



NRCB | Natural Resources
Conservation Board

Grandfathered (Deemed) Permit Determination

under the

Agricultural Operation Practices Act

Rodney & Cheryl Morison (Morison Farms Ltd.)

NW 10-27-2-W5M

PR23001

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1.0 Introduction and background

This document sets out the written reasons for my determination of the livestock type and associated livestock capacity in a deemed permit under the *Agricultural Operation Practices Act* (AOPA). The subject of the determination is a beef operation located at NW 10-27-2-W5M (this quarter section will be referred to as “the site”). The site, located in Rocky View County, is approximately 10.5 kilometers west of the City of Airdrie. The process of ascertaining livestock type and the associated livestock capacity under a deemed permit is commonly known as a “grandfathering” determination.

The livestock operation does not currently hold a CFO development permit issued by the municipality before January 1, 2002, or a permit issued by the NRCB since 2002.

Under section 18.1(1)(a) of the AOPA, the owner or operator of a CFO that existed on January 1, 2002, with respect to which a licence or permit was not issued, 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 on January 1, 2002 – section 18.1(2)(a) of AOPA.

The Natural Resources Conservation Board (NRCB) already confirmed, in April 2002, that a confined feeding operation with 4,500 “head of cattle” existed on the site. However, as there was no previous development permit issued to the CFO, it is necessary for me to determine:

1. What was the footprint of the CFO on January 1, 2002? What were the structures on January 1, 2002?
2. What was the capacity of the structures to confine livestock and the type of livestock being confined on January 1, 2002?
3. Is the claimed capacity within a reasonable range of the physical capacity on January 1, 2002?

On September 19, 2023, Rod Morison of Morison Farms Ltd., submitted a grandfathering determination request to the NRCB’s Red Deer Office for a beef cattle finishing feedlot with a claimed grandfathered livestock capacity of 4,000 beef finishers (**Appendix A**).

For clarity, at issue in this investigation is not whether a CFO existed on January 1, 2002, or not necessarily the capacity, but the type of livestock that was being confined and fed at the site on January 1, 2002. Email correspondence between an NRCB Approval Officer, Rocky View County, and Alberta Environment from April 2002, referred to in the evidence section of this report, speaks to the existence of the operation (beef feedlot) and the number of livestock at the operation close to the January 1, 2002, date. The correspondence further states it’s ‘grandfathered status’ excluding the need for a permit unless an expansion of the operation occurred. What is not clear, is the type of livestock that was being confined on January 1, 2002.

Based on the evidence gathered during my investigation and the standard of proof, on a “balance of probabilities” I have determined the beef cattle operation at NW 10-27-2-W5M, currently owned by Rodney and Cheryl Morison of Morison Farms Ltd., existed on January 1, 2002, as a CFO with a capacity of 4,000 beef finishers, which is above the AOPA animal threshold numbers, has the same footprint (for confining cattle) today, as it did in 2002, and

therefore has a deemed AOPA approval. The operation has also not been abandoned and the deemed AOPA approval is still valid today.

2.0 Context and process

2.1 Legal context

Section 18.1 titled “Deemed approvals, registrations and authorizations” was added to the AOPA in 2004.

Under section 18.1 of AOPA, the owner or operator of a “confined feeding operation” that existed on January 1, 2002, where no development permit was in effect on January 1, 2002, is deemed to have been issued a permit under AOPA. The capacity allowed by that deemed permit is the capacity of the enclosures to confine livestock on January 1, 2002.

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

NRCB Operational Policy 2023-1: Grandfathering (Deemed Permit)

As relevant to this grandfathering determination, section 1.0 Definitions of the Grandfathering (Deemed Permit) Policy include:

*References to “**capacity**” in this policy, in relation to deemed approvals and registrations, refer to a confined feeding operation’s (CFO’s) livestock numbers, not to the scope of the CFO’s facilities. “Capacity” in relation to deemed authorizations means volume for liquid manure storage and tonnage for solid manure storage.*

*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.*

*“**Grandfathered CFO footprint**” means the dimensions of the entire CFO including all MSFs or manure collection areas (MCAs) that held a municipal development (MD) permit or existed on January 1, 2002.*

“Physical capacity” refers to the number of livestock that a CFO can confine and feed based on the capacity of the enclosures to confine livestock.

Section 2.2 Historical Background paragraphs 1, 2 & 4 read:

When Part 2 of AOPA came into force on January 1, 2002, the grandfathering of CFOs was a transitional matter in the legislation that enacted Part 2 (AOP Amendment Act, 2001). At that time, in brief, if a CFO did not hold a MD permit as of January 1, 2002, the new standards under Part 2 of AOPA applied to that operation (in terms of permits), but only when the operation expanded.

In 2004, section 18.1 was added to AOPA to provide for deemed permits where a confined feeding operation held an MD permit on January 1, 2002, or where it did not have a permit but “existed”. There is no end point to the operation of section 18.1. As a result, CFOs, or manure storage facilities (MSFs) that existed or had a permit on January 1, 2002, are still eligible to be “grandfathered” today.

Section 6.0 Grandfathering investigation subsection 6.1.1 Operator records, paragraph 2 reads:

Sometimes a record from the past (e.g., inspection report, letter, part of a decision summary) indicates a grandfathering determination was previously done by the NRCB. Even if not in a formal report form, the previous NRCB determination is valid. However, sometimes a partial supplemental determination may be required – for example, to determine the deemed footprint or facilities.

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 that was 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 type of beef livestock and the 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 Grandfathering process

One of the ways to hold a deemed permit under AOPA is for an operation to have been issued a development permit that was in effect on January 1, 2002. In the case of this operation, I am not aware of any municipal permits issued before January 1, 2002. It was not uncommon prior to 2002 for municipalities not to issue development permits for CFOs. The NRCB’s own records indicate a cattle CFO existed on this site in 2002. In this investigation the questions are the capacity of the facilities; and what type of livestock was being confined and fed at the CFO on January 1, 2002.

Consistent with the plain text of section 18.1 of AOPA, the investigation 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 beef livestock at the operation between 2000 and 2004. Considering the operation for at least two years before and two years past the January 1, 2002, grandfathering date is useful because witnesses might not remember what occurred on the exact date of January 1, 2002. 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.

In addition, 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 short-term market crises. Thus, the 2000 to 2004 range was meant to generate sufficient evidence to apply this pragmatic and flexible approach.

I also 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 4,000 beef finishers, which puts the distance for affected persons entitled to notice under section 19(1) of AOPA at 1.5 miles. The distance is set out in section 5 of the Part 2 Matters Regulation. On January 23, 2024, notice of the grandfathered (deemed) permit determination request was published in the *Rocky View Weekly*. In the notice, I advised of the claim by Rod Morison on behalf of Morison Farms Ltd. for a deemed permit for 4,000 beef finishers, and I invited the public to provide written submissions related to the 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 February 21, 2024.

In addition, on January 16, 2024, 59 notification letters were sent to people who (according to Rocky View County) reside on or own land within a 1.5 mile radius of the operation who might have relevant information as to the capacity and type (beef calves, beef feeders, or beef finishers) of livestock that the CFO produced around January 1, 2002. The notification letters included information similar to that in the newspaper notice.

To ensure transparency with AOPA and consistent decision-making a complete and thorough investigation was conducted to address the questions listed in section 1.0 of this Grandfathering Determination ensuring that all relevant aspects of the operation were considered in making a formal grandfathering determination.

3.0 Evidence

3.1 Information from Rodney and Cheryl Morison (Morison Farms Ltd.)

On September 19, 2023, Rodney (Rod) Morison submitted to the NRCB a Grandfathering Determination Request that included the application form; aerial imagery from 1999 & 2004; a site plan from February 23, 2006; an Alberta Environment Water Licence dated May 7, 2004; and Environmental Farm Plans (EFP) dated May 31, 2006, and May 16, 2023 (**Appendix A**). These documents were to support the claimed grandfathered livestock type and capacity on January 1, 2002, and the existence and layout of the pens of the beef operation dating back as early as 1999.

On January 12, 2024, Cheryl Morison provided the following documents via email:

- Morison Farms Feedyard Partnership Financial Statements - Year Ended December 31, 2000
- Morison Farms Feedyard Partnership Financial Statements – Year Ended December 31, 2001
- Morison Farms Feedyard Partnership Financial Statements – Year Ended December 31, 2002
- Morison Farms Feedyard Partnership Financial Statements - Year Ended December 31, 2003
- Morison Farms Feedyard Partnership Financial Statements – Year Ended December 31, 2004
- Anchor 7 Holdings Ltd. Financial Statements - Year Ended June 30, 2004 (The Balance Sheet refers to the Livestock inventory as Feeder cattle. When questioned as to the meaning of feeder cattle at that time (2004/2005), Rod Morison stated “the cattle were generally bought at 500 lbs and then finished”).

NOTE: *Because they contain much sensitive commercial information that is irrelevant to the grandfathering determination, the financial statements for Morison Farms Feedyard Partnership and Anchor 7 Holdings Ltd. discussed above, will not be included in the Appendices of this report. Redacted copies of the financial statements may be made available upon request in the event a Request for Review (RFR) is considered.*

On November 1, 2023, myself and Compliance Manager, Kevin Seward, met with Rod and Cheryl Morison and their son Carter. At that time, we also inspected all of the operation’s facilities. Rod and Cheryl provided the following information about their beef operation:

- Around the year 2000, they were finishing approximately 4,500 head.
- Cows have never calved on site.
- They custom fed cattle for other people.
- Rod advised the farm was started by his grandfather in 1947.
- The cow/calf herd has always been kept separate on a different quarter section.
- In 2001, they kept their backgrounding cattle in the south pens (which are the larger pens) to ensure the calves had more space to move around - greater space meant better health of the herd.
- The north pens were used for finishing.
- The processing barn and the grain mill are located east of the north pens.
- There is a scale located next to the office which is directly east of the furthest north pens.
- This infrastructure that has been described above was operational in 2001.
- There is metal fencing around the north pens and along the north side of the south pens, with barbed wire around the remainder of the pens.
- The footprint of the operation has remained unchanged.
- Permanent bunks were used to serve all pens.

- The aerial photos on the wall in their office are representative of the site in 1999 & 2004, which shows an operational feedlot. These aerial photos were included with the grandfathering determination request (see Appendix A - pages 4 and 5).
- The site plan provided from 2006 (see Appendix A - page 6) shows all the pens included in the grandfathering determination request, except pen #1, which is on the adjacent 5-acre parcel located directly to the east. This pen is now used as a riding arena.
- In 2012, things slowed down, but a smaller amount of confined feeding continued. Upon further discussion with Rod Morison, Rod advised that in 2012 they moved from custom feeding some cattle to holding all their own cattle. Due to changing market conditions, they had fluctuating feeder cattle numbers. They also held cattle in the feedlot during summer months, May through September.
- Rod and Cheryl advised that currently the pens are empty, but they are planning to have cattle in them by March 1, 2024.

On January 17, 2024, Rod Morison provided a signed letter from Michael Jelinski, DVM of Veterinary Agri-Health Services Ltd. (**Appendix B**) The letter states: *“This letter serves as documentation that Veterinary Agri-Health Services Ltd. of Airdrie, Alberta, provided feedlot health consulting services [I assume they meant to say services] to Morison Farms Feedlot, of Airdrie, Alberta, (Land Location NW 10-27-2 W5) from the period of 1995 to approximately 2010. The feedlot had an approximate capacity of 4500 head during that period.”*

Upon further communication with Veterinary Agri-Health Services Ltd., they also provided a Health Summary for Morison Farms for the period of July 2002 - June 2003. In the email dated January 19, 2024, to which the Health Summary was attached (**Appendix C**), Michael Jelinski, DVM provided the following: *“With reference to animal types, I have attached a health summary report we prepared for Morison Farms for the period from July 2002 - June 2003. The inventory through that period was 2320 fall calves (animals born the previous spring and weighing approximately 500 lbs., 1292 winter calves which are animals born the previous spring and placed in the feedlot early in the following year and weighing in the 500 - 600 lb range, and lastly 563 yearlings which would be animals in the 16 month age range and weighing 900-1000 lbs. Total feeders placed in that time frame was 4175. Additionally for the period from 1998-2013 there were 375-450 mother cows on the premises.”*

On February 8, 2024, I received an email from Rod Morison in response to the email I had sent to him on January 26, 2024, requesting information to address the question of abandonment. Rod’s responses to my questions are included in detail in section 4.3 of this report.

