Urban Center,

Residence, Public Place, etc.

m means metres  
km means kilometres (1000 m)

- I) 1 <sup>m</sup>/<sub>km</sub> NE of CALAHOU  
Distance Direction Urban Centre
- II) 2.5 <sup>m</sup>/<sub>km</sub> N of SHIL-SHOLE ESTATES  
Distance Direction Commercial, Country Residential, High Use  
Recreational
- III) 4 <sup>m</sup>/<sub>km</sub> NE of Area Designated Institutional  
Distance Direction
- IV) 4 <sup>m</sup>/<sub>km</sub> NE of Public Place (Low Use Recreational, School,  
Distance Direction Church, Etc.)
- V) 400 <sup>m</sup>/<sub>km</sub> S of Nearest Neighbor  
Distance Direction
- VI) 500 <sup>m</sup>/<sub>km</sub> NE of Next Nearest Neighbor  
Distance Direction
- VII) 200 <sup>m</sup>/<sub>km</sub> S of SPRING RUNOFF COURSE  
Distance Direction Watercourse (River, Irrigation Canal, Drain, Lake, Etc.)
- VIII) \_\_\_\_\_ <sup>m</sup>/<sub>km</sub> \_\_\_\_\_ of \_\_\_\_\_  
Distance Direction Non-Conforming Use

710 m445 m710 m360 m312 m312 m50 m

\_\_\_\_\_ m

Do all MDS values meet  
required conditions?7. 12 No ☒ Yes

## 7. WATER SOURCE:

(A) ☒ HOUSE Well, (2) ☒ Dugout, \_\_\_\_\_ Other (Specify) \_\_\_\_\_

(B) Is Water Source Used to Supply Residence?

\_\_\_\_\_ Yes \_\_\_\_\_ No, Specify DUGOUTS FOR LIVESTOCK

## 8. DESCRIPTION OF CONFINEMENT FACILITY

	Existing	Proposed	Comments
(A) Type:			
(i) Open Dirt Lot			
With _____ / Without <input checked="" type="checkbox"/> Shed	( <input checked="" type="checkbox"/> )	( )	
(ii) Paved Lot			
With _____ / Without _____ Shed	( )	( )	
(iii) Total Confinement Building			
Modified Environment	( )	( )	
Uninsulated and Unheated	( )	( )	
Fully Insulated, Ventilated and Heated	( )	( )	
(B) Average slope of open lot	<u>1-6</u> %	_____ %	
(C) Area / Animal (sq. m/A.U.)	<u>250</u>	_____	
(D) Subsoil Description at Site			
Clay	( <input checked="" type="checkbox"/> )	( )	
Clay Loams	( <input checked="" type="checkbox"/> )	( )	
Loams or Sandy Loams	( )	( )	
Sand or Gravel	( )	( )	

## TOTAL ANIMAL UNITS

ANIMALS	EXISTING CAPACITY	ADDITIONAL CAPACITY	TOTAL CAPACITY MAXIMUM NUMBER AT ANY TIME	DIVIDE BY FACTOR	TOTAL NUMBER OF ANIMAL UNITS	OFFICE USE ONLY
FEEDLOT COWS AND BULLS CALVES FEEDER CATTLE	1000		1000	1.0 5.0 1.5	667	1. FEEDLOT _____
COW/CALF COWS AND BULLS CALVES	100 (ON GRASS AND LARGE WINTER FEEDING AREA)			1.0 5.0		2. COW/CALF _____
DAIRY COWS (Milking Herd) REPLACEMENT HEIFERS CALVES				0.8 2.0 5.0		3. DAIRY _____
SOWS FEEDER HOGS WEANER HOGS				3.0 5.0 15.0		4. HOGS _____
CHICKEN BROILERS TURKEY BROILERS				250.0 100.0		5. BROILERS _____
TURKEY HENS HEAVIES TURKEY TOMS, HEAVIES				75.0 50.0		6. TURKEYS _____
HENS, COCKERELS				125.0		7. LAYERS _____
RAMS OR EWES LAMBS				5.0 12.0		8. SHEEP _____
HORSES MINK (FEMALE & ASSOCIATED MALES & KITS) RABBITS OTHERS				1.0 80.0 40.0		9. OTHERS _____
TOTAL			1000		667	

## 10. MANURE MANAGEMENT METHODS

## 1. Liquid Manure

A. Method of Collection: (e.g. Slats,  
Flushing Gutter, Scrapers, Etc.)

EXISTING

PROPOSED

NA

## B. Storage:

I) Inside Barn - type and size

II) Outside Barn - type and size

III) Days of Available Storage:

(days)

(days)

IV) Method of Clean-Out:

## C. Earth Lagoon Site Investigation:

I) Soil Type to depth of 5 metres:

II) Surface Water Diversion:

III) Groundwater Information:

NA

## 10. OFFICE USE ONLY:

Liquid \_\_\_\_\_

Solid \_\_\_\_\_

or

Both \_\_\_\_\_

## 2. Solid Manure

OFFICE USE ONLY:

A. Method of Collection:

IN LOT

B. Storage Period in Days:

350 ±

I) Is Seepage Controlled?

\_\_\_ YES \_\_\_ NO SPECIFY \_\_\_

II) Is Fly-Control Employed?

\_\_\_ YES ☒ NO SPECIFY \_\_\_

NOTE: Liquid Manure Storage Area should be Posted for Noxious Gases.

### 11. RUN-OFF CONTROL

11.

(A) Where does feedlot run-off go? (on own farm, off farm, other)

ON FARM

(B) Abatement measures employed by owner CATCH BASIN (IF REQUIRED)

(C) Catch Basin Design is to include total area drained

(i.e. Pens plus surrounding land within control structures) = \_\_\_\_\_ ha/ac

For assistance in calculating the size of the catch basin and the location of control structures contact the Regional Agricultural or Environment Office in your area.

(See Code of Practice page 31 Appendix F for location and phone no. of these offices)

### 12. MANURE DISPOSAL ON LAND

12.

(A) Tillable Land Available: Owned 480 ha/ac; Leased 500 ha/ac;  
or Neighbors Land \_\_\_\_\_ ha/ac.

(B) Land Required:

I) Livestock 1000 ÷ Max. Livestock/Hectare\* 8 = 125

II) Livestock \_\_\_\_\_ ÷ Max. Livestock/Hectare\* \_\_\_\_\_ = \_\_\_\_\_

III) Livestock \_\_\_\_\_ ÷ Max. Livestock/Hectare\* \_\_\_\_\_ = \_\_\_\_\_

\*(Table 6 of Code of Practice)

Total 125

(C) Method of Incorporation

HAY/GRASS  
LAND

(D) Timing of Disposal: (Annual, Semi Annual, Monthly, etc.)

ANNUALLY / SEPT/OCT.

### 13. PLANS OF PROPOSED OR EXISTING OPERATION (Sheet Enclosed)

13.

(A) Farmstead Layout including Enclosures and Facilities

(B) Site Plan (including)

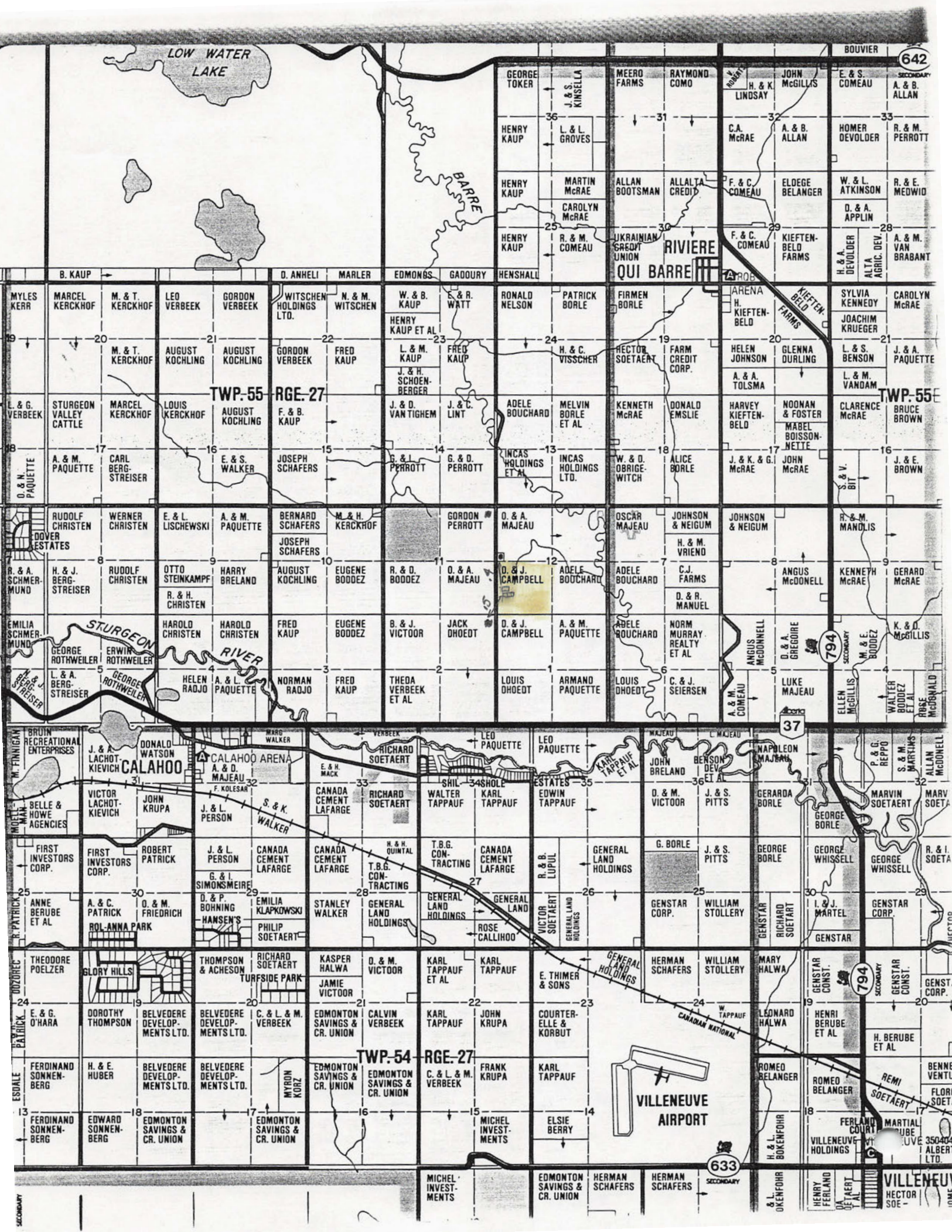
(i) Location of Water Source(s)

(ii) Topographic Features, e.g. slopes, watercourses, etc.