On February 20, 2024, I received an email from Rod Morison with an attached letter from Scott Schake, Ph.D. Nutritionist of Nutrition Service Associates in Wimberley, Texas. The letter stated *“To Whom it may concern I, Dr. Scott Schake, have been working as Rod Morison’s (Morison Farms Feedyard) nutritionist since 1997 to the present. I have helped them develop feeding programs, quality control programs, and have trained feedyard personnel.”*

In further email correspondence with Rod Morison, on February 29, 2024, Rod advised that they (Rod & Cheryl) have managed the feedlot since 1992 and took over full ownership in 2004.

3.2 Information from municipality

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, Rocky View 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 (see section 19(6) of AOPA).

On January 30, 2024, the NRCB received an email response from the Manager of Agricultural and Environmental Services at Rocky View County stating *“Agricultural Services, in conjunction with Planning and Development, have reviewed the grandfathering determination request and have no concerns”*.

On January 31, 2024, I contacted Rocky View County thanking them for their response and requested the County provide any documentation they had regarding Morison Farms Ltd. on or about January 1, 2002, with respect to the feedlot, its capacity, the type of livestock present, and any aerial imagery from 2000 – 2004.

On February 2, 2024, I received a response from Rocky View County advising they had checked their archives but did not have anything on Morison’s Feedlot.

3.3 Evidence from neighbours

The notice placed in the *Rocky View Weekly*, as well as the notification letters mailed to residents and landowners within 1.5 miles of the CFO, invited people to provide written statements with relevant information related to the CFO as it existed on or about January 1, 2002. The notice and letters also contained information on applying for status as a directly affected party.

I received written statements from five neighbours located within the 1.5 mile notification radius:

- Roy Woolliams, received January 26, 2024 (**Appendix D**), stating he is in favour of the grandfathering permit. Roy has lived in the area all his life. Although he does not have a direct line of sight of the operation, he sold grain to Rod Morison ever since Rod owned the feedlot. Roy was not absent for any long periods during this time. Roy’s family homestead has been in the area since 1890 and he has farmed there all his life raising cattle and growing crops.
- Larry Woolliams, Woolliams Farms Ltd. received February 5, 2024 (**Appendix E**). Larry advised he is a fifth-generation farmer and neighbour to Morison Farms Ltd. and the Morison Family. Larry advised he has dealt with the Morison family for many years going back as far as 1994 or 1995. Woolliams Farms Ltd. has *“sold 100’s of thousands of Bushels of Grain, Straw, and silage for the feedlot. Morison Farms Ltd. in my view is a leader in the cattle Industry by testing new technologies as well as adopting new technologies to better the industry as a whole. The Morison family is a generational family Farm that has been in the same area and is well respected within the Community and have supported the community in many ways because of their cattle operation. I am continually working with Morison Farms Ltd. on a yearly basis, and I am **Definitely** in favor of a Grandfather Permit for Morison Farms Ltd.”*
- William A. (Bill) Morison received February 6, 2024 (**Appendix F**). William advised he was a former partner of Morison Farms and father of Rod Morison. In his letter William provided a brief history of Morison Farms:

- In 1921, William’s grandparents, Fred and Elizabeth Morison, purchased five quarters of land in the west Airdrie district which they farmed with their children until World War II.
 - Upon return from the war, William’s father Pete married in 1945 and purchased land in the same area and began farming.
 - In 1948, Pete and his wife Bernice purchased NW 10-27-2-W5 where they built their home and purchased some cows, this was their start in the livestock industry.
 - William began farming with his dad in 1964 and married in 1966 at which time they began to expand the cow herd, feeding a few hundred head of cattle.
 - His son Rod joined the operation at a very young age.
 - Over the next few years, Morison Farms grew, and they were feeding over 4,000 head of cattle with numbers peaking during the fall and winter months.
 - Infrastructure was put in place to safely accommodate the growing business and size of the facility.
 - Farming and feeding practices have always been their number one priority, being recognized as a leader in the agriculture industry, winning the coveted Master Farm Family award in 1965 and again in 2011.
 - Their family has been farming in the west Airdrie area for 103 years and their farming operation has fostered six generations of the Morison family.
- Charles Raines, Mountaineer Farms, received February 9, 2024 (**Appendix G**). Charles advised he owned land approximately 1.5 miles from the Morison feedlot from 1954 until 2022, now owned by his children, but where he still resides. In his letter, Charles advised he knew Rod Morison’s grandparents, Pete and Bernie Morison, for whom he artificially inseminated cows in the late 1960s to mid 1970s using the feedlot corrals – the same corrals which he stated now operate as Morison Farms. When his own cattle operation expanded during the 1970s many of his calves were purchased by Morison Feedlot. *“Pete was a top cattle feeder, and our calves did well in their lot.”* Charles also advised that in 1954 there were no acreages within sight, now seventy years later, there are 22 acreages within two miles of home and about 16 within close proximity to the Morison Feedlot. *“The feedlot predates all those acreages and their residents....” “I fully support this application.”*
 - Isabel and Larry Wilson received February 20, 2024 (**Appendix H**). Isabel and Larry are located directly east of the site sharing a property line. The Wilsons are not in favour of the proposed grandfathering for several reasons:
 - The operation although active when they first moved to the area in 2006, has not been operational for at least six years.
 - The feedlot was never at a capacity of 4,000 head.
 - They have historical photos on Google Earth showing the feedlot footprint size which could not support 4,000 head of cattle. (The Wilson’s did not provide any photos with their written submission.)
 - Morison Farms does not have the infrastructure to support that level of CFO and any increased footprint and infrastructure would negatively affect landowners in the area.
 - Water requirements for 4,000 head is far more than the WID capability they had when there were in operations, prior to 2006. They have concerns regarding water demand due to low flow volumes.
 - They state the practices used by Morison Farms while they were running their operation were not conforming to NRCB rules and they fear Morison farms will

continue to operate in an unsafe manner, negatively affecting adjacent landowners and the environment. The Wilsons state that when the CFO was operational, they observed no manure plan, feeding was not done in July, August and September, there was no processor pickup for dead animals, rather, dead cows were disposed of in an open pit to the southwest of their property, and there was no silage for winter feeding.

- Plastic covering the silage pit is torn and blown by high winds onto their property.
- Cattle escaping and damaging their fence.
- They have not had to deal with the odour for some time, but once operational the CFO will result in excessive odours and poor air quality.
- The area has changed significantly since the CFO started and is no longer compatible with adjacent land uses. This is particularly important since the adjacent land uses consisting primarily of acreages, are downwind of the subject lands.

In addition to the written statements, I received from the above “affected parties,” I also had phone conversations with two additional neighbours and received one email inquiry from another neighbour regarding Morison Farms Ltd. and the grandfathering process. Written statements were not received from any of these three neighbours.

3.4 Evidence from other agencies

On January 23, 2024, notification of the grandfathering determination request was sent to Alberta Environment & Protected Areas, Fortis Alberta Inc., and HWN Energy Ltd. operating in Canada as Hawthorne Energy (the last two holding utility rights of way). I did not receive any responses from these agencies.

3.5 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 that made a submission are directly affected parties.

Affected persons in this determination were the municipality in which the operation is located (Rocky View County); and all neighbours who own or occupy land within the 1.5 mile notice 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, Rocky View County is a directly affected party.

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.*”

Based on section 7.2.1 paragraph 2 of Approvals Policy 2016-7, I conclude the following to be considered directly affected parties:

- a) Morison Farms Ltd.
- b) Rocky View County

- c) Roy Woolliams
- d) Larry Woolliams, Woolliams Farms Ltd.
- e) William A. (Bill) Morison
- f) Charles Raines, Mountaineer Farms
- g) Isabel & Larry Wilson

3.6 Other evidence

The request for a grandfathering determination submitted by Rod Morison on behalf of Morison Farms Ltd., claims a deemed capacity of 4,000 beef finishers. Part of the determination requires assessing whether there were finishers or another type of beef livestock on the site on January 1, 2002. The beef livestock types in AOPA include feeder calves (<550 lbs), feeders (450-900 lbs), and finishers (900+ lbs). In addition, the determination requires assessing if the livestock type (finishers) numbers were over AOPA threshold levels on January 1, 2002.

Upon receipt of the grandfathering determination request, I conducted a search of NRCB's electronic data base and internal hard copy files. No information was found in the electronic database, however information contained within NRCB's internal hard copy files indicates that a CFO existed at this site on January 1, 2002. The information contained in NRCB's internal records include:

- Fax correspondence from Alberta Environment to NRCB dated March 21, 2002: Application for Permanent Diversion of under the Water Act submitted by Golder Associates Ltd. to Alberta Environment March 14, 2001, on behalf of Morison Farms Feedyard (**Appendix I**),
- Email correspondence between the NRCB and Alberta Environment dated April 17, 2002 (**Appendix J**); and
- Email correspondence between the MD of Rocky View and NRCB dated March 22, 2002, April 3, 2002, and April 22, 2008 (**Appendix K**).

The information provided in the email correspondence from the MD of Rocky View Development Clerk to the NRCB Approval Officer dated April 3, 2002, states "*I have done some research on the Morrison Farms Feedyard, and we do not have any Development Permits on file for them. It may be an operation that has been there for a very long time, therefore grandfathered in.*"

The email correspondence from NRCB Approval Officer to Alberta Environment, P.Eng., dated April 17, 2002, states "*The MD of Rocky View considers this operation to be grandfathered. Therefore, the NRCB does not at this time require Morison Farms Feedyard to make application. The information you have provided to us indicates that the number of head of cattle is 4500. If in the future more than 4500 head of cattle are proposed at this site, they would be required to submit an application for expansion to the NRCB.*"

On February 20, 2024, the NRCB received an email from Dennis Holmes, Director of the Calgary Central Feeder Association stating "*I am writing with reference to the "Grandfathering Determination" for Rod Morison of Morison Farms Ltd. NW10-27-2-W5M in Rocky View County,*

AB. As a director of Calgary Central Feeder Assoc. for thirty years and the chairman for five years, I can verify that Morison Farms has been an active feedlot for over thirty five years with a capacity of 4000 head'. This email was followed up with the original handwritten letter (Appendix L), received by the NRCB on February 21, 2024.

4.0 Findings

4.1 CFO footprint

A review of aerial imagery between 1999-2003 and 2023 (**Appendix M**) was conducted and there were no changes to the footprint of the CFO, including the feedlot pens. A site inspection, conducted on November 1, 2023, also confirmed the footprint of the feedlot on this day was the same as that in the aerial imagery reviewed between 1999 and 2023.

4.2 CFO status, livestock capacity and livestock type

CFO status

In April 2002, the NRCB confirmed there was a beef cattle CFO on the site. Evidence gathered in the course of the grandfathering determination supports this confirmation (e.g., 1999-2003 Valtus imagery, information from Veterinary Agri-Health Services, Morison feedlot financial statements). Whether there was a CFO there on January 1, 2002, is not in question.

Livestock capacity

It is important to note that the physical capacity of the facilities as of January 1, 2002, is what determines the grandfathered animal numbers for the site. The operator also needs to prove that they were above AOPA threshold numbers during the grandfathering period.

The information provided by Rod and Cheryl Morison (**Appendix A**) included aerial photos from 1999 & 2004, a Site Plan from 2006, along with Google Earth imagery. From this information, I determined that the CFO facility on January 1, 2002, covered an area of approximately 1.4 million square feet, excluding handling and treatment pens. Also excluded from this calculation is the pen located on the 5-acre parcel directly east of NW 10-27-2-W5, that was part of the original feedlot operation, now used as a riding area. The removal of this pen from the original footprint results in a reduction of the original footprint by approximately 82,450 square feet and 240 linear feet of bunk space.

I took steps to verify if the claimed capacity of the feedlot (4,000 beef finishers) would have fit into the grandfathered footprint in 2002. Having first determined that the feedlot footprint had not changed between 2002 and 2023, I used Aerial Imagery from August 2020 (**Appendix N**), this was the clearest image, to determine the approximate area of all the pens at the site. The total calculated pen area was approximately 1,437,310 sq. ft. and the total bunk space was approximately 2,650 linear feet. I referred to the Technical Guideline Agdex 096-81: Calculator for Determining Livestock Capacity of Operations as They Existed on January 1, 2002. The guideline states for finisher cattle, in a southern Alberta feedlot (the site is considered to be in

southern Alberta), that pen space in 2002 was at 200 ft²/animal, full feed bunk space was at 1.0 ft/animal, and limited feed bunk space was at 2.5 ft/animal.

Technical Guideline Agdex 096-81 suggests for this site that the pen footprint space would allow a total capacity of 7,186 beef finishers. The full feed bunk space would allow a total capacity of 2,650 beef finishers and the limited bunk spaces would allow a total capacity of 1,060 beef finishers.

Based on the pen space allocation of beef finishers (900+ lbs) in southern Alberta, the calculator provides a site calculated animal capacity number of 7,186 head of beef finishers. Bunk space calculations, using the technical guideline, indicate a capacity of 2,650 head of beef finishers on full feed and 1,060 head on limited feed for a southern Alberta feedlot. These calculated capacity numbers based on pen space and bunk space do vary. I had greater difficulty when trying to obtain accurate bunk locations and measurements of bunk lengths, than pen space, using aerial imagery. Pen space allocation provides a more accurate representation of the capacity of beef finishers for this facility. Furthermore, the claimed grandfathered capacity of 4,000 head of beef finishers easily “fits” within the calculated animal numbers for pen space and bunk space allocations range.

The numbers in the technical guideline are not absolute but provide an average industry accepted standard for animal and bunk space allocations that were being used on January 1, 2002. The guideline states: *“Most of the available published data was gathered for planning facility construction and was not derived from facilities as they were actually constructed.”* The guideline further states: *“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.”*

Although bunk space results in a lower livestock capacity number and is often the deciding factor for larger pens, I do not feel it is a true representation of the actual livestock capacity that could be housed in this facility, and therefore find pen space to be a better indicator. Based on the livestock number indicated by the technical guideline for 7,186 beef finishers, I have reason to believe that the facility had the capacity to feed (confine) 4,000 head of beef finishers on January 1, 2002. The AOPA livestock threshold levels set out in Schedule 2 of the Part 2 Matters Regulation show that an AOPA approval is required for operations over 350 head of beef finishers.

Selecting a capacity between the number obtained using pen area and bunk space provides a capacity consistent with the capacity provided by Golder Associates Ltd. (**Appendix I**), the number stated as “grandfathered” by NRCB Approval Officer (**Appendix J**), and letter from Dennis Holmes, Director of the Calgary Central Feeder Association (**Appendix L**). The evidence fully supports a reasonable range of capacity consistent with the claimed capacity for a 4,000 head beef finisher CFO.

It is common for feedlot numbers to fluctuate throughout the year and animal cycles. As finisher cattle are shipped for slaughter, new feeders are purchased. This is consistent with the information contained in the Application for Permanent Water Diversion under the Water Act prepared by Golder Associates Ltd. dated March 14, 2001, which states that “*annual variation in beef production at Morison Farms Feedyard peaks in the winter with approximately 4,500 head of cattle. Summer cattle numbers average around 2,500*” (**Appendix I**), and the numbers provided by Veterinary Agri-Health Services Ltd. (**Appendices B and C**). When speaking with Rod Morison, he confirmed that they were only applying for 4,000 beef finishers as “*when they had 4,500 beef finishers, they were pretty full*”.

Although, one of the “directly affected parties” claimed this number to be incorrect, they did not live in the area on or about January 1, 2002, and did not provide any factual evidence to support their claim.

Based on the information provided by Rod & Cheryl Morison, the Application for Permanent Diversion under the Water Act prepared by Golder Associates Ltd., the ‘grandfathered’ capacity of 4500 “head of cattle” as indicated by the NRCB Approval Officer in 2002, and the Health Summary for the period from July 2002 – June 2003 submitted by Veterinary Agri-Health Services Ltd., I conclude that the site was operating as a CFO on January 1, 2002, with a livestock capacity above the approval thresholds in AOPA.

Livestock type

In their application and when speaking with them in person, Rod and Cheryl Morison, advised that the approximate number and type and of livestock being confined at the site on January 1, 2002, were 4,000 beef finishers.

In response to the financial statements provided by Cheryl Morison on January 12, 2024, I sent a follow-up email to Rod Morison asking Rod about the financial statement (Balance Sheet AS at June 30, 2005) for Anchor 7 Holdings Ltd. which referred to the purchase of “Feeder Cattle”. I wanted to know what type of livestock this was referring to, as it may have meant something different in 2004/2005. Rod responded by email that same day stating: “*the cattle were generally bought at 500 lbs and then finished*”.

This is consistent with the information provided in the email correspondence dated January 19, 2024, from Michael Jelinski, DVM of Veterinary Agri-Health Services Ltd. which states “*With reference to animal types, I have attached a health summary report we prepared for Morison Farms for the period from July 2002 - June 2003. The inventory through that period was 2,320 fall calves (animals born the previous spring and weighing approximately 500 lbs., 1,292 winter calves which are animals born the previous spring and placed in the feedlot early in the following year and weighing in the 500 - 600 lb range, and lastly 563 yearlings which would be animals in the 16 month age range and weighing 900-1000 lbs. Total feeders placed in that time frame was 4,175.*”

As indicated by Michael Jelinski, DVM of Veterinary Agri-Health Services Ltd., a total of 4,175 feeders of various weights were placed in Morison Farms over the extent of a year (in this instance from July 2002 – June 2003). Rod Morison confirmed the information provided by Michael Jelinski would all be starting weights.

Section 2(2) of the Part 2 Matter Regulations of AOPA, allows a CFO owner or operator to change the type of livestock within the same category, without having to apply for an approval amendment, providing the change will not increase the annual manure produced, or the level of odour production. Because of this section, it is important for the owner (and the NRCB) to know the grandfathered type and number of animals, as the owner can change the livestock type at any time following the requirements set out in section 2(2).

I conclude that the information as to the livestock capacity and type provided by Rod and Cheryl Morison, who would have the most detailed knowledge of the events during the grandfathering period, is consistent with the information provided by Michael Jelinski, DVM of Veterinary Agri-Health Services Ltd.

4.3 The status of the deemed permit today

In a recent 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.

Assessing abandonment is not a prescribed process in AOPA. Rather, it is a possible basis for cancelling a permit. Under section 29(1)(b) of AOPA, the Board (or an inspector with delegated authority) “may” cancel a permit if the confined feeding operation, or manure storage facility or collection area, to which the permit relates “is abandoned.”

The NRCB’s Operational Policy 2016-3 Permit Cancellations under AOPA section 29 puts the burden of proving abandonment on the person wishing to show it is abandoned. It is only if an approval officer (or inspector):

- (1) holds the opinion that an operation has been abandoned, and
- (2) wishes to cancel a permit,

That the procedures for cancellation set out in section 12 of the Administrative Procedures regulation are triggered.

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 CFO facilities (independent of their permitted status) and the cost of reconstructing them if reconstruction is needed.

In determining whether the site meets the criteria for abandonment I used the above-mentioned factors that are described in further detail in Operational Policy 2016-3, section 2.1 "Deciding whether a CFO has been abandoned." From my observations, information obtained during my site inspection, financial and veterinary records, oral and written testimony provided by the operator, aerial imagery, and Alberta Land Titles, I was able to assess the status of the site.

- On November 1, 2023, I conducted an inspection of the site with Compliance Manager, Kevin Seward. During the site inspection, I observed permanent infrastructure consisting of permanent pens constructed with metal fencing, fence panels, concrete feed bunks, sick pens, processing facilities, a scale, and silage pit. The infrastructure appeared to be well maintained and in good condition. The pens were empty at the time of inspection.
- Based on my observations of the condition of the site, the site could resume being used at any time without any major upgrades or renovations. In the email correspondence provided by Rod Morison dated February 8, 2024, Rod advised they are continually maintaining and enhancing the CFO to keep it up to date with current livestock practices and technological advances to allow for high efficiency with low overhead costs. Rod also stated they have changed how they manage the livestock. Moving cattle from pasture grazing into the CFO allows for greater flexibility in meeting market demands and more efficient production of cattle.
- Aerial Imagery from 1999 – 2003, 2011, 2013, 2014, 2015, 2018 & 2023 (**Appendix M**) shows the site layout and infrastructure, which has remained unchanged. The site appears to be in full use until around 2013. After 2013 up to 2023, there still appears to be some use of the site (cattle visible, limited vegetation in most pens, permanent infrastructure in place). Intensity of use of the site may vary depending on the time of year the photo was taken. Upon further email correspondence provided by Rod Morison on February 8, 2024, Rod advised they have never quit using the site. Rod advised they have a rotational grazing program in place, using the CFO for growing cattle until grasses are mature enough for grazing. Due to drought conditions the CFO is required to feed cattle to market weight to meet contract and market demands which means the CFO is housing feeder cattle during July through September.
- A search of Alberta Land Titles Registry (**Appendix O**) confirms that the site has not changed ownership during the period of disuse.
- During the site inspection it was noted that the pens were empty, however, the owners did advise that they planned on adding livestock to the site in March of 2024. In Rod Morison's email correspondence dated February 8, 2024, Rod advised that the CFO has never been abandoned and will be used continually for managing and feeding cattle. This is consistent with information provided by Larry Woolliams, Woolliams Farms Ltd., who stated "I am continually working with Morison Farms Ltd., on a yearly basis...", and from Scott Schake, Ph.D., Nutritionist of Nutrition Service Associates who stated "I, Dr.

Scott Schake, have been working as Rod Morison's (Morison Farms Feedyard) nutritionist since 1997 to the present".

- In Rod Morison's email correspondence dated February 8, 2024, Rod stated "*it would be quite difficult and constraining to put a value on the CFO as it stands. The costs 20 years ago are quite different than they are now, especially with the price of materials skyrocketing since 2020. After consulting members of the industry, we found it may be possible to build a new facility for approximately \$500.00 per head. This price would change depending on cost of materials at that time*".

After reviewing historical aerial photographs, internal and external records, verbal discussions with the owners, written correspondence from the owners and the owner's nutritionist, statements provided by "directly affected parties", and a visual site inspection of the current state of the facilities on November 1, 2023, I conclude that the feedlot, although empty at the time of inspection, has been well maintained, has continued to be operational (except for small periods of time due to changing market and weather conditions), and the owners intent has always been to keep the CFO in operation, and therefore is not considered abandoned.

5.0 Conclusion on questions to be determined: the type of livestock and the livestock capacity being confined on January 1, 2002?

On April 17, 2002, an NRCB Approval Officer sent an email to Alberta Environment in response to a previous inquiry received from Alberta Environment as to whether an application to the NRCB was required for Morison Farms Feedyard. In the approval officer's email there was reference to previous correspondence with the MD of Rocky View, April 3, 2002, in which the MD of Rocky View stated "It may be an operation that has been there for a very long time, therefore grandfathered in" and the Application for Permanent Diversion under the Water Act dated March 14, 2001, submitted to Alberta Environment by Golder Associates Ltd., on behalf of Morison Farms Feedyard which stated "Annual variation in beef production at Morison Farms Feedyards peaks in the winter with approximately 4,500 head of cattle. Summer cattle numbers average around 2,500 head." expanded.

The NRCB Approval Officer's email to Alberta Environment on April 17, 2002, confirms the grandfathered status of a beef cattle operation (considered a CFO) at NW 10-27-2-W5, with a livestock capacity of 4,500 head of cattle, and that a permit would only be required if the operation expanded. However, the livestock type was not clearly specified.

The decision of the NRCB Approval Officer in 2002, not requiring a permit unless the operation expanded, is consistent with the legislation in effect at that time as referred to in Operation Policy 2023-1:

- Section 2.2, paragraph 1 which states "*At that time, in brief, if a confined feeding operation did not hold a MD permit as of January 1, 2002, the new standards under Part 2 of AOPA applied to that operation (in terms of permits), **but only when the operation expanded***".
- Section 6.1.1 Operator records, paragraph 2, "*Sometimes a record from the past (e.g., inspection report, letter, part of a decision summary) indicates a grandfathering determination was previously done by the NRCB. Even if not in a formal report form, the previous NRCB determination is valid. However, sometimes a partial supplemental*

determination may be required – for example, to determine the deemed footprint or facilities.”