(iii) Location of Neighboring Residences, Farmsteads, Parks, Urban Centres, Rivers and Owners to Adjacent Lands. Also, Location of Waste Disposal Areas.  
(Within a 3 km radius)

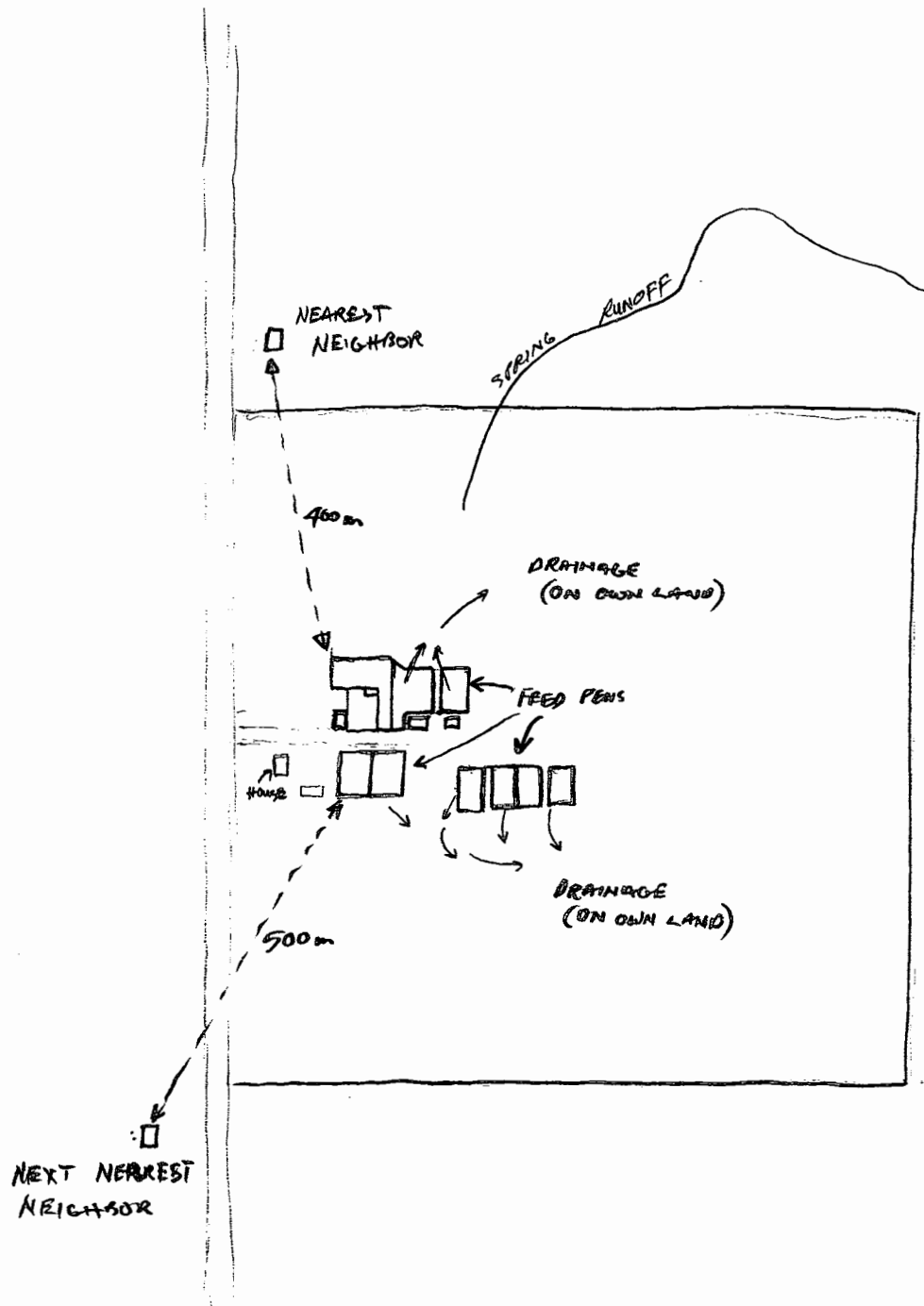
(iv) Additional Description and Optional Information.







13.(A) FARMSTEAD LAYOUT (show approximate scale)



13. (B) SITE PLAN (include all required information).

1 mi or  
1.6 km

NORTH

WEST

EAST

SOUTH

TOWNSHIP ..... RANGE ..... WEST OF .....<sup>th</sup> MER.

Show location of all existing facilities, residences, urban centres, watercourses, etc.  
within a two mile radius of planned or existing operation.

## MDS Calculation Form

- USE APPLICATION**
- To determine the setbacks and separation distance requirements between agricultural and non-agricultural developments in agricultural areas.
  - As a tool for implementing rural land use planning
  - As a guideline for certification of proposed changes to livestock facilities under the Alberta Certificate of Compliance program.

### II ASSESSMENT OF THE LIVESTOCK PROGRAM

1. Types of livestock, housing capacity and calculation of animal units (Table 2).

Type of Livestock	Existing Housing Capacity	Animal Units (Table 2)	Additional Capacity	Animal Units (Table 2)	Total Housing Capacity	Animal Units (Table 2)
BEEF FEEDLOT	1000	667				
COWCARE	100 (GRASS AND LARGE WINTER FEEDING PASTURE)					
Total Animal Units		667				667

2. Calculation of percentage increase in animal units
3. Selection of Factors
- (1) Factor for livestock to be added (Table 1) ..... Factor A 1.0
- (2) Factor for total number of animal units (Table 3) ..... Factor B 1.69
- (3) Degree of change ..... Factor C 1.7
- New operations C = 1.14  
Existing operations C = 0.70  
Expansion of operations (see Table 4)
- (4) Factor for manure system (Table 5) ..... Factor D 1.75
- × 100 =          % increase

### II CALCULATION OF MDS FOR NON-AGRICULTURAL DEVELOPMENT

Distance Coef.  $H = A \times B \times D \times E$

Coef. H =          ×          ×          ×          =         

MDS = Coef. H × 350m =         

Actual distance         

Application ☐ meets ☐ does not meet above criteria.

Encroachment Factor (Table 6) assesses degree of receptor change, therefore, the non-agricultural developments effect on overall conflict potential.

### V CALCULATION OF DISTANCE COEFFICIENT FOR CHANGE IN LIVESTOCK HOUSING

Distance Coef.  $F = A \times B \times C \times D = 1.0 \times 1.69 \times 1.7 \times 1.75$  Coef. F 1.89

Proceed with Coef. F to Section V for determination of MDS and sitting assessment.

### V CALCULATION OF MDS FOR AGRICULTURAL DEVELOPMENTS

#### TEST ONE

Calculation of acceptable distance (Col. C) between the subject structure and neighboring uses, and comparison with actual distances (Col. D.) Multiply basic distances (Col. A) times distance coefficient F (Col. B.)

#### TEST TWO

To be used when application fails to meet all criteria in Test One. (See Section VI for interpretation).

	Column A Basic Distance	Column B Coefficient F	Column C Acceptable Distance	Column D Actual Distance	Column E Col. D - Col. C	Column F Allowable Index
1. Area zoned or designated urban residential use	800 metres x	.89	= 712	4000		Min. 0.90 to Max. 1.50
2. Area designated large scale country residential	500 metres x	"	= 445	2500		Min 0.90 Max 1.50
3. Area designated high use recreational, commercial	500 metres x	"	445	4000	Insert lowest value of items 3, 4 & 5	Min. 0.90
4. Area designated institutional	800 metres x	"	712	4000		Max. 1.50
5. Area designated industrial, low use recreational	400 metres x	"	356	4000		Min 0.90 Max 1.50
6. Small scale country residential	400 metres x	"	356	8500		Min 0.90 Max 1.50
7. Nearest neighbor	350 metres x	"	312	400		Min. 0.90 (0.50)* Max. 1.50
8. Next nearest neighbor	350 metres x	"	312	500		Min. 0.90 (0.50)* Max. 1.50

Totals shall exceed 7.40, 7.20 or 7.00 as outlined in section VI (2)

TOTAL\*

\* See exceptions outlined in section VI (1)

### VI EVALUATION OF TEST TWO

To pass test two, the following conditions must be met:

- Each value in Column E must equal or exceed the value in Column F. Where nearest or next nearest neighbor is an accessory to an Intensive Livestock Operation, values shall equal or exceed 0.50.
- The total values in Column E must equal or exceed the following values:

Where nearest and next nearest neighbor is not an I.L.O.  
Where one of nearest or next nearest neighbor is an I.L.O.  
Where both nearest and next nearest neighbor are I.L.O.'s

Min. Value  
7.40  
7.20  
7.00

Application meets ☒ does not meet ☐ Test One

meets ☒ does not meet ☐ Test Two



FROM Sheldon Imrie  
Environmental Engineer  
Water Quality Branch

OUR FILE REFERENCE

YOUR FILE REFERENCE

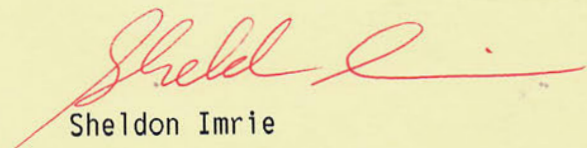
TO Wayne Winchell  
Regional Agricultural Engineer  
Alberta Agriculture

DATE October 26, 1992

TELEPHONE 427-5888

SUBJECT Don Campbell and Sons  
Application for a Certificate of Compliance

The subject application was incomplete as Section Ten: Manure Management Methods, was not filled out. Please inform the applicant to provide the information, the processing of the environmental terms for the Certificate of Compliance will continue at that time.