The email correspondence from Michael Jelinski, DVM, Veterinary Agri-Health Services, and financial statements and information provided by Rod and Cheryl Morison indicate that feeders (450-900 lbs) were purchased for the purpose of finishing at the feedlot. Using Alberta Agriculture & Irrigation’s Calculator for Determining Livestock Capacity of Operations as They Existed on January 1, 2002, the feedlot has sufficient capacity for 4,000 beef finishers (900+ lbs).

I initially addressed the concerns identified by Isabel and Larry Wilson, “directly affected party,” with them during our phone conversation on January 26, 2024, and through email correspondence on February 15, 2024. Many of the concerns identified by the Wilson’s do not fall under the legislative authority of the NRCB or are not relevant to this grandfathering determination, such as water requirements and land use zoning. The Wilson’s were directed to contact the responsible legislative authority.

In accordance, with NRCB, Operational Policy 2023-1 Grandfathering (Deemed Permit) Section 6.0 Grandfathering investigation, and as stated in the notification letter, only information relevant to the CFO’s grandfathering determination will be considered. The concerns identified by the Wilson’s that fall under the legislative parameters of the NRCB, such as livestock capacity and abandonment, have been identified and addressed in this report. It should be noted that the NRCB, has no records of any complaints or concerns with respect to odour or water quality at the site. As with any CFO, the operator is responsible to adhere to any nuisance claims as outlined in Part 1 Nuisance of AOPA.

Having reviewed all the evidence and relevant information provided in the written statements submitted by the “directly affected parties,” I have determined the following based on the evidence and a balance of probabilities:

1. The CFO at NW 10-27-2-W5M, currently owned by Rodney and Cheryl Morison of Morison Farms Ltd., existed on January 1, 2002,
2. The CFO at NW 10-27-2-W5M had a capacity of 4,000 beef finishers, which is above the AOPA animal threshold numbers, and
3. The CFO at NW 10-27-2-W5M has the same footprint (for confining cattle) today, as it did in 2002.

Therefore, under section 18.1 of AOPA, the owner or operator of the CFO has a deemed approval with the capacity for 4,000 beef finishers.

Furthermore, I conclude that the directly affected parties of this decision are Rod and Cheryl Morison of Morison Farms Ltd., Rocky View County, Roy Woolliams, Larry Woolliams of Woolliams Farms Ltd., William A. (Bill) Morison, Charles Raines of Mountaineer Farms, and Isabel and Larry Wilson.

The CFO has not been abandoned, and the deemed AOPA approval permit is still valid today.

March 8, 2024

(Original signed)
Tracey Krenn
Inspector – Natural Resources Conservation Board

6.0 Appendices

- A. Grandfathering Deemed Permit Request to NRCB dated September 19, 2023
- B. Letter from Michael Jelinski, DVM, Veterinary Agri-Health Services Ltd, received January 17, 2024
- C. Email dated January 19, 2024, & the attached Health Summary (July 2002 – June 2003) for Morison Farms from Michael Jelinski, DVM, Agri-Health Services Ltd.
- D. Written Statement of Roy Woolliams received January 26, 2024
- E. Written Statement of Larry Woolliams, Woolliams Farms Ltd., received February 5, 2024
- F. Written Statement of William A. (Bill) Morison received February 6, 2024
- G. Written Statement of Charles Raines, Mountaineer Farms received February 9, 2024
- H. Written Statement of Isabel & Larry Wilson received February 20, 2024
- I. Application for Permanent Diversion under the Water Act made by Golder Associates Ltd. on behalf of Morison Farms Feedyard to Alberta Environment dated March 14, 2001 (Faxed from Alberta Environment to NRCB March 21, 2002)
- J. Email correspondence between the NRCB and Alberta Environment dated April 17, 2002
- K. Email correspondence between the MD of Rocky View (Rocky View County) and the NRCB dated March 22, 2002, April 3, 2002, and April 8 & 11, 2008
- L. Letter from Dennis Holman, Director of Calgary Central Feeder Association received February 21, 2024
- M. Valtus & Google Earth Aerial Imagery (1999-2003, 2011, 2013, 2014, 2015, 2018, & 2023)
- N. Livestock Capacity Calculations
- O. Land Titles Certificate – NW 10-27-2-W5

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 PR23001	Date Stamp RECEIVED 19 SEP 23
----------------------	--	---

NRCB RED DEER

CONTACT/OWNER INFORMATION

Name of owner: Rod and Cheryl Morison	Corporate Name (if applicable): Morison Farms Ltd	
Name of person making request: Rod Morison		
Address: (Street/P.O. Box) 270123 Range Road 22		
City/Town: Rocky View County	Province: AB	Postal Code: T4B 4K2

LOCATION FOR WHICH GRANDFATHERING DETERMINATION IS REQUESTED

Legal Land Description: NW 10-27-2-W5	(Qtr-Sec-Twp-Rg-W Mer)
County/Municipal District: Rocky View 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) #: unknown	

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

Livestock category and type	Claimed grandfathered livestock capacity
Beef Cattle	4000

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.)
Morison Farms Ltd		beef cattle finishing feedlot

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"/>	1999, 2004, 2006
Photographs (personal photos taken of animals/facilities)	<input type="checkbox"/>	<input type="checkbox"/>	
Livestock Purchase Records (auction market receipts)	<input type="checkbox"/>	<input type="checkbox"/>	
Livestock Sales Records (auction market receipts)	<input type="checkbox"/>	<input type="checkbox"/>	
Financial Records (Taxes)	<input type="checkbox"/>	<input type="checkbox"/>	
Feed, Straw, Mineral Purchase Records	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Nutrition Service Associates Scott Shadke 512-557-3525
Government Support Program Records (GRIP, NISA)	<input type="checkbox"/>	<input type="checkbox"/>	
Premises Identification Registration Records	<input checked="" type="checkbox"/>	<input type="checkbox"/>	AA020TDBX
Quota Records	<input type="checkbox"/>	<input type="checkbox"/>	
Veterinary Records	<input checked="" type="checkbox"/>	<input type="checkbox"/>	VAHS Mike Jalinsky 403-948-2253
Manifests	<input type="checkbox"/>	<input type="checkbox"/>	
Calving/Farrowing/Lambing etc. Records	<input 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 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"/>	license for water diversion #00209091-00-00
Any Diaries, Journals or Daily Logs	<input type="checkbox"/>	<input type="checkbox"/>	
Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Environmental Farm Plan 2006 + 2023

Verified Beef Production +
Reg# AB 2015000350

Grandfathering Determination Request



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.

Sept 19/23
Date of signing

Signature

[Redacted Signature]

Morison Farms Ltd
Corporate name (if applicable)

Rad Morison
Print name

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

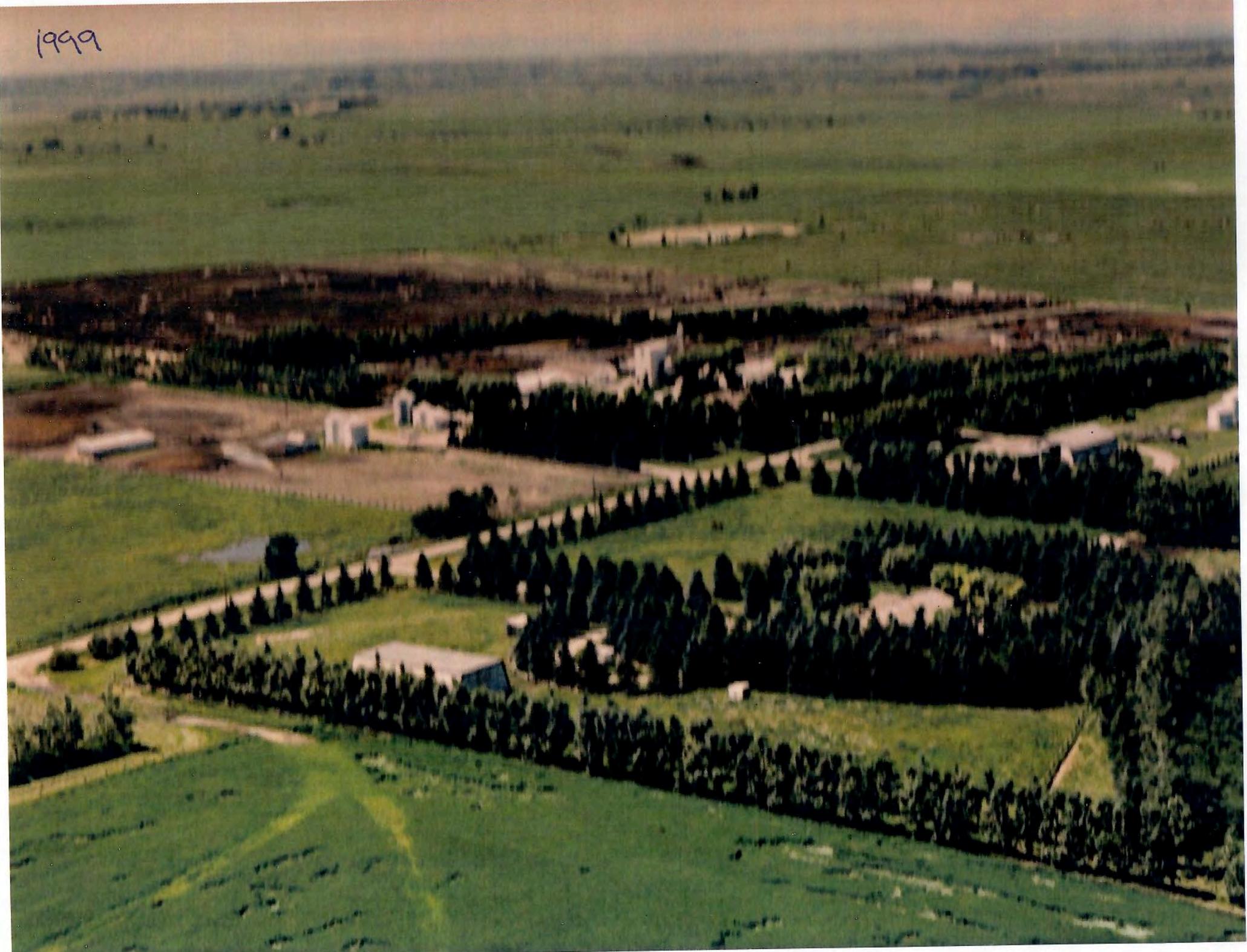
Owner Contact Information

Name: <u>Rad Morison</u>		Corporate Name (if applicable): <u>Morison Farms Ltd</u>	
Contact Numbers	Business: <u>403-333-0045</u>	Cell: [Redacted]	Home: [Redacted]
Email: <u>morisonfarms@gmail.com</u>			

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

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

1999



2004





SITE PLAN

Feedlot Pens

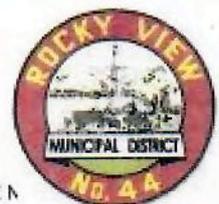


Cheryl Morison
NW 10 27 2 W5

DATE: Feb. 23, 2008

SCALE :

FILE : <PLACE FILE N



Certificate #230516-2494

THIS IS TO RECOGNIZE THAT

Rod & Cheryl Morison
of
Morison Farms Ltd

Has/have successfully completed the Alberta Environmental Farm Plan Workbook

Awarded this 16th day of May, 2023

Devon Lloyd

EFP Program Manager



This is to recognize that

Morison Farms Ltd.

participated in the development of an Environmental Farm Plan



The Alberta Environmental Farm Plan Company

Review Committee Chair

Date of Issue

May 31, 2006 F-2006-0200

DEEMED APPROPRIATE
STATEMENT OF COMPLETION



**Appendix B - Letter from Michael Jelinski, DVM, Veterinary Agri-Health Services received
January 17, 2024**

January 16, 2024

Re: Morison Farms Feedlot

To Whom it May Concern:

This letter serves as documentation that Veterinary Agri-Health Services Ltd. of Airdrie, Alberta, provided feedlot health consulting serves to Morison Farms Feedlot, of Airdrie, Alberta, (Land Location NW 10-27-2 W5) from the period of 1995 to approximately 2010. The feedlot had an approximate capacity of 4500 head during that period. Feel free to call if you have further questions.

Respectfully



Michael Jelinski DVM



Appendix C - Email dated January 19, 2024 and attached Health Summary (July 2002 - June 2003)

Re: Morison Farms Ltd. - Morison Farms Feedyard

Mike Jelinski <mikej@vahs.net>

Fri 1/19/2024 10:41 AM

To: Tracey Krenn <tracey.krenn@nrcb.ca>; Rod Morison <morisonfarms@gmail.com>

📎 1 attachments (282 KB)

Morison Farms Health Summary -2002-2003.pdf;

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Good morning Tracey

With reference to animal types, I have attached a health summary report we prepared for Morison Farms for the period from July /2002 - June /2003. The inventory through that period was 2320 fall calves (animals born the previous spring and weighing approximately 500 lbs., 1292 winter calves which are animals born the previous spring and placed in the feedlot early in the following year and weighing in the 500 - 600 lb range, and lastly 563 yearlings which would be animals in the 16 month age range and weighing 900-1000 lbs. Total feeders placed in that time frame was 4175. Additionally for the period from 1998-2013 there were 375-450 mother cows on the premises.

Feel free to call if you have further questions.

Michael Jelinski DVM

Veterinary Agri-Health Services Ltd.

[281121 Dickson Stevenson Trail, Rocky View County, AB T4B 4L5](#)

t: 403-948-2253 | f: 403-948-0520 | e: MikeJ@vahs.net | www.vahs.net

On Wed, Jan 17, 2024 at 9:40 AM Tracey Krenn <tracey.krenn@nrcb.ca> wrote:

Good morning Michael,

Thank you for providing the attached letter on behalf of Morison Farms Ltd. Are you able to confirm the livestock type that was present between 1995 - 2010?

The Agricultural Operations Practices Act (AOPA) threshold levels refer to three types of Livestock:

*

Cow/Finishers (900+ lbs)

*

Feeders (450-900 lbs)

*

Feeder Claves (<550 lbs)

In a grandfathering determination we are looking for livestock capacity, which you provided, as well as the livestock type.

What type(s) of livestock was the CFO confining and feeding on or about January 1, 2002? And, if more than one type, what were the numbers for each type?

Any additional information you can provide as to the livestock type would be greatly appreciated.

Kind regards,

Tracey Krenn

Inspector

Natural Resources Conservation Board

#303, 4920 – 51st Street

Red Deer, AB T4N 6K8

Tel: 403-340-7018

Email: tracey.krenn@nrcb.ca <mailto: tracey.krenn@nrcb.ca>

Website: www.nrcb.ca < <https://www.nrcb.ca/>>

This communication, including any attachments, is intended for the recipient to whom it is addressed, and may contain confidential, personal, or privileged information. If you are not the intended recipient of this communication, please contact the sender immediately and do not copy, distribute, or take any action in reliance on it. Any communication received in error, or subsequent reply, should be double-deleted or destroyed without making a copy.

P Please do not print this email unless absolutely necessary. The trees will thank you!

From: Rod Morison <morisonfarms@gmail.com>

Sent: Wednesday, January 17, 2024 5:50 AM

To: Tracey Krenn <tracey.krenn@nrcb.ca>

Subject: Fwd: NRCB letter

Date: July 1, 2002 - June 30, 2003

Feedlot: Morison Farms Feedyard

Disease	Fall Calves		Winter Calves		Yearlings/Heifers		Total Cases	Crude Morbidity
Description	# Cases	% Morbidity	# Cases	% Morbidity	# Cases	% Morbidity		
BRD	769	33.1%	128	9.9%	20	3.6%	917	22.0%
BRD1	182	7.8%	26	2.0%	3	0.5%	211	5.1%
BRD2	51	2.2%	4	0.3%	0	0.0%	55	1.3%
BRD3	21	0.9%	10	0.8%	3	0.5%	34	0.8%
NT	77	3.3%	3	0.2%	0	0.0%	80	1.9%
Total BRD	1023	44.1%	168	13.0%	26	4.6%	1217	29.1%
Rider	0	0.0%	0	0.0%	0	0.0%	0	0.0%
J1	60	0.0%	3	0.2%	0	0.0%	63	1.5%
FR	222	9.6%	108	8.4%	16	2.8%	346	8.3%
FATFR	0	0.0%	0	0.0%	0	0.0%	0	0.0%
FRR	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Total FR	222	9.6%	108	8.4%	16	2.8%	346	8.3%
Total FR Relapse Incidence		0.0%		0.0%		0.0%		
Total Head	2320		1292		563		4175	
Total Population	4175							

Appendix D - Statement of Roy Woolliams received January 26, 2024

January 25,2024

To Tracey Kern,

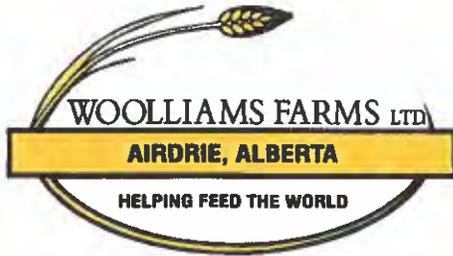
My name is Roy Woolliams and I am submitting this letter in favor of grandfathering the permit for a feedlot for Rod Morison on behalf or Morison Farms Ltd.

I have lived in the area all my life. I do not have direct line of site of the operation. I have sold grain to Rod ever since he has had the feedlot. I have not been absent for any long periods during this time.

My family homesteaded in the area in the area in 1890 and I have farmed here all my life raising cattle and growing crops.

Thanks Roy Woolliams





Larry Woolliams
Owner/Operator
271015 Symons Valley Rd
Rocky View County
Alberta, Canada
T4B 4P8

C: 403-620-8414
T: 403-948-7676
F: 403-948-6752

lwoolliams@woolliamsfarms.com
www.woolliamsfarms.com

To Whom it may Concern,

My name is Larry Woolliams (Owner of Woolliams Farms Ltd) I am a 5th generation farmer and neighbour (**SE-11-27-02-W5**) to Morison Farms Ltd and the Morison Family.

I have dealt with the Morison Family and Morison Farms Ltd. for many years, going back as far as 1994 or 1995 of the top of my head. We sold 100's of thousands of Bushels of Grain, Straw, and silage for the feedlot. Morison Farms Ltd. in my view is a leader in the cattle Industry by testing new technologies as well as adopting new technologies to better the industry as a whole.

The Morison family is a generational family Farm that has been in the same area and is well respected within the Community and have supported the community in many ways because of their cattle operation.

I am continually working with Morison Farms Ltd. on a yearly basis, and I am **Definitely** in favor of a Grandfather Permit for Morison Farms Ltd.

Please feel free to contact me at anytime.

Yours Truly,



Larry Woolliams
Owner/CEO

Appendix F - Written Statement of William A. (Bill) Morison received February 6, 2024

[REDACTED]

From: William Morison [REDACTED]
Sent: Monday, February 5, 2024 9:21 PM
To: Tracey Krenn <tracey.krenn@nrcb.ca>
Subject: Morison Farms Grandfathered Determination

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Please note the attached letter.

Thank you,
Bill Morison

February 5, 2024

NATURAL RESOURCES CONSERVATION BOARD

#303, 4920 – 51 STREET
RED DEER, AB T4N 6K8

ATTN: TRACY KRENN, INSPECTOR

RE: GRANDFATHERED PERMIT DETERMINATION

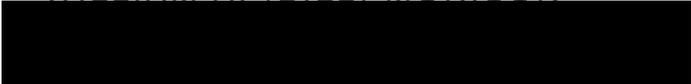
As a former partner of Morison Farms and father of Rod Morison, I would like to provide a brief history of Morison Farms to any who feel they will be affected by this decision.

In 1921 my grandparents, Fred and Elizabeth Morison, moved their young family from Manitoba after purchasing 5 quarters of land in the west Airdrie district. My father, Pete Morison, and his brothers farmed with their parents until World War II began. Pete served in the Royal Canadian Navy for four years. Upon returning from war, he married my mother, Bernice Edwards, in 1945. Pete and Bernice then began farming on their own after purchasing land located NW ½ of 15-27-2-5. Living in a remote area of their property proved challenging, and in 1948 they were able to purchase land located NW 10-27-2-5. It was here they built their new home. My father had purchased some cows and their start in the livestock industry had begun. I began farming with my dad Pete in 1964 and married in 1966. We began to expand our cow herd and were now feeding a few hundred head of cattle. My son Rod became interested in livestock after being an avid 4H member. Rod joined our operation at a very young age. Land prices began to rise as population of the city of Calgary increased, and we decided to expand our feeding operations. Over the next few years, Morison Farms grew, and we were now feeding over 4,000 head of cattle, with numbers peaking during the fall and winter months. As a result of our growing business, infrastructure was put in place to safely accommodate a facility of this size. Farming and feeding practices were and still are a number one priority for Morison Farms, growing safe and reliable food for our country's rising population. Our farming operation has been recognized as a leader in the agriculture industry, winning the coveted Master Farm

Family award in 1965 and again in 2011. Our family has been farming in the west Airdrie area for 103 years and our farming operation has fostered 6 generations of the Morison family.

SINCERELY,

WILLIAM A. (BILL) MORISON


LEGAL LAND DESCRIPTION SE15-27-2-5, NW15-27-2-5



February 4, 2024

Tracey Krenn, Inspector
Natural Resources Conservation Board
#303, 4920 51 Street
Red Deer, Alberta T4N 6K8

Re: Notice of Grandfathered Permit Request for Morison Farms Ltd.

I owned NW2-27-2-W5 from 1954 until 2022 when the land was transferred to my three children; I continue to live on the property which is roughly 1.5 miles from the Morison feedlot. We were friends and frequent visitors with Pete and Bernie Morison, Rod's grandparents. From the late 1960s to the mid 1970s I artificially inseminated cows for Pete using the feedlot corrals – the same corrals which now operate as Morison Farms - which were as well kept and clean as any I worked in.

Our own cattle operation expanded during the 1970s and many of our calves were purchased by Morison Feedlot. Pete was a top cattle feeder and our calves did well in their lot.

In 1954 when I moved to Airdrie from Hartell, southwest of Calgary, there were no acreages within sight. Now, seventy years later, there are 22 acreages within two miles of home and about 16 within close proximity to Morison Feedlot. The feedlot predates all those acreages and their residents, who should not complain of a slight farm odor and instead enjoy the fantastic mountain view.

I fully support this application. As this world gets more crowded, with more mouths to feed, we must protect the ability of farmers to produce food.

Sincerely,


Charles Raines


Appendix H - Written Statement of Isabel & Larry Wilson received February 20, 2024

From: [Tracey Krenn](#)
To: [Crystal Powers-Sanford](#)
Subject: Statement of Concern - Morison Farms Ltd. - PR23001
Date: Tuesday, February 20, 2024 8:26:19 AM
Attachments: [Morison.pdf](#)

Hi Crystal,

Can you please send the letter acknowledging receipt of this written statement.

Thanks,

Tracey Krenn

Inspector

Natural Resources Conservation Board

#303, 4920 – 51st Street

Red Deer, AB T4N 6K8

Tel: 403-340-7018

Email: tracey.krenn@nrcb.ca

Website: www.nrcb.ca

This communication, including any attachments, is intended for the recipient to whom it is addressed, and may contain confidential, personal, or privileged information. If you are not the intended recipient of this communication, please contact the sender immediately and do not copy, distribute, or take any action in reliance on it. Any communication received in error, or subsequent reply, should be double-deleted or destroyed without making a copy.



Please do not print this email unless absolutely necessary. The trees will thank you!

From: Larry Wilson [REDACTED]
Sent: Sunday, February 18, 2024 3:22 PM
To: Tracey Krenn <tracey.krenn@nrcb.ca>
Subject: Morison Grandfathering

This sender is trusted.

Hi Tracey

This attachment is our answer to the letter re: Morison Farms Ltd. CFO Grandfathering application

Just so it is on file.