  
Sheldon Imrie

tdd/2113C



# Grandfathering Determination Request



**NRCB** Natural Resources  
Conservation Board

Request under the *Agricultural Operation Practices Act (AOPA)* for a grandfathering determination for a confined feeding operation (CFO), manure collection area (MCA), or manure storage facility (MSF)

<b>NRCB USE ONLY</b>	NRCB Grandfathering Number	Date Stamp
		<b>NRCB APPLICATION FEB 02 2024 RECEIVED</b>

## CONTACT/OWNER INFORMATION

Name of owner: <b>Merrick Campbell</b>	Corporate Name (if applicable): <b>96682745 Ltd o/a The Campbells</b>	
Name of person making request: <b>Merrick Campbell</b>		
Address: (Street/P.O. Box) <b>55107 RR 271</b>		
City/Town: <b>Sturgeon County</b>	Province: <b>Ab</b>	Postal Code: <b>T8R 1W4</b>

## LOCATION FOR WHICH GRANDFATHERING DETERMINATION IS REQUESTED

Legal Land Description: <b>SW 12-55-27-W4+6</b>	(Qtr-Sec-Twp-Rg-W Mer)
County/Municipal District: <b>Sturgeon County</b>	
Is the person making the request the registered landowner?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If no, please attach letter of consent signed by all landowners)	
Does this legal land location have an existing permit(s) for CFO facilities? (e.g. municipal development permit.):	
<input type="checkbox"/> Yes (if yes please provide a copy) <input type="checkbox"/> No    Permit(s) #:	

## Claimed Grandfathered Livestock Capacity (Capacity of the enclosures On **January 1, 2002**)

Livestock category and type	Claimed grandfathered livestock capacity
1000 hd Beef feedlot	Background + finish
200 hd Cow/calf	

## Claimed Grandfathered Facilities (On **January 1, 2002**)

Facility Name	Dimensions Length x width (x depth as applicable) (m)	Description of management of the facility (Seasonal use, movement of livestock, type of livestock etc.)
The Campbells	20 acres	9 Feedlot Pens, Cattle Process Area, Grain Handling System, Water Distribution
		3 silage Pits, Bale Storage, Equipment Shop, Fuel Storage



# Grandfathering Determination Request



**NRCB** Natural Resources Conservation Board

**Information to support grandfathering determination request:** (Provide all relevant information to support the grandfathering claim. This can include, permits issued prior to January 1, 2002, records supporting the claimed capacity, photographs, details of facilities used to confine livestock, site layout plan, etc. Attach pages as required.)

Types of Records for Years 2000-2004	Yes	No	Comments
Aerial imagery (old farm photos)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Photographs (personal photos taken of animals/facilities)	<input type="checkbox"/>	<input type="checkbox"/>	
Livestock Purchase Records (auction market receipts)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Taxes
Livestock Sales Records (auction market receipts)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Taxes
Financial Records (Taxes)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Feed, Straw, Mineral Purchase Records	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Taxes
Government Support Program Records (GRIP, NISA)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Taxes
Premises Identification Registration Records	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2008 application 1000 hd Feedlot
Quota Records	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Veterinary Records	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Taxes
Manifests	<input type="checkbox"/>	<input type="checkbox"/>	
Calving/Farrowing/Lambing etc. Records	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Livestock Health Records (records of livestock treatments/vaccinations)	<input type="checkbox"/>	<input type="checkbox"/>	
Purchases of Livestock Holding/Handling Equipment (poultry cages, dairy cow beds/stalls, farrowing crates)	<input type="checkbox"/>	<input type="checkbox"/>	
Testimonies from Employees or Family Members (that worked on the operation in 2002-2004 and could be contacted now)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building and Construction Records (concrete bunks, buildings, sheds, slab fences, barns, waterers, etc.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	New Well Tie-in
Any Diaries, Journals or Daily Logs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Certificate of Compliance Dec 15/1992 # 5-92-08 Site Tour?

# Grandfathering Determination Request



NRCB Natural Resources  
Conservation Board

## REQUEST DISCLOSURE

I acknowledge that this information is collected under the authority of the *Agricultural Operation Practices Act*, is subject to the provisions of the *Freedom of Information and Protection of Privacy Act*, and shall be deemed public unless the NRCB grants a written request that certain sections remain private.

I, the owner, or agent of the owner, have read and understand the statements herein and acknowledge that the information provided in this application is true to the best of my knowledge.

Feb 2 / 2024

Date of signing

966827 Ave L + 2 o/a The Campbells

Corporate name (if applicable)

Signature

Merrick Campbell

Print name

This contact information is only for NRCB, municipal, and referral agency use, and is not for public disclosure.

### Owner Contact Information

Name:

Merrick Campbell

Corporate Name (if applicable):

966827 Ave L + 2 o/a The Campbells

Contact  
Numbers

Business:

Home:

Email:

### Person (Other than Owner) Requesting the Determination Contact Information (if applicable)

Name:

Relationship to Owner:

Contact  
Numbers

Home:

Cell:

Email:



**Redacted due to sensitive commercial information**

No.	Description	Average Value \$	Total Value \$
20hd	Breed Heifers ✓		
131 hd	Cows ✓		
8hd	Bulls ✓		
	TOTAL		

NO.	DESCRIPTION	AVERAGE WEIGHT	MARKET PRICE \$	TOTAL VALUE \$
204hd	Fat Stags Fort Feeders Assoc. ✓	1100 lbs		
52hd	Fat Hefts Fort Feeders Assoc ✓	1100 lbs		
49hd	Fat Hefts Campbell's own ✓	1100 lbs		
15hd	Cull Cows Campbell's own ✓	1200 lbs		
1hd	Cull Bull Browns Horned Hae ✓	1800 lbs		
147hd	Weaned Calves ✓	500 lbs		

OWING TO		DUE DATE	TOTAL PRINCIPAL OWING
[REDACTED]			
TOTAL			

ACCOUNTS RECEIVABLE		
BY WHOM OWED	DUE DATE	AMOUNT
Fat str, full feed Dec 9/99		
Fat Heft " " Nov 9/99		
		TOTAL
		Tan 7/00

TOTAL OF ABOVE ACCOUNTS PAYABLE	\$	
TOTAL OUTSTANDING CHEQUES	\$	
BALANCE BANK OPERATING LOAN	\$	
TOTAL B	\$	

Dated at for Dec 31/99 this Jan 7 day of 2000 19\_\_

Witness: inventory



## STATEMENT OF GOODS, LIVESTOCK, PAYABLES AND RECEIVABLES

To The Manager,  
The Toronto-Dominion Bank,

I/We \_\_\_\_\_, of the Post Office of \_\_\_\_\_

in the Province of \_\_\_\_\_ (Occupation)

do certify that I am/we are the sole owner of the undermentioned goods and/or livestock; that all of them are now in my/our possession and are free from any mortgage, lien or charge except any security held by your Bank and except as set out hereunder, and that there are no Judgments or Executions against me/us except as set out hereunder:

Liens, etc. \_\_\_\_\_

Judgments, etc. \_\_\_\_\_

and the said goods and/or livestock mortgaged to and/or assigned to The Toronto-Dominion Bank as security for advances made to me/us are now situate on or about the premises described as follows:

## FEED AND FARM SUPPLIES

DESCRIPTION	QUANTITY	MARKET PRICE \$	TOTAL VALUE \$
198 Alf Silage ✓	92 lbs		
199 Clover + Alf Silage ✓	298 lbs		
199 Barley Silage ✓	224 lbs		
Barley Feed	5000 bus.		
10% Beef Supplement	8 toms		
Hay ✓	87 bales		
Straw ✓	832 bales		
		TOTAL	

## CROP INVENTORY FOR SALE

[illegible]