Regards

Isabel and Larry Wilson

To NRCB tracey.krenn@nrcb.ca

Regarding: Morison Farms restarting CFO at NW ¼ 10-27-2 W5

We are Isabel and Larry Wilson and we live at [REDACTED] N.E. 1/4 10 27 2 W5. Our property borders the east side of the subject lands and our house is approximately 170 m from the property line and approximately 250 m southwest of the likely feed lot area, which is downwind of the prevailing northwest winds. We would like to dispute the grandfathering of Morrison Farms Ltd. request to restart their CFO. This operation, although active when we first moved to our property, has not been operational for at least 6 years. In addition, when it was operational, it was not at the capacity for which they are applying and the impacts on our neighborhood would be devastating. Although impacts to our lives and the lives of our neighbours may not weigh into a decision, there are other issues including environmental issues and operational practices that need to be considered.

First, the feedlot was never at a capacity of 4,000 head and we have long time neighbours who can attest to that. We also have historical photos on google earth showing the feedlot footprint size which could not support 4,000 head of cattle. Morison farms does not have the infrastructure to support that level of CFO and any increased footprint and infrastructure would negatively affect landowners in the area.

Second, the water requirements for 4,000 head is far more than the WID capability they had when they were in operations, prior to 2006. At that time, their operations were likely at the 600 head capacity and would be considered more a hobby as opposed to commercial operation. The 41,000 m³ allotment will likely only support 1,500 head not 4,000. There are limited options to increase any water withdrawal to support 4,000 head. Morison farms has already drilled 26 wells up to 2006 and some wells had to be abandoned due to the water demand of the CFO, and low flow volumes. Some neighbours noticed a decrease in their well rate when Morison Farms was withdrawing water from a well near them. Specifically, several years ago, Morison Farms drilled a well just north of some of our neighbours and their water pressure went down to the point he had to abandon that well on his land. Environmental issues and concerns have changed significantly since the CFO was last operational. Dry conditions are affecting surface water quantity and would, therefore, be affecting groundwater recharge and the ability to increase withdrawal rates for a restart of the CFO, at 1,500 head, let alone 4,000. We feel very strongly that water will be an issue with his or anyone else's operation, should he sell, of 4,000 head of cattle.

Third, the practices when it was running were not conforming to NCRB rules and our fear is that Morison farms will continue to conduct operations in an unsafe manner that negatively

affects adjacent landowners and the environment. Issues we observed when the CFO was last operational include:

- No manure plan
- Not feeding in July, August and September
- No processor pickup for dead animals, rather, dead cows were disposed of in an open pit to the southwest of our property
- No silage for winter feeding

As a result of the illegal disposal, coyotes and other scavengers would bring cattle remains onto our property, which would also bring unwanted wildlife such as skunks. For a couple of years, we'd allow hunters to come onto our land to control the coyotes and during a typical winter would harvest more than 20!

Plastic from the silage pit cover tears in high winds and blows onto our land, getting caught in shrubs, trees, and fences. We constantly have to pick up this debris and dispose of it. Also, cattle would inevitably escape, damaging our fence and we'd need to push the cattle back into the field or call Morison farms to retrieve the cattle. Since the CFO was last operational, we've planted more trees and gardens and escaped cattle could damage these areas that are so important to us.

We moved to the property when the CFO was operational but as mentioned, there weren't many cattle present and it diminished over time. We have not had to deal with the odour for quite some time. We are much older now and we fear that the CFO, once operation, will cause excessive odours and poor air quality and as we're so much older, this could affect our health and well-being.

Lastly, Rod and Cheryl Morison built their new home 2 miles by road from the CFO and have to drive equipment and trucks all day long past our acreages using both the road and a trail along our fence line. The dust from travel on both routes, but in particular, along the fence line causes excessive dust, again, affecting our air quality.

We have highlighted some valid concerns with Morison Farms restarting a CFO next to a plot of land that has seen growth in acreages. The area has changed significantly since the CFO started and is no longer compatible with adjacent land use. This is particularly important since the adjacent land use consisting primarily of acreages, are downwind of the subject lands. Our view and that of most of our neighbours is that this CFO should not be restarted under a grandfathered license.

Sincerely,

Larry and Isabel Wilson

Wilson subdivision

Larry Wilson
Draft

Sun, Sep 3, 2023 at 3:57 PM

Hi Rod and Cheryl

This is the answer I got from the county when I asked about dividing.

Good Afternoon Larry,

From the original application for redesignation, it appears the main basis for Administration's recommendations was the proximity to a confined feeding operation in the adjacent quarter (roughly 400m). Please see Policies relating to Minimum Distance Separation in the County Plan for more information (eg. Policy 8.22). Other than that, as the quarter is considered fragmented already, it could be deemed to meet the intent of Section 10 of the County Plan (see 10.11).

That said, I did a quick search on the National Resources Conservation Board (NRCB)'s website: CFO Search: NRCB | Natural Resources Conservation Board and couldn't find the referenced operation. FYI the NRCB regulates confined feeding operations throughout the province.

Do you happen to have any further information as to whether or not that operation remains active? I would strongly recommend connecting with them prior to submission of an application for redesignation.

I hope this provides further clarity, please don't hesitate to reach out if any questions come up.

Thank you,

CARTER SHELTON, BA
Planner 1 | Planning and Development

ROCKY VIEW COUNTY

262075 Rocky View Point | Rocky View County | AB | T4A 0X2
Phone: | 403.520.8165

CShelton@rockyview.ca | www.rockyview.ca

Rocky View County Planning and Development Services is fully operational with some alternative processes.

Please see our website for more information and application processes: www.rockyview.ca/building-planning

Rocky View County farm family awarded at the Calgary Stampede



Airdrie Today Staff
Jul 17, 2014 12:00 AM

NOTICE CIRCLED AREAS



Rod and Cheryl Morrison, who live on a fourth-generation farm west of Airdrie, were presented the 2014 BMO Farm Family Award for Rocky View County at the Calgary Stampede on July 7.

Rocky View County (RVC) residents Rod and Cheryl Morison were among the 20 southern Alberta families recognized by the Bank of Montreal and Calgary Stampede for their contributions to Alberta's agriculture industry.

BMO Farm Family Award.

"Today's modern farm families are both savvy entrepreneurs and innovators, who continue to embrace new techniques to improve their day-to-day operations and put high-quality food on our tables," said Minister of Agriculture and Rural Development Verolyn Olson during the presentation of the awards.

"Their hard work and commitment to their families and communities makes them part of the bedrock of our agriculture sector and rural Alberta," Olson added.

"These families have successfully melded the ideas and traditions of the past with modern agri-business practices," said Mike Darling, regional vice president of Commercial Banking for Southern Alberta for BMO Bank of Montreal.

Morison said "it was a total honour," to be awarded, adding humbly he thinks "there are a lot more deserving people in the community."

The couple have roots in the community that date back to 1920 when Rod's grandfather settled on the land located west of Airdrie.

"We had four generations on it at one time. My grandfather built this place and we expanded on it since," he said.

At one point, the family was running a 400-head commercial herd and a 4,500-head capacity feedlot. But, Morison said they have scaled-back to a yearling operation and growing barley and canola for harvest.

"For 25 years, we worked 345 days a year, so there's a ton of work that goes into it. It was a lot of hard work building this, so now we have to enjoy it," he said, adding they have done a lot of work over the years with GrowSafe Systems to research residual feed intake – a tool used to calculate the efficiency of growing cattle – to aid in their success. The Morison family was also named RVC's Master Farm Family in 2011. They were recognized for their outstanding community spirit and forward-thinking in the agricultural industry.

Morison and Cheryl are members of various volunteer groups and organizations, including the Airdrie Agricultural Society, the Calgary Central Feeder Association, and the Calgary Stampede. They have also been involved with 4-H clubs in various ways, and their two sons, Harley and Carter, were members of the Balzac 4-H Beef Club.



***About the Author:* Airdrie Today Staff**

[Read more](#)

Comments (0)



L I C E N C E

**PURSUANT TO THE PROVISIONS
OF THE WATER ACT**

LICENCE No. 00208081-00-00

FILE No. 00253

PRIORITY No. 2001-09-24-003

Morison Farms Feedyard
P.O. Box 0, Site 3, RR#1
Airdrie, Alberta
T4B 2A3

is authorized to divert 41,000 cubic metres* of water annually at a maximum rate of 0.054 cubic metres per second from West Nose Creek in NE 16-027-02-W5 for the purpose of Agricultural subject to the attached conditions.

2029 05 06

Expiry Date (Y/M/D)

Designated Director under the Act
May Mah-Paulson, P. Eng.

2004 05 07

Dated (Y/M/D)

* Issued under provisions of the South Saskatchewan Basin Water Allocation Regulation (AR 307/91)

CONDITIONS

DIVERSION OF WATER

1. This licence is appurtenant to the attached plans.
2. The licensee shall undertake the water diversion in accordance with the plans and/or reports filed in the following Departmental records:

NUMBER	TITLE
00253-P002	General Plan
00253-P003	Water Intake Location and Survey Plan

3. The licensee shall only divert water from the West Nose Creek between March 1 and October 31 when the flow passing the point of the water diversion is equal to or exceeds the instream objectives as defined in the attached Schedule 1 and after downstream prior licensees water needs have been fulfilled.
4. The Director reserves the right to amend any or all of the instream objectives in Schedule 1 to which written notice shall be provided to the licensee 60 days prior to the effective date.
5. The Director reserves the right to establish water conservation objectives upon 12 months written notice to the licensee.
6. The diversion rate shall not exceed 10% of the flow immediately above the diversion point.
7. This licence is based on knowledge available at the time of issue, and therefore the Director reserves the right to amend the
 - (a) monitoring systems and the annual water monitoring information
 - (b) rate of water diversion and quantity of water allocated, and
 - (c) offstream storage or alternative sources of water supply,

anytime there is information indicating unreasonable interference due to the operation of the project on

- I. the source of water supply
- II. other water users
- III. instream objectives, and
- IV. the aquatic environment

which cannot be satisfactorily remedied.

8. To protect the aquatic environment, the licensee shall reduce the rate of water diversion or cease diverting when ordered by the Director or other authorized officer

CONDITIONS

of the department.

9. The licensee shall provide, on the intake, a mesh screen made of durable material and with openings not exceeding 10 millimetres square.

MONITORING AND REPORTING

10. The licensee shall submit an annual water monitoring report to the Director on or before December 31 in each year for that calendar year indicating
- (a) periods and rates of water diversion
 - (b) total monthly quantity of water diverted
 - (c) total annual quantity of water diverted
 - (d) During time of diversion, flow in West Nose Creek passing the point of water diversion.

and any other information requested by the Director.

GENERAL

11. The licensee shall hold harmless the Minister of Environment or any other agent of the Government of Alberta for damage or damage claims arising out of the water diversion.
12. When requested by the Director, the licensee shall release water to household users and prior licensees.
13. The licensee shall install facilities for the release of water to household users and prior licensees, when requested by the Director.
14. The licensee shall obtain the approval of the Director
- (a) before any periodic maintenance of the intake works such as removal of debris, silt, etc, is carried out
 - (b) before any design and/or modification to the permanent intake works take place.
15. The rights and privileges granted are subject to periodic review on licence renewal and amendment by the Director to ensure the most beneficial use of the water in the public interest.

Licence No. 00208081-00-00
File No. 00253

CONDITIONS

16. Where applicable, the licensee shall only release water to a water body when the quality of water is equal to or better than the quality of water in the receiving water body.

Designated Director under the Act

2004 05 07

Dated (Y/M/D)



FAX



SOUTHERN REGION
REGIONAL SERVICES
CALGARY AREA
200, 3115 - 12TH STREET NE
CALGARY, AB T2E 7J2
FAX NUMBER: (403) 297-2749

Date: March 21, 2002

TO Sandi Roberts DEPARTMENT/COMPANY

FAX 340-4896 PHONE

FROM Randy Poon

PHONE 297-6625

CC

SENDER (if different from above)

PHONE

RE

Urgent As Requested FYI Please Action/Reply Please Distribute

OF PAGES INCLUDING COVER PAGE 5 If you did not receive all the pages please notify sender

NOTES/COMMENTS:

Sandi,
As discussed, background information

Golder Associates Ltd.

1000, 940 - 6th Avenue S.W.
 Calgary, Alberta, Canada T2P 3T1
 Telephone (403) 299-5600
 Fax (403) 299-5606



002-2616

March 14, 2001

Alberta Environment
 Natural Resources Service
 Bow Region
 200, 3115 - 12th Street N.E.
 Calgary, Alberta T2E 7J2

Fax: 297-2749

Attention: Mr. Randy Poon, P.Eng.

**RE: Application for Permanent Diversion under the *Water Act*
 Morison Farms Feedyard**

Dear Mr. Poon:

Golder Associates, on behalf of Morison Farms Feedyard, is hereby making an application under the *Water Act* for the permanent diversion of water from West Nose Creek, also known as Beddington Creek, at NE¼ 16-27-2-W5M. Diverted water will be consumed by livestock located within the properties owned by Morison Farms Feedyard.

As stated in the attached application form, the requested rate of withdrawal is 54 litres per second, to a maximum of 41,000 cubic metres annually. Pumping will managed so that proposed instream flow needs levels for the watercourse (Section 6) are maintained at all times. The basis for the proposed withdrawal scheme is detailed below.

1. Morison Farms Feedyard

Located approximately 12 kilometres West of Airdrie, Morison Farms Feedyard raises beef cattle. As shown on that attached Figure 1, the current operation includes titles held under Anchor 7 Holdings Limited, W. & S. Morison, R., W. & S. Morison, S. Morison, and R. & C. Morison. Mr. Rod Morison is the primary contact of the business. Consumption will occur at NW¼ 10-27-2-W5M and NE¼ 9-27-2-W5M.

2. Existing Licenses

Morison Farms Feedyard currently uses wells located in SE 15-27-2-W5M for watering livestock. The current licensed annual volume of water from the wells is 5 acre-feet (6,167 cubic metres) per year.

3. Water Conveyance and Storage Infrastructure

Morison Farms Feedyard currently utilizes a 3,000,000 gallon water storage pond located at NW-10-27-2-W5M. It was built with some guidance from the Prairie Farm Rehabilitation Association (PFRA) in 1996. A water transmission pipeline running from the proposed point of withdrawal to the point of consumption is currently in place. The pipeline is 8 inches in diameter and approximately 5,000 feet long. A



Alberta Environment
Mr. Randy Poon, P.Eng.

March 14, 2001
001-2616

-2-

portable pump was purchased by Morison Farms Feedyard in June, 2000 with the intention of pumping water from West Nose Creek through the pipeline to the existing storage pond. Calculations indicate that the pump and pipeline system will operate at 54 litres per second.

4. Estimation of Water Demand

Annual variation in beef production at Morison Farms Feedyard peaks in the winter with approximately 4,500 head of cattle. Summer cattle numbers average around 2,500. Based on Alberta Environment estimates of water consumption per animal¹, the volume of water required for feeding livestock on an annual basis is approximately 47,000 cubic metres. It is assumed that no water will be withdrawn from West Nose Creek between November 1 and April 1 due to low flow or freezing conditions. All water required during winter months will therefore be withdrawn and stored prior to November, or obtained from the licensed groundwater withdrawals.

Given the existing licensed diversion quantity, the total volume of the requested diversion is 41,000 cubic metres on an annual basis.

5. West Nose Creek (Beddington Creek)

The drainage area contributing to the proposed point of withdrawal (NE¼ 16-27-2-W5M) is 45 square kilometres. Watershed area was determined by delineation at 1:50,000 scale topographic mapping. West Nose Creek flows south past properties owned by Morison Farms Feedyards to its confluence with Nose Creek in the City of Calgary. Average annual runoff in the Nose Creek watershed is 17 millimetres².

6. Instream Flow Needs for West Nose Creek (Beddington Creek)

The Alberta Environment stipulated instream flow need (IFN) for West Nose Creek is currently 0.085 m³/s. It is requested that this annual average IFN of 0.085 m³/s be reduced to mean monthly IFNs ranging from 0.009 m³/s in April to 0.003 m³/s in October. The rationale for this reduction in the IFN at this location is presented in the following sections.

Stream flows at the potential point of water withdrawal were determined from recorded data at an Environment Canada monitoring station on West Nose Creek (Beddington Creek). The station was in operation from 1982 to 1995, and has a watershed drainage area of 247 square kilometres. In order to estimate the discharge at the proposed point of withdrawal on the property, the 14 years of available daily stream flow data were adjusted by the ratio of the watershed areas. The resulting historic stream flow at the proposed point of withdrawal is presented in Figure 1. The current Alberta Environment stipulated IFN of 0.085 m³/s for this watercourse is also detailed on Figure 1.

On September 5, 2000, the discharge in West Nose Creek was measured west of the feedlot. The discharge was 0.020 m³/s (0.7 cubic feet per second (cfs)). This measurement was taken after a

¹ As indicated on page 2 of "Registration for Traditional Agricultural Users under the Water Act", Alberta Environment.

² Water Survey of Canada gauges: Beddington Creek near Calgary, Nose Creek near the Mouth, and Nose Creek at Calgary.

Alberta Environment
Mr. Randy Poon, P.Eng.

-3-

March 14, 2001
001-2616

period of rainfall. Examination of Figure 1 indicates that it is typical of stream flows that might be expected after a period of heavy rains.

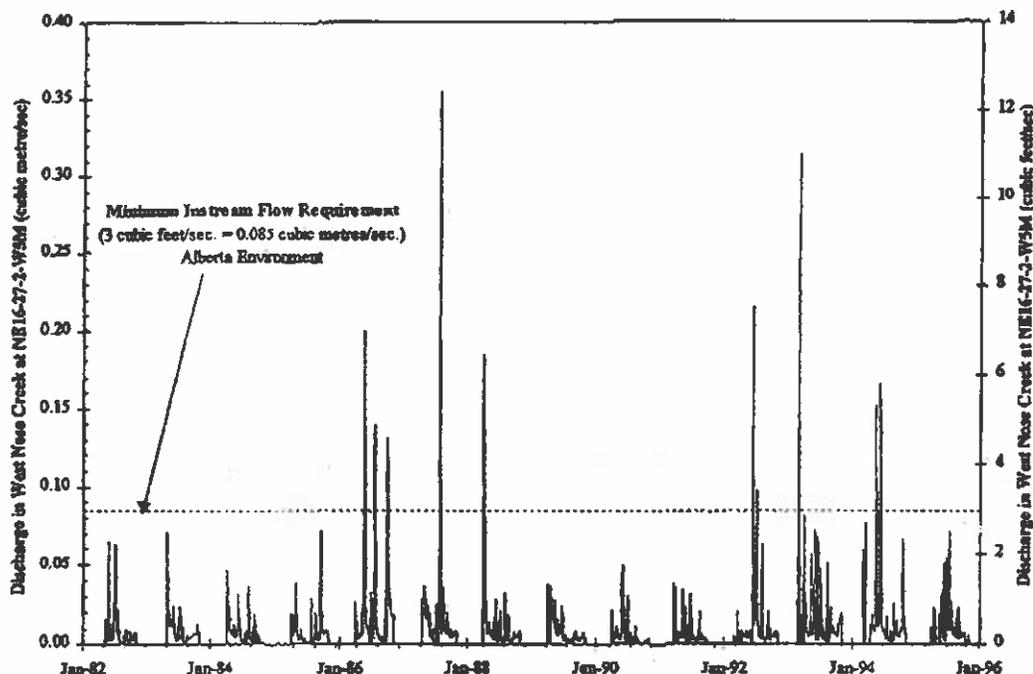
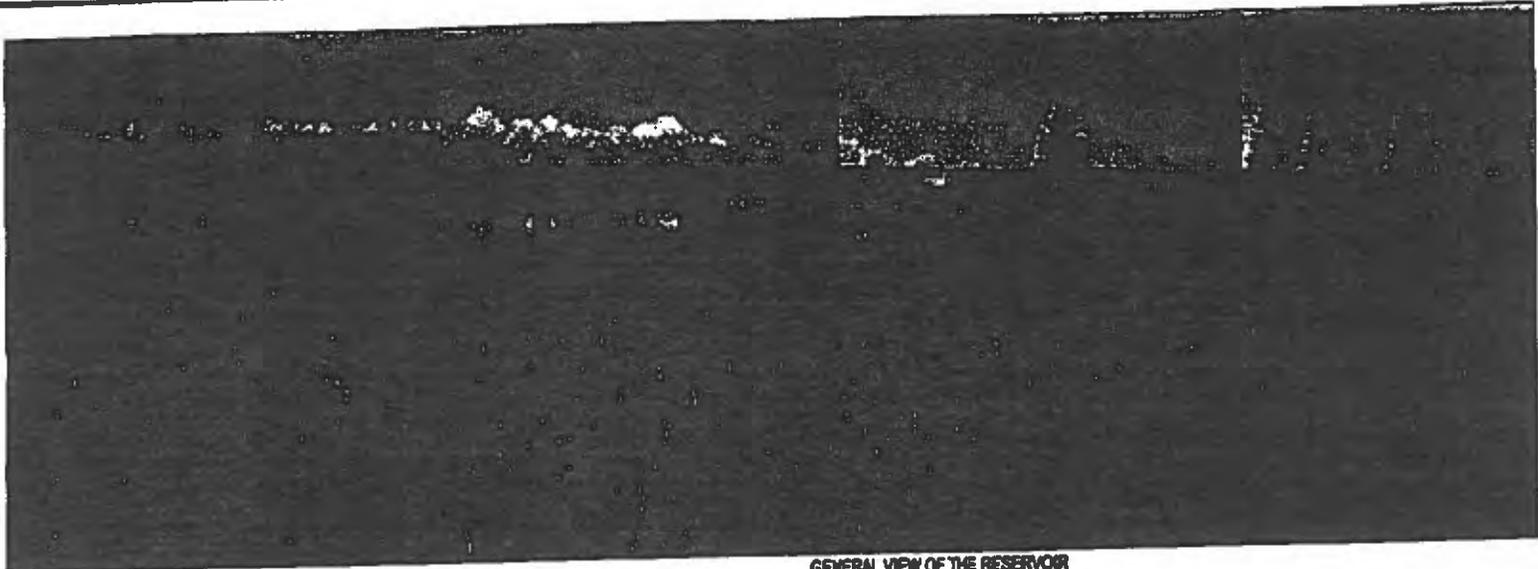


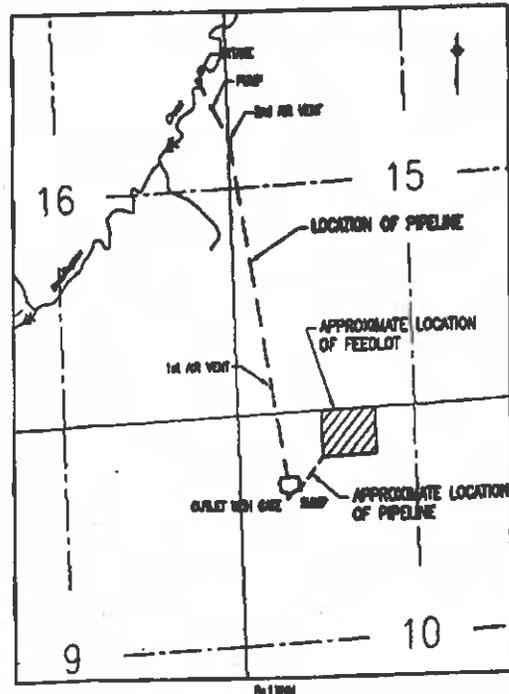
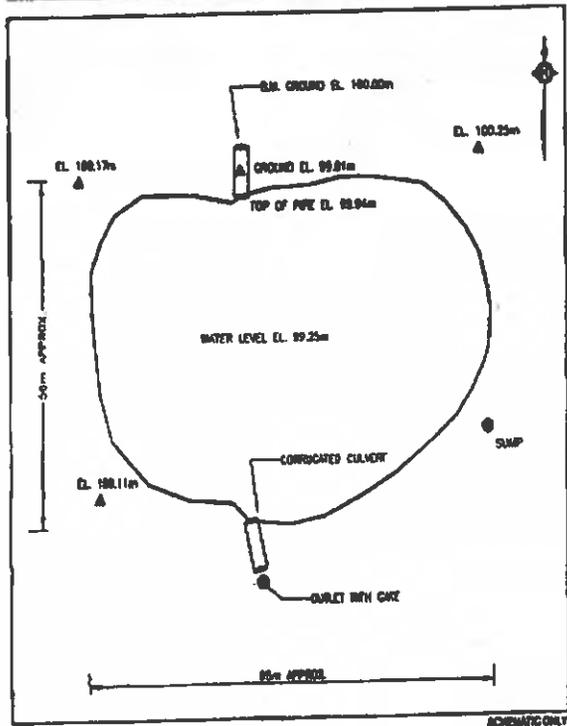
Figure 1. Streamflow at the Proposed Point of Withdrawal
(as prorated from WSC Gauge 05BH904)

Mean monthly flows were calculated for April through October based on the 14-year streamflow record. These values are summarized in Table 1. The monitoring station was operated on a seasonal basis, and data are not available for the November to March period. Due to the small quantity of water in the creek during this period, it is assumed that the creek freezes to the bottom over the winter months. Assuming zero flow from November to March, the mean annual flow estimated to be $0.007 \text{ m}^3/\text{s}$ (0.2 cfs).