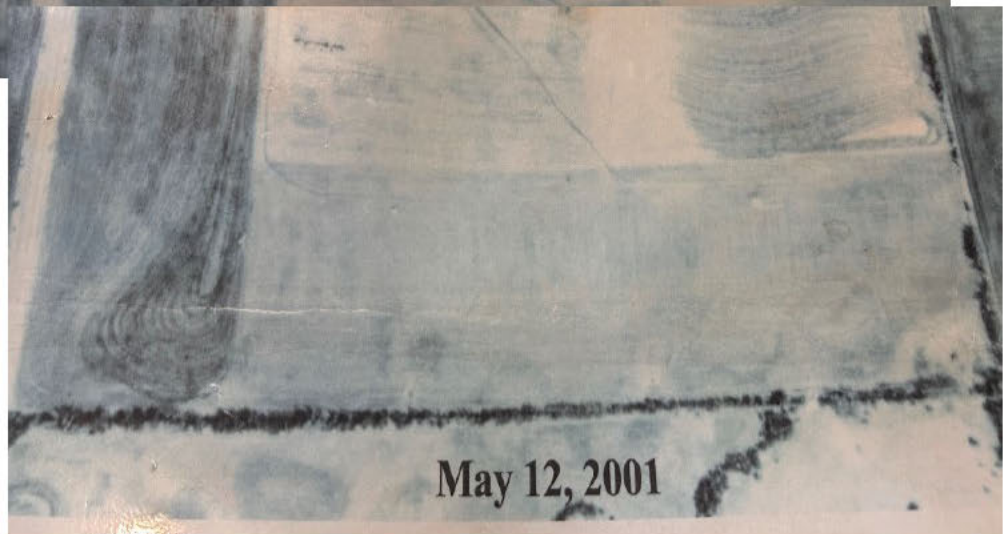
CONTINUED ON REVERSE

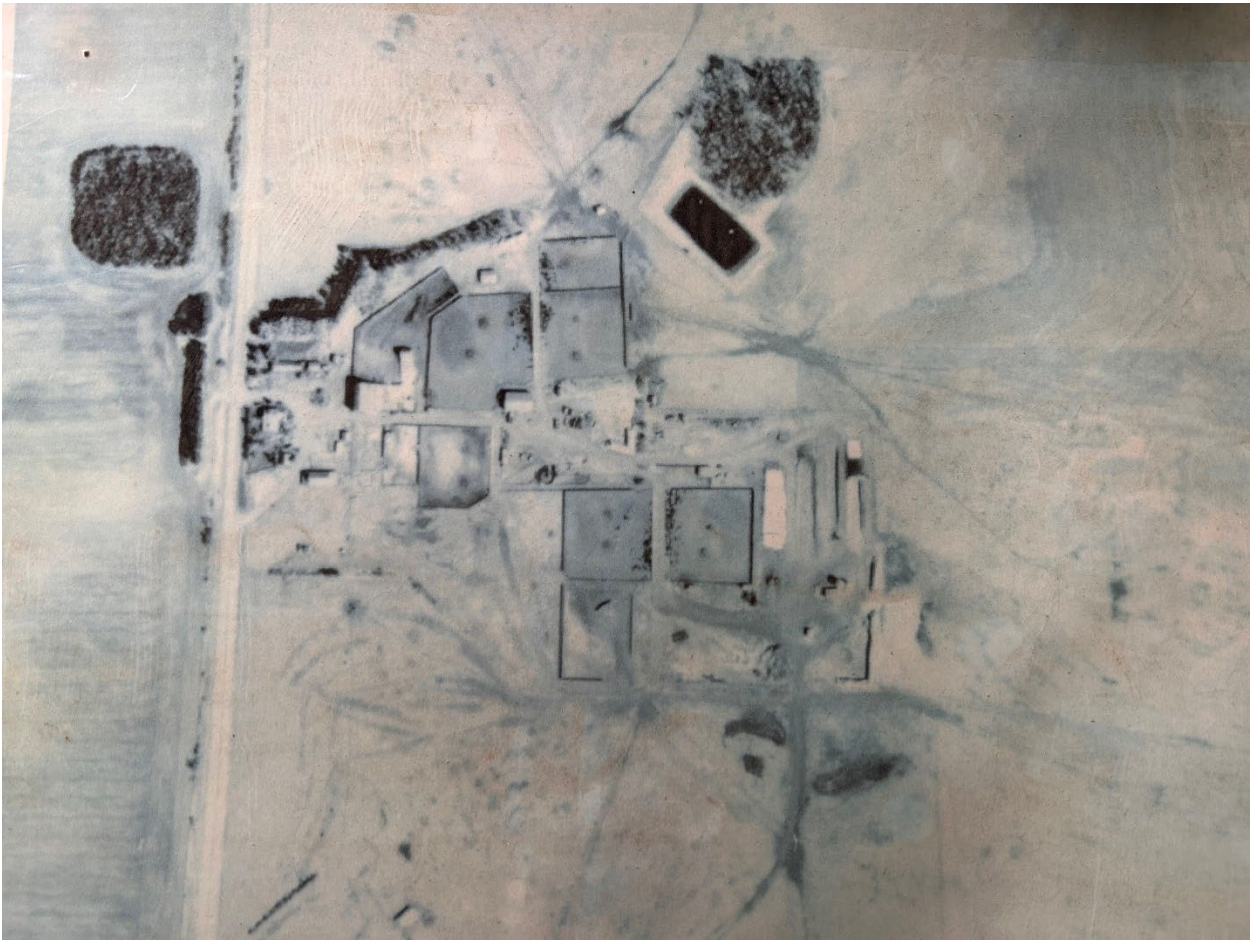


## Appendix D

### Aerial Image of Operation, Dated May 12, 2001. Photo provided by Merrick Campbell

Note: A large aerial image was provided and the image was too large to take a single photo of. Inspector C. Thompson took the following 3 photos of the aerial image. The first two photos show the entire operation (and the date of the aerial photo). The third photo is zoomed in to show the facilities at this operation.







Cattle Dec 31/01  
Breeding Stock

132hd Bred Cows x \$1000.00/hd  
20hd Bred Heif x 900.00/hd  
8hd Bulls x 1400.00/hd

Market Livestock

2hd Cull Cows 1400lbs x .47/lb

1hd Cull Bull 2000lbs x .60/lb

143 weaned calves 550wt x 1.20/lb  
The Campbells 66 Heif 77 stas (Aprn/02)

47 Fat Stas 1425 x .97<sup>45</sup>/lb  
Fort Feeders Mennick's Contract

103 Fat Heifs 1200 x .97/lb  
The Campbells 53 Home Raised  
50 purchase

188 Grass Stas 1000 x 1.00/lb  
Fort Feeders Don's Contract



**Redacted due to sensitive commercial information**

## MARKET LIVESTOCK

### ACCOUNTS PAYABLE

(INCLUDING TAXES, RENTALS, LOANS, WAGES, ETC.)

## ACCOUNTS RECEIVABLE

TOTAL VALUE OF ABOVE INVENTORY \$ \_\_\_\_\_

ACCOUNTS RECEIVABLE \$ \_\_\_\_\_

CASH ON HAND \$ \_\_\_\_\_

TOTAL A \$ \_\_\_\_\_

TOTAL OF ABOVE ACCOUNTS PAYABLE	\$ _____
TOTAL OUTSTANDING CHEQUES	\$ _____
BALANCE BANK OPERATING LOAN	\$ _____
TOTAL B	\$ _____

I hereby certify the above is a true statement, and that the information is given for the purpose of assuring the Bank as to the ownership, condition, location and value of the said goods and/or livestock for the purpose of obtaining credit from, and/or obtaining an extension of time for payment of my/our indebtedness to, The Toronto-Dominion Bank.

Dated at \_\_\_\_\_ this 6th day of July 1985

Witness:



To The Manager,  
The Toronto-Dominion Bank,

I/We \_\_\_\_\_, of the Post Office of \_\_\_\_\_

in the Province of \_\_\_\_\_

(Occupation)

do certify that I am/we are the sole owner of the undermentioned goods and/or livestock; that all of them are now in my/our possession and are free from any mortgage, lien or charge except any security held by your Bank and except as set out hereunder, and that there are no Judgments or Executions against me/us except as set out hereunder:

Liens, etc. \_\_\_\_\_

Judgments, etc. \_\_\_\_\_

and the said goods and/or livestock mortgaged to and/or assigned to The Toronto-Dominion Bank as security for advances made to me/us are now situate on or about the premises described as follows:

#### FEED AND FARM SUPPLIES

DESCRIPTION	QUANTITY	MARKET PRICE \$	TOTAL VALUE \$
/01 Alfafa Silage	408 ton		
/02 Barcal Silage	1000 ton		
102 Alfafa Silage	179 ton		
Feed Barley	1600 bu		
10% Beef supp / Rumin	2 tonne		
CFS Beef min / Rumin	1 tonne		
Bedding Bark	8 lds		
		TOTAL	

#### CROP INVENTORY FOR SALE

CROP	QUANTITY	MARKET PRICE \$	TOTAL VALUE \$
TOTAL			

Jun 3/03

CONTINUED ON REVERSE



# Appendix G

Redacted due to sensitive commercial information

Manifest for 20 helours  
25 hel F.F

Pull One Hel  
from SW Pen  
Stop

Dec 12/03

45 Fat Yearling Steers (20 ours 25 F.F.)

located in NE Shop Pen British Hereford

1350

For sale Wed Dec 17/03 on feed 129 days on sale day

Sell flat 1000

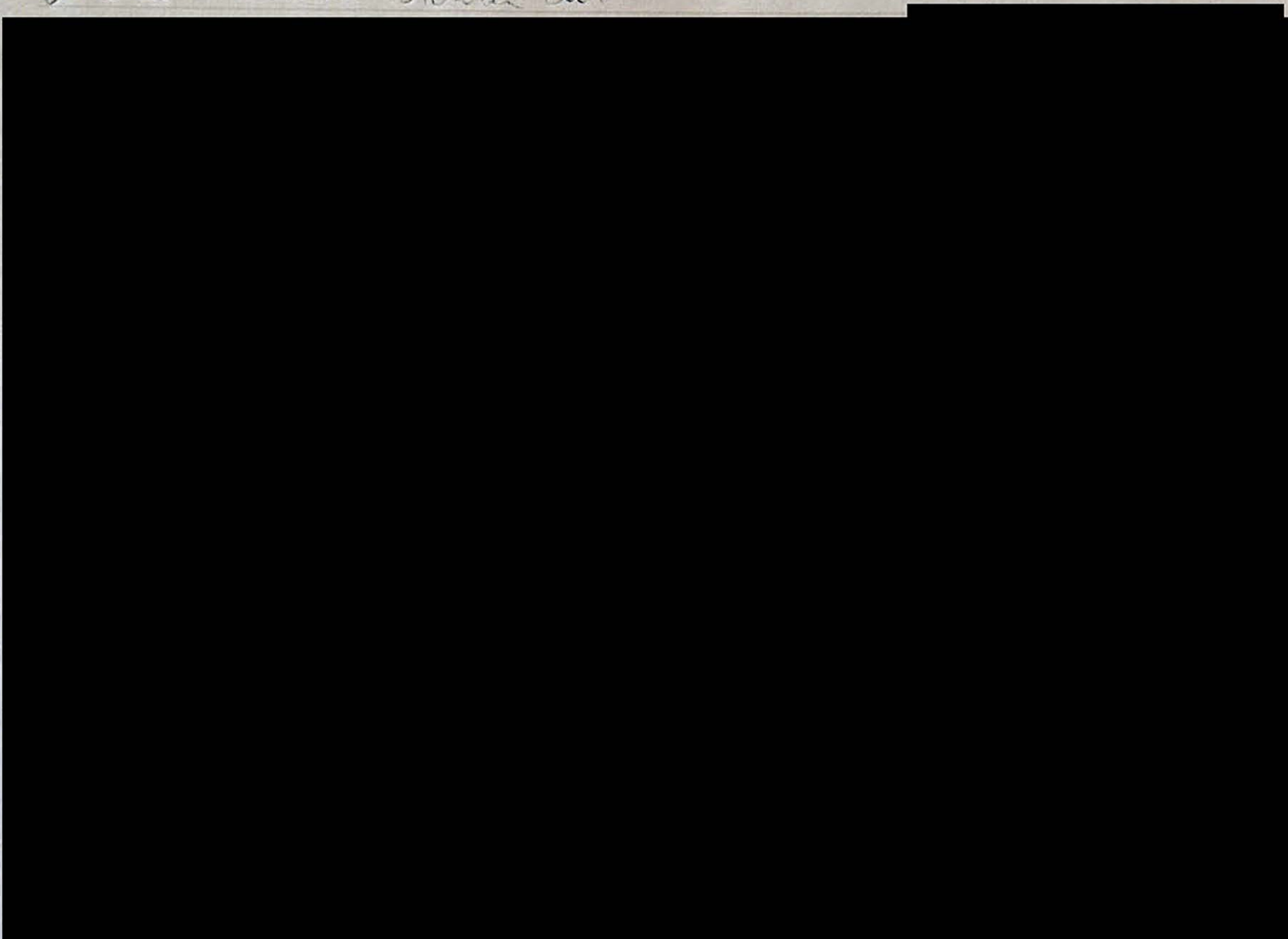
FOB the feedlot

bids close 1pm on sale day

No Implant, Vit E

2 Bud 1 Chronic Blotter out

Passed Dec 17/03





46

Fat Yearling Steers (2000 25FF)

Dec 22/03

NE Shop Pen

British

1350

Tue Dec 23

on feed 135

Pass

bids close 1pm

No Implants Vit E 20hd NUB

2 Bulls 1 Bloater out

Shipped Mon 9/04

Feb 20/04

46 (7 Blacks) Fat Heifs Exotic Brit x (20 purchased)  
located in SW shop pen

1350

Wed

Feb 25/04 on feed 136 days on sale day

sell flat live

FOB the feedlot

bid close 1 pm on sale day

Signovex H Implants Vit E NUB

Centrix Don Snyder 341-7683

341-783-5561 wed

phoned

looked at

bid at



A362

Shipped Mar 10/04

Feb 20/04

4/7 (13 Black)

Fat Heifs British

(13 purchased)

hd. of

located in

~~NE~~ NE shop pen

1250

avg. wt. estimated

for sale

Wed Feb 25/04

on feed 136

days on sale day

all flat live

for the feedlot

bids close

1 pm

on sale day

Synovex H Implants

Vit E

NUB

enlot Jan 111 days  
25  
136 days

Fat Cattle Sale

Apr 16/04

46 hd. of Fat yearling Steers Small  
located in West Hill Pen

1350 avg. wt. estimated

for sale Apr 21/04 on feed 153 days on sale day

sell flat live

FOB the feedlot

bids close 1pm on sale day

Syovex S Implants Hi Vit E program

4hd out 4 steers 3 smaller ones (didn't do any+g)

act  
aws  
1325



# Appendix H

**From:** [Carla Williams](#)  
**To:** [Carolyn Taylor](#)  
**Subject:** RE: NRCB Application PB24001 by 966827 Alberta Ltd. (Merrick Campbell) - Grandfathering Determination Request  
**Date:** March 15, 2024 2:44:04 PM  
**Attachments:** [image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[image001.png](#)

This sender is trusted.

Hello Carolyn.

In response to the Notice of Grandfathered (Deemed) Permit determination for the property located on SW 12-55-27-W4 in Sturgeon County, a search of our land file confirms a Certificate of Compliance Livestock Facilities, Certificate No. 5-92-08, dated December 14, 1992.

To our knowledge the cow/calf and feedlot operation has continued to operate since 1992. The County has no concerns with the Confined Feeding Operation.

If you require further information or a copy of the Certificate of Compliance Livestock Facilities, please let me know.

Kind regards,

**Carla Williams**

**DEVELOPMENT OFFICER**

780-939-1313

[cwilliams@sturgeoncounty.ca](mailto:cwilliams@sturgeoncounty.ca)

[sturgeoncounty.ca](http://sturgeoncounty.ca)

9613 100 Street, Morinville, AB T8R 1L9



---

**From:** Carla Williams

**Sent:** Friday, March 8, 2024 9:09 AM

**To:** Carolyn Taylor <Carolyn.Taylor@nrcb.ca>

**Subject:** RE: NRCB Application PB24001 by 966827 Alberta Ltd. (Merrick Campbell) - Grandfathering Determination Request

Good morning Carolyn.

For your side of things, I received your snip-its and will respond accordingly. I'm still "wrestling" with our IT department regarding receiving attachments

Cheers,

**Carla Williams**

**DEVELOPMENT OFFICER**

780-939-1313

[cwilliams@sturgeoncounty.ca](mailto:cwilliams@sturgeoncounty.ca)

[sturgeoncounty.ca](http://sturgeoncounty.ca)

9613 100 Street, Morinville, AB T8R 1L9



---

**From:** Carolyn Taylor <[Carolyn.Taylor@nrcb.ca](mailto:Carolyn.Taylor@nrcb.ca)>

**Sent:** Wednesday, March 6, 2024 1:13 PM

**To:** Carla Williams <[cwilliams@sturgeoncounty.ca](mailto:cwilliams@sturgeoncounty.ca)>

**Cc:** Carolyn Taylor <[Carolyn.Taylor@nrcb.ca](mailto:Carolyn.Taylor@nrcb.ca)>

**Subject:** FW: NRCB Application PB24001 by 966827 Alberta Ltd. (Merrick Campbell) - Grandfathering Determination Request

**Importance:** High

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender, and know the content is safe. If you are unsure of the contents of this email, please reach out to IT at [ITSupport@sturgeoncounty.ca](mailto:ITSupport@sturgeoncounty.ca)

Hi Carla,

I'll try sending without the attachment, and I just took snip-its?

See if this goes through?

March 6, 2024

sent by email

Carla Williams  
Development Officer  
Sturgeon County  
9613 – 100 Street  
Morinville AB T8R 1L9

Dear Carla:

**Re: PB24001 – Notice of a Grandfathered (Deemed) Permit Determination Request  
966827 Alberta Ltd. (Merrick Campbell)  
SW 12-55-27 W4M**

Please be advised that a grandfathering determination request has been received by the Natural Resources Conservation Board (NRCB).

As required by the *Agricultural Operation Practices Act* (AOPA) and NRCB policy, we will be providing public notice of the grandfathering determination request. The notice will be published in the Wednesday, March 6, 2024 issue of the Morinville Press newspaper. We have also sent notification letters to landowners and residents within 1.0 mile radius of the operation to advise them of the determination request. The deadline for affected parties to submit information and/or a response is April 5, 2024.

Please provide our office with your written comments, including any concerns, and or information regarding the operation that you may have by April 5, 2024. A time extension, if required, may be requested by contacting me.

If you have any questions or concerns, please contact me at 780-305-4751 or by email at [Cathryn.Thompson@nrcb.ca](mailto:Cathryn.Thompson@nrcb.ca).

Yours truly,



Cathryn Thompson  
Inspector, Compliance and Enforcement Division

Encl. Grandfathering Determination Request

# Grandfathering Determination Request

Request under the Agricultural Operation Practices Act (AOPA) for a grandfathering determination for a confined feeding operation (CFO), manure collection area (MCA), or manure storage facility (MSF)



NRCB USE ONLY

NRCB Grandfathering Number

PB24001

Date Stamp

NRCB APPLICATION

FEB 02 2024

RECEIVED

## CONTACT/OWNER INFORMATION

Name of owner:	Merrick Campbell	Corporate Name (if applicable):	96652745 Ltd. or The Campbells
Name of person making request:	Merrick Campbell		
Address: (Street/P.O. Box)	53107 RR 271		
City/Town:	Sturgeon County	Province:	Ab
		Postal Code:	T8R 1W4

## LOCATION FOR WHICH GRANDFATHERING DETERMINATION IS REQUESTED

Legal Land Description:	SW 12-55-27-W4+6	(Qtr-Sec-Twp-Rg-W Mer)
County/Municipal District:	Sturgeon County	
Is the person making the request the registered landowner?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If no, please attach letter of consent signed by all landowners)	
Does this legal land location have an existing permit(s) for CFO facilities? (e.g. municipal development permit.):	<input type="checkbox"/> Yes (If yes please provide a copy) <input type="checkbox"/> No Permit(s) #:	

## Claimed Grandfathered Livestock Capacity (Capacity of the enclosures On January 1, 2002)

Livestock category and type	Claimed grandfathered livestock capacity
1000 hd Beef feedlot	Background + Finish
200 hd Cow/Calf	

## Claimed Grandfathered Facilities (On January 1, 2002)

Facility Name	Dimensions Length x width (x depth as applicable) (m)	Description of management of the facility (Seasonal use, movement of livestock, type of livestock etc.)
The Campbells	20 acres	9 Feedlot Pens, Cattle Process Area,
		Grain Handling System, Water Distribution,
		3 Silage Pits, Bale Storage, Equipment
		Shop, Fuel Storage



# Grandfathering Determination Request



**Information to support grandfathering determination request:** (Provide all relevant information to support the grandfathering claim. This can include, permits issued prior to January 1, 2002, records supporting the claimed capacity, photographs, details of facilities used to confine livestock, site layout plan, etc. Attach pages as required.)

Types of Records for Years 2000-2004	Yes	No	Comments
Aerial imagery (old farm photos)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Photographs (personal photos taken of animals/facilities)	<input type="checkbox"/>	<input type="checkbox"/>	
Livestock Purchase Records (auction market receipts)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Taxes
Livestock Sales Records (auction market receipts)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Taxes
Financial Records (Taxes)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Feed, Straw, Mineral Purchase Records	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Taxes
Government Support Program Records (GRIP, NISA)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Taxes
Premises Identification Registration Records	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2008 application 1000 lb feedlot
Quota Records	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Veterinary Records	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Taxes
Manifests	<input type="checkbox"/>	<input type="checkbox"/>	
Calving/Farrowing/Lambing etc. Records	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Livestock Health Records (records of livestock treatments/vaccinations)	<input type="checkbox"/>	<input type="checkbox"/>	
Purchases of Livestock Holding/Handling Equipment (poultry cages, dairy cow beds/stalls, farrowing crates)	<input type="checkbox"/>	<input type="checkbox"/>	
Testimonies from Employees or Family Members (that worked on the operation in 2002-2004 and could be contacted now)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building and Construction Records (concrete bunks, buildings, sheds, slab fences, barns, waterers, etc.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	New well tie-in
Any Diaries, Journals or Daily Logs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Certificate of Compliance Dec 15/1992 # 5-92-08 Site Tour?

## Grandfathering Determination Request



### REQUEST DISCLOSURE

I acknowledge that this information is collected under the authority of the Agricultural Operation Practices Act, is subject to the provisions of the Freedom of Information and Protection of Privacy Act, and shall be deemed public unless the NRCB grants a written request that certain sections remain private.

I, the owner, or agent of the owner, have read and understand the statements herein and acknowledge that the information provided in this application is true to the best of my knowledge.

Date of signing: Feb 2 / 2024  
Signature: [Redacted]  
Corporate name (if applicable): 966827 Ab Ltd o/a The Campbells  
Print name: Merrick Campbell

This contact information is only for NRCB, municipal, and referral agency use, and is not for public disclosure.

#### Owner Contact Information

Name: Merrick Campbell		Corporate Name (if applicable): 966827 Ab Ltd o/a The Campbells	
Contact Numbers	Business: [Redacted]	Home: [Redacted]	
Email: [Redacted]			

#### Person (Other than Owner) Requesting the Determination Contact Information (if applicable)

Name:		Relationship to Owner:	
Contact Numbers	Home:	Cell:	
Email:			

Page 3 of 3

**Carolyn M Taylor**

Field Office Administrator; Northern & Peace Region

Natural Resources Conservation Board

Provincial Bldg, 10008 - 107 Street

Morinville AB T8R 1L3

Main: 780-939-1212

E-mail: [carolyn.taylor@nrcb.ca](mailto:carolyn.taylor@nrcb.ca)

Website: [www.nrcb.ca](http://www.nrcb.ca)



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From: Carolyn Taylor <[Carolyn.Taylor@nrcb.ca](mailto:Carolyn.Taylor@nrcb.ca)>

**Sent:** Wednesday, March 6, 2024 8:57 AM

**To:** Carla Williams <[cwilliams@sturgeoncounty.ca](mailto:cwilliams@sturgeoncounty.ca)>

**Cc:** Cathryn Thompson <[Cathryn.Thompson@nrcb.ca](mailto:Cathryn.Thompson@nrcb.ca)>; Carolyn Taylor <[Carolyn.Taylor@nrcb.ca](mailto:Carolyn.Taylor@nrcb.ca)>

**Subject:** NRCB Application PB24001 by 966827 Alberta Ltd. (Merrick Campbell) - Grandfathering Determination Request

**Importance:** High

Good morning,

NRCB Application PB24001 for a grandfathering determination request has been determined to be complete for processing today, **March 6, 2024**.

After reviewing the attached document, we kindly request your written comments by **April 5, 2024**.

If you have any questions please contact Cathryn Thompson at 780-305-4751 or by email at [cathryn.thompson@nrcb.ca](mailto:cathryn.thompson@nrcb.ca).

Sincerely,

*Carolyn M Taylor*

*Field Office Administrator; North & Peace Region*

*Natural Resources Conservation Board*

*Provincial Bldg, 10008 - 107 Street*

*Morinville AB T8R 1L3*

*Main: 780-939-1212*

*E-mail: [carolyn.taylor@nrcb.ca](mailto:carolyn.taylor@nrcb.ca)*

*Website: [www.nrcb.ca](http://www.nrcb.ca)*

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# Appendix I

July 2020 Aerial Imagery (Google Earth). Labelled by Cathryn Thompson.



# Appendix J

## Livestock Capacity Determination based on Table 1 in Technical Guideline Agdex 096-81: Calculator for Determining Livestock Capacity of Operations as They Existed on January 1, 2002.

Table 1. Beef<sup>1</sup> animal number calculations

Type of Livestock	Space Allocation (ft <sup>2</sup> /animal)	Bunk Space Full Feed (ft/animal)	Bunk Space Limited Feed (ft/animal)	Enter Pen Area (ft <sup>2</sup> )	Enter Bunk Length (ft)	Pen Calculated Animal #	Bunk Space Full Feed Calculated Animal #	Bunk Space Limited Feed Calculated Animal #
Calculation	A	B	C	D	E	D ÷ A	E ÷ B	E ÷ C
Cows/finishers (900+ lbs) northern AB	250	1.0	2.5	287,119	1,248	1,148	1,248	499
Cows/finishers (900+ lbs) southern AB	200	1.0	2.5					
Feeders (450-900 lbs) northern AB	200	0.8	2.0					
Feeders (450-900 lbs) southern AB	175	0.8	2.0					
Feeder calves (<550 lbs) northern AB	175	N/A	1.3				N/A	
Feeder calves (<550 lbs) southern AB	150	N/A	1.3				N/A	

July 2020 Aerial Imagery (Google Earth) was used to measure pen areas and bunk length.



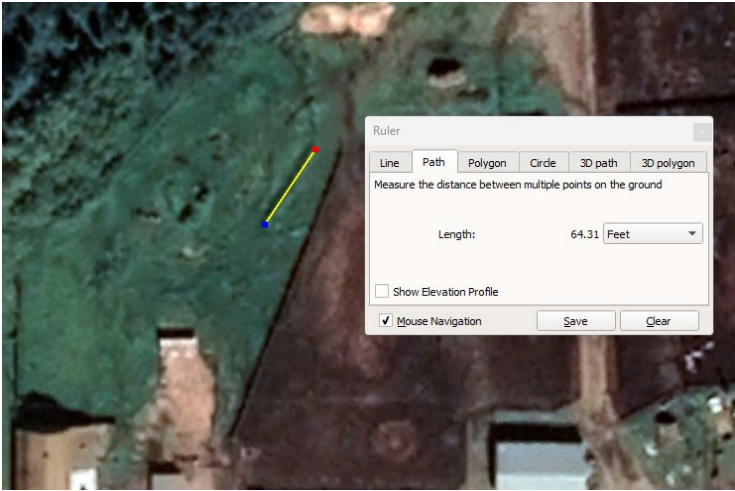
PEN NUMBER	PEN AREA (FT <sup>2</sup> )	BUNK SPACE (FT)
PEN 1	36,142	64
PEN 2	49,192	200
PEN 3	21,921	96
PEN 4	38,073	200
PEN 5	9,998	32
PEN 6	25,266	128
PEN 7	37,059	200
PEN 8	39,611	200
PEN 9	29,857	128
TOTAL	287,119 ft <sup>2</sup>	1248 ft



Pen 1

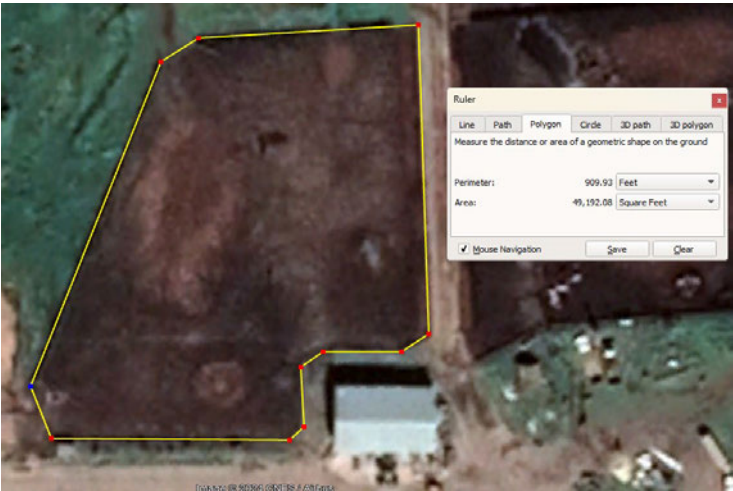


Pen 1 Area: 36,142 ft<sup>2</sup>

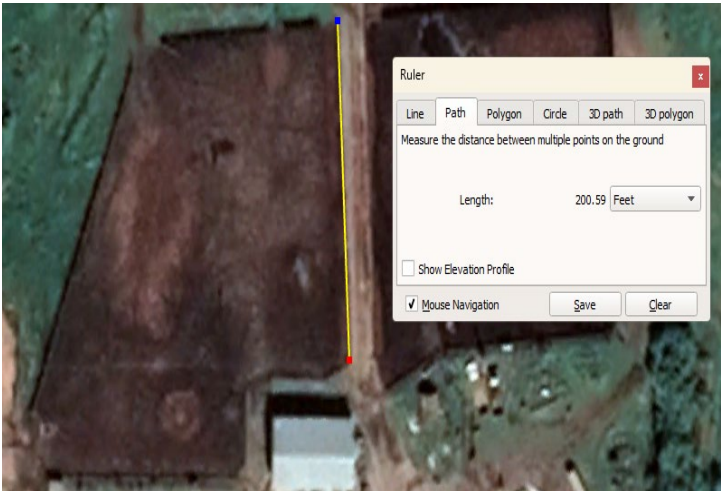


Pen 1 Bunk Length: 64 feet

Pen 2

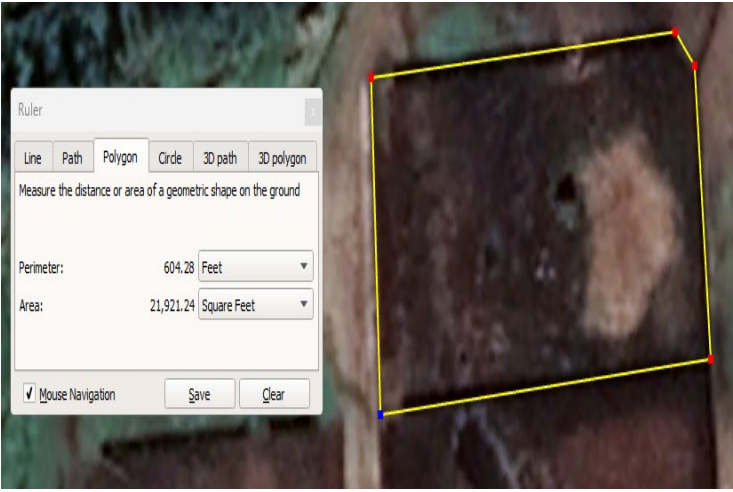


Pen 2 Area: 49,192 ft<sup>2</sup>

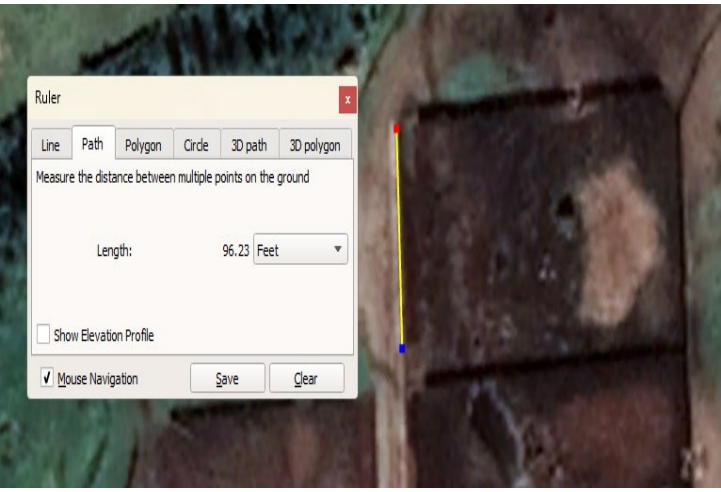


Pen 2 Bunk Length: 200 feet

Pen 3



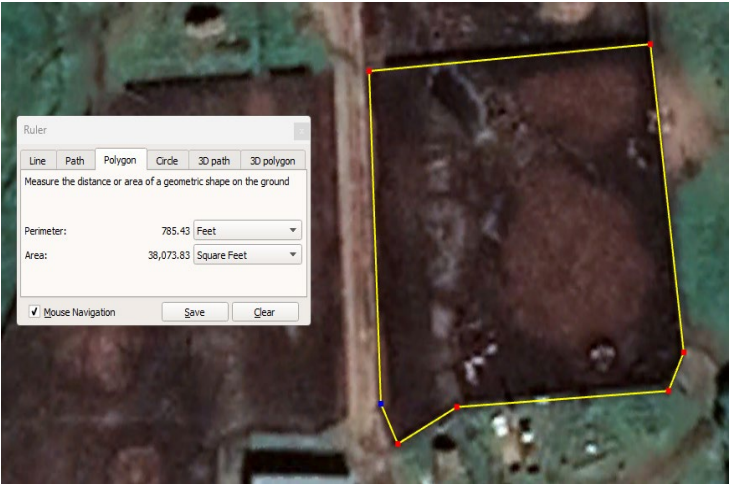
Pen 3 Area: 21,921 ft<sup>2</sup>



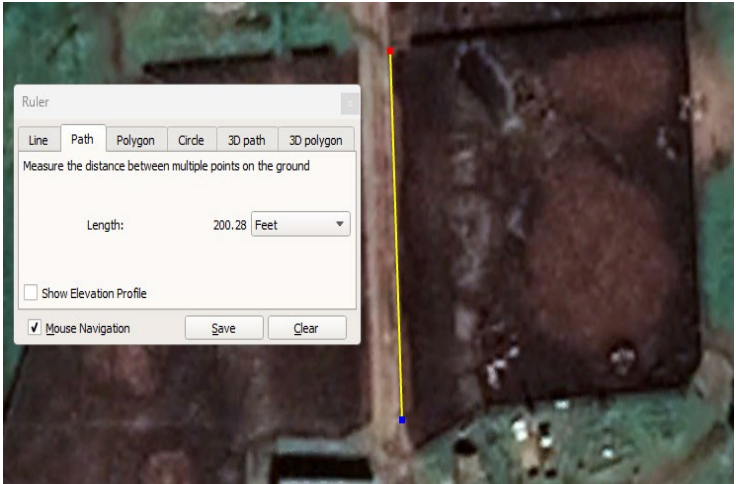
Pen 3 Bunk Length: 96 feet



Pen 4

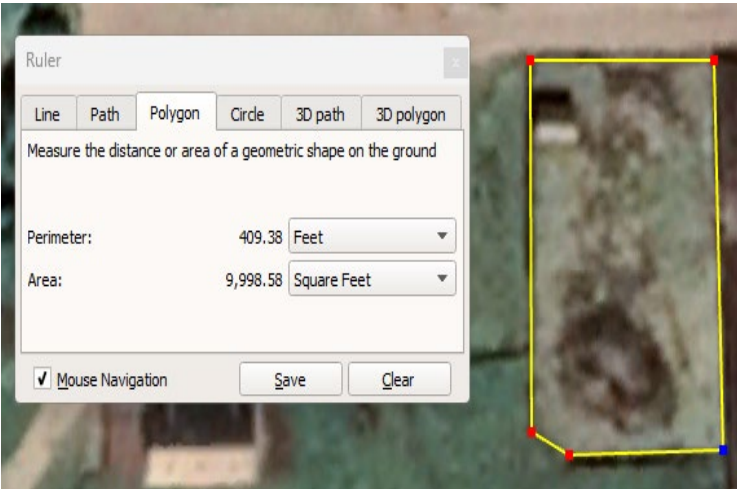


Pen 4 Area: 38,073 ft<sup>2</sup>

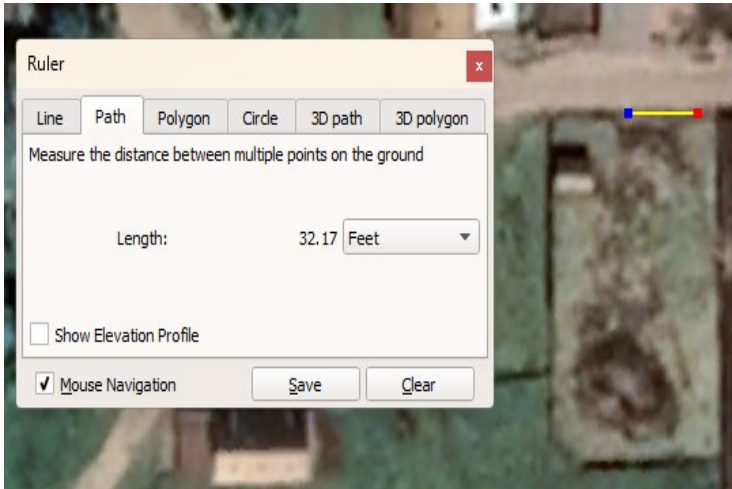


Pen 4 Bunk Length: 200 feet

Pen 5

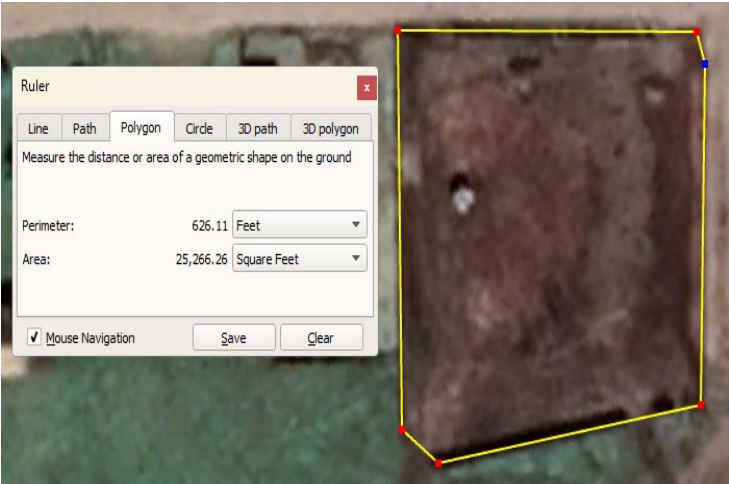


Pen 5 Area: 9,998 ft<sup>2</sup>

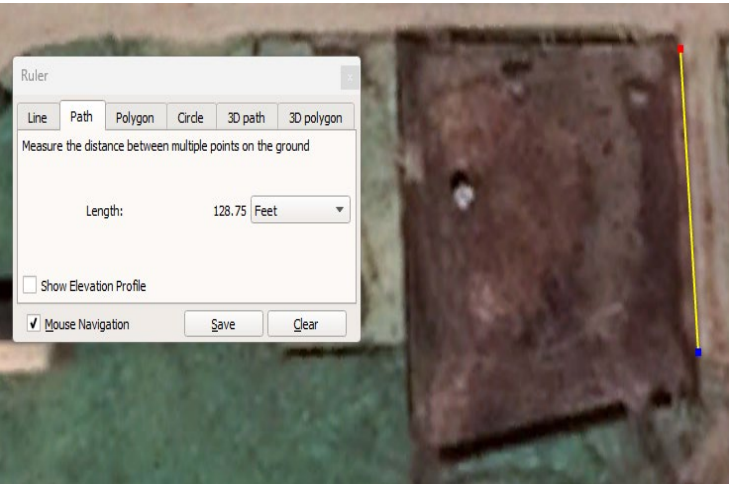


Pen 5 Bunk Length: 32 feet

Pen 6

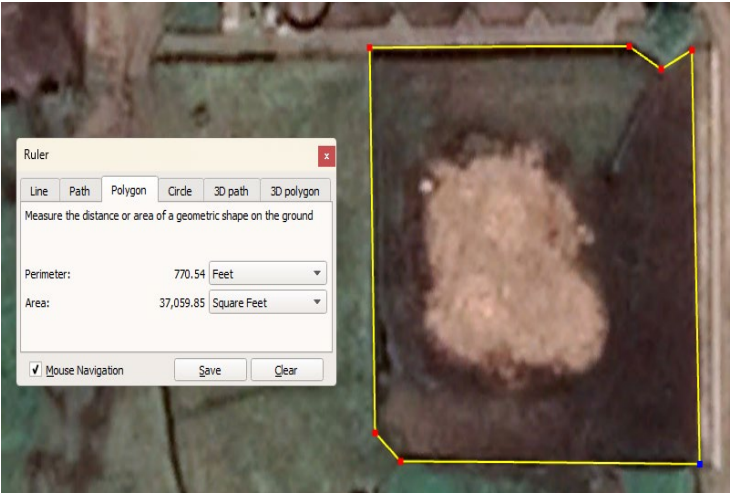


Pen 6 Area: 25,266 ft<sup>2</sup>

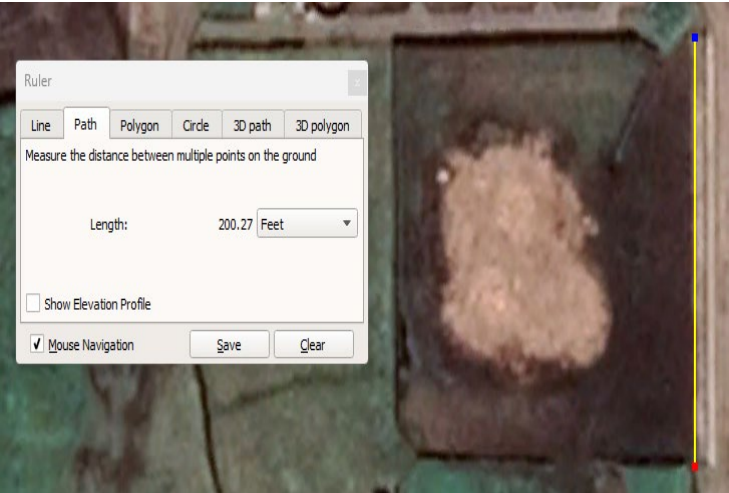


Pen 6 Bunk Length: 128 feet

Pen 7

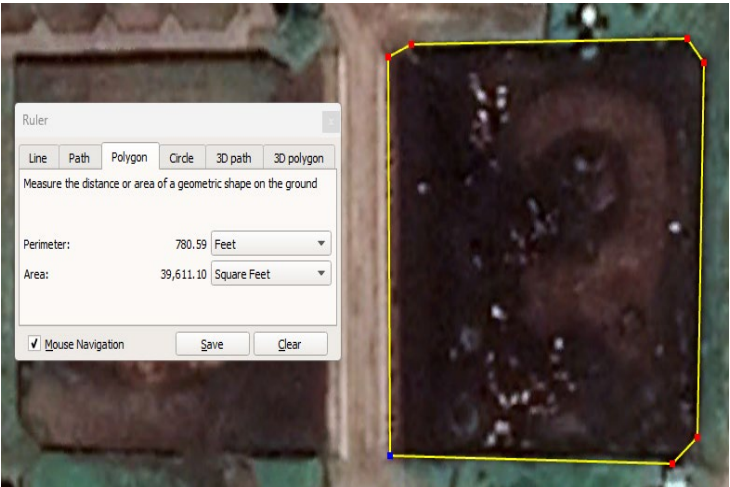


Pen 7 Area: 37,059ft<sup>2</sup>

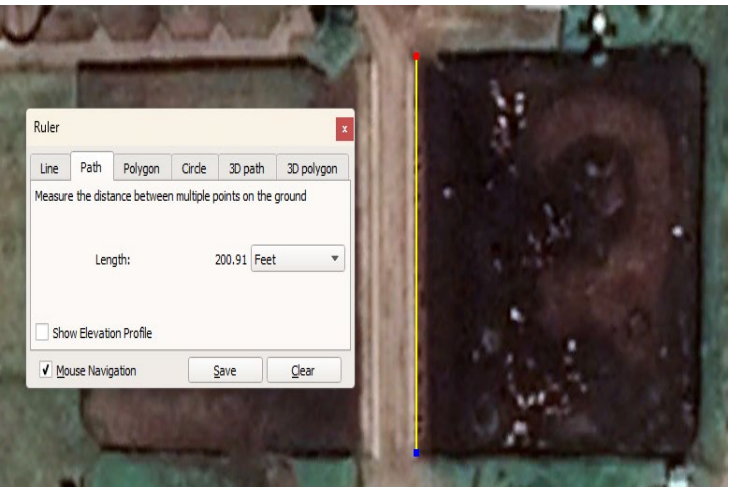


Pen 7 Bunk Length: 200 feet

Pen 8

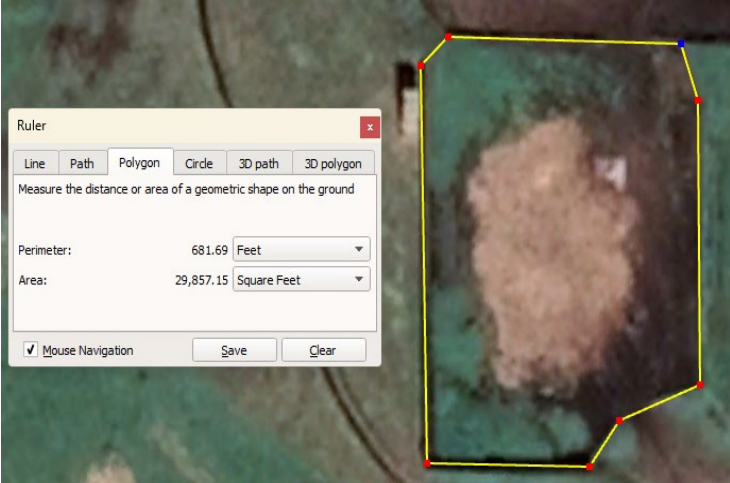


Pen 8 Area: 39,611 ft<sup>2</sup>

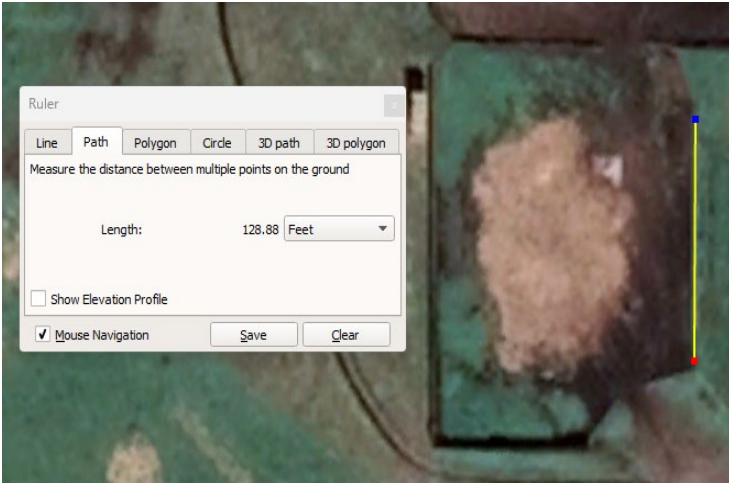


Pen 8 Bunk Length: 200 feet

Pen 9



Pen 9 Area: 29,857 ft<sup>2</sup>



Pen 9 Bunk Length: 128 feet