The Tessman Modification of the Tennant Method was used to estimate an IFN for West Nose Creek (Beddington Creek) based on the available data. This technique is often used by Alberta Environment when there is no site-specific information available for a watercourse relating to a water license request. The IFN results are presented in Table 1, and range from $0.009 \text{ m}^3/\text{s}$ (0.3 cfs) in April, to $0.003 \text{ m}^3/\text{s}$ (0.1 cfs) in October. This is the amount of water that should be left in the stream immediately downstream of the point of withdrawal.



GENERAL VIEW OF THE RESERVOIR



PLAN VIEW OF GENERAL LAYOUT

NOTES: RESERVOIR DETAILS

- 1) THE RESERVOIR IS APPROX. 5.4m (21 FEET) DEEP.
- 2) SLOPE OF THE RESERVOIR 4:1

PROJECT			
MORISON FARMS FEEDYARD			
DATE			
PIPELINE LOCATIONS AND RESERVOIR LAYOUT			
DRAWN BY			
CHECKED BY			
DATE			
PROJECT NO.	02-044	DATE	REVISIONS
0200	11/15/01	SCALE	A7.5 (1" = 4')
Golder Associates			FIGURE: 1
Calgary, Alberta			

Am:\2000\020-2010\CA\Drawing the Reservoir Layout.dwg Sep 21, 2001 12:47pm

Appendix J - Email correspondence between the NRCB and Alberta Environment dated April 17, 2002



Sandi Roberts

04/17/2002 01:42 PM

To: randy.poon@gov.ab.ca

cc:

Subject: Morison Farms Feedyard

NW 10-27-2-W5

MD of Rocky View

Randy,

You asked whether an application to the NRCB is required by this operation. The MD of Rocky View considers this operation to be grandfathered. Therefore, the NRCB does not at this time require Morison Farms Feedyard to make application. The information that you have provided to us indicates that the number of head of cattle is 4500. If in the future more than 4500 head of cattle are proposed at this site, they would be required to submit an application for expansion to the NRCB.

Sandi Roberts, P.Eng.
Approval Officer, Red Deer
Natural Resources Conservation Board

Appendix K - Email correspondence between the MD of Rocky View (Rocky View County) and the NRCB dated March 22, 2002, April 3, 2002 and April 8 & 11, 2008

403-230-1401 ext. 2202

-----Original Message-----

From: Sandi.j.Roberts@gov.ab.ca [mailto:Sandi.j.Roberts@gov.ab.ca]
Sent: Friday, March 22, 2002 12:05 PM
To: comments@gov.mdrockyview.ab.ca
Subject: Morrison Farms Feedyard

Attn: Linda Eckhart

Alberta Environment has brought to the attention of the Natural Resources Conservation Board that this operation has applied for water licence. Ab Env is wondering if they should also be applying to the NRCB for an expansion of their existing operation. It appears to be located at NW 10-27-2-W5 and NE 9-27-2-W5. Has the MD of Rocky View issued a development permit for this operation? If so, would it be possible for you to fax a copy of the permit, especially the number of animals and any conditions? My fax number is 403-340-4896.

If you need more information or would like to discuss this matter, call me at 403-340-7018.

Thank you.

Sandi Roberts
Approval Officer, NRCB



Linda Eckhart
<leckhart@gov.mdrock
yview.ab.ca>

04/03/2002 02:29 PM

To: Sandi Roberts/AAFRD@AAFRD
cc:
Subject: RE: Morrison Farms Feedyard

NW 10-27-2-W5

MD of ROCKY VIEW

Sandi,

We do not have any specific numbers for the number of cattle, we are aware that it has been there a number of years. Since it has been grandfathered they are permitted to have the operation without providing us with any information. (I see the need for better regulations with the implementation of the NRCB)

Linda

-----Original Message-----

From: Sandi.j.Roberts@gov.ab.ca [mailto:Sandi.j.Roberts@gov.ab.ca]

Sent: Wednesday, April 03, 2002 12:57 PM

To: Linda Eckhart

Subject: Re: Morrison Farms Feedyard

Hi Linda,

The information that Morison Farms Feedyard consultant provided to Alberta Environment estimates that they have approximately 4500 head of cattle in the winter and average 2500 head in the summer. Is this number of cattle consistent with what the MD of Rocky View understands the operation to be grandfathered as?

Sandi Roberts

	Linda Eckhart <leckhart@gov.mdrockyview.ab.ca> 04/03/2002 11:32 AM
--	--

	To: Sandi Roberts/AAFRD@AAFRD cc: Subject: Morrison Farms Feedyard
--	--

Sandi,

My appologies for taking so long to get back to you. I have done some research on the Morrison Farms Feedyard and we do not have any Development Permits on file for them. It may be an operation that has been there for a very long time, therefore grandfathered in. If you need anything else let me know.

Linda Eckhart
Development Clerk

Sandi Roberts

From: Sandi Roberts
Sent: Friday, April 11, 2008 3:17 PM
To: 'TDietzler@rockyview.ca'
Cc: mmatthews@rockyview.ca
Subject: RE: mds setback distance required...

Tim,

There are no provisions in AOPA for a general mix of age/size of beef animals. However, within the beef category there are 3 "types" listed which are finishers (900+ lbs), feeders (450-900 lbs) and feeder calves (<550 lbs). If you can provide us with the number of animals within each type, I can calculate the MDS on that basis.

The largest MDS requirement would be if all were finishers. The calculated MDS values for a 5000 head finisher beef feedlot is as follows:

Category 1 685 metres
Category 2 913 metres
Category 3 1141 metres
Category 4 1826 metres

Please let me know if you need anything else.

Sandi Roberts, P.Eng.
NRCB Approval Officer

-----Original Message-----

From: TDietzler@rockyview.ca [mailto:TDietzler@rockyview.ca]
Sent: Tuesday, April 08, 2008 3:33 PM
To: Sandi Roberts
Cc: mmatthews@rockyview.ca
Subject: mds setback distance required...

Sandi, could you please suggest the setback for all categories of development for a 5000 head feedlot? This is Rod & Cheryl Morison located at NW10-27-02-05. They have a range of age/size animals, and sell finishers every month of the year... is there a classification for this mix of ages/sizes, or do we call them all finishers???? Please advise, Thx, Tim

Tim Dietzler
Agricultural Fieldman
MD of Rocky View
911 - 32 Avenue NE
Calgary, Alberta T2E 6X6
403-520-1271 (direct)
403-478-8273 NEW!!(cell)
403-277-5977 (fax)

RECEIVED
FEB 21 2024
NRCB Red Deer

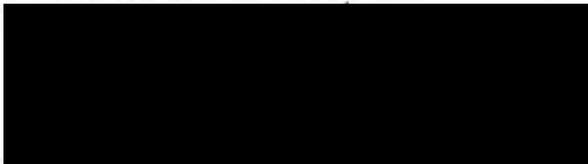
February 17, 2024

Tracy Krenn
303, 4920-51 St.
Red Deer, AB.
T4N 6K8

I am writing with reference to the "Grandfathering Determination" for Rod Morison of Morison Farms Ltd., NW 10-27-2 W5M in Rocky View County, AB. As a director of Calgary Central Feeder Assoc. for thirty years and the chairman for five years, I can verify that Morison Farms has been an active feedlot for over thirty five years with a capacity of 4000 head.

Yours truly,

Dennis Holman



NW 22-27-4 W5M



Morison Farms Ltd. – NW 10-27-2-W5

Valtus 1999-2003



Google Earth September 2011



Valtus 2013



Google Earth July 2014



Valtus 2015



Google Earth October 2018



Google Earth July 2023



Appendix N - Livestock Capacity Calculations

Morison, Rod & Cheryl (Morison Farms Ltd.)

Livestock Capacity Determination based on Calculator for Determining Livestock Capacity of Operations as They Existed on January 1, 2002. Technical Guideline Agdex 096-81 February 2016. Table 1. Beef animal numbers calculations.

The calculation for Cows/finishers (900+ lbs) southern AB

Table 1. Beef¹ animal number calculations

Type of Livestock	Space Allocation (ft ² /animal)	Bunk Space Full Feed (ft/animal)	Bunk Space Limited Feed (ft/animal)	Enter Pen Area (ft ²)	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					
Cows/finishers (900+ lbs) southern AB	200	1.0	2.5	1,437,310	2,650	7,186	2,650	1060
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	

Pen Area (ft²)

Area A = 111,192 ft²

Area B = 108,786 ft²

Area C = 108,149 ft²

Area D = 20,389 ft²

Area E = 63,605 ft²

Area F = 65,015 ft²

Area G = 245,034 ft²

Area H = 438,031 ft²

Area I = 277,109 ft²

TOTAL= 1,437,310 ft²

Bunk Space (ft)

440 ft

460 ft

420 ft

70 ft

160 ft

165 ft

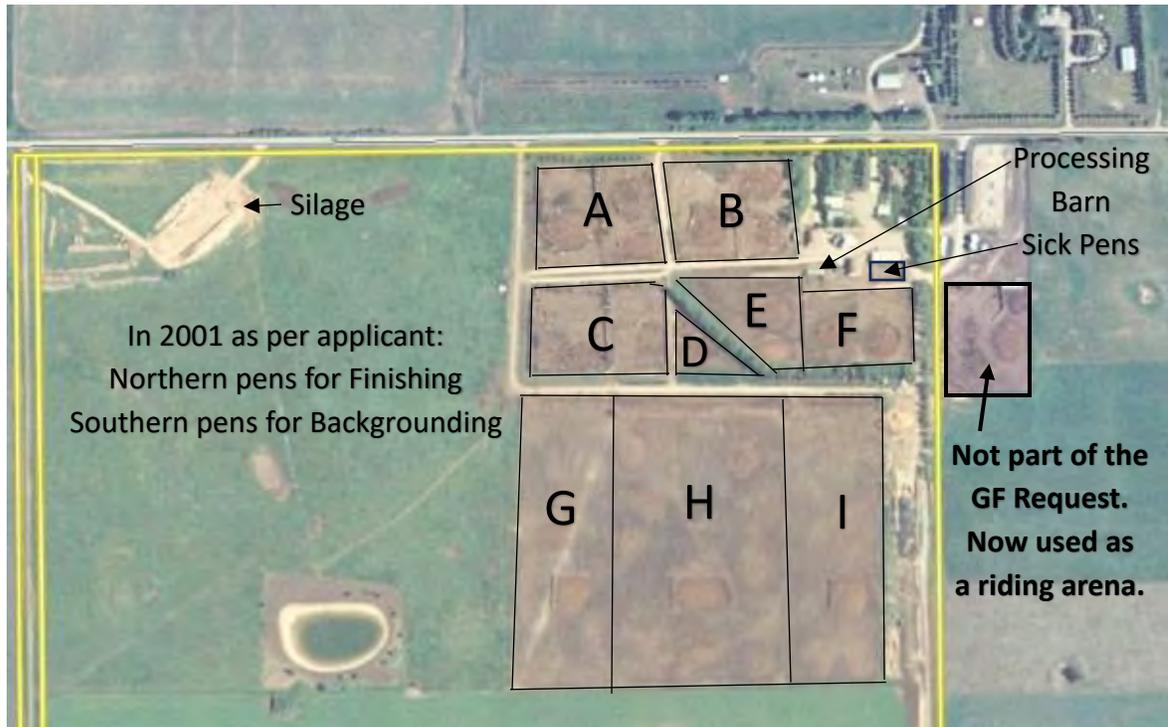
200 ft

495 ft

240 ft

2,650 ft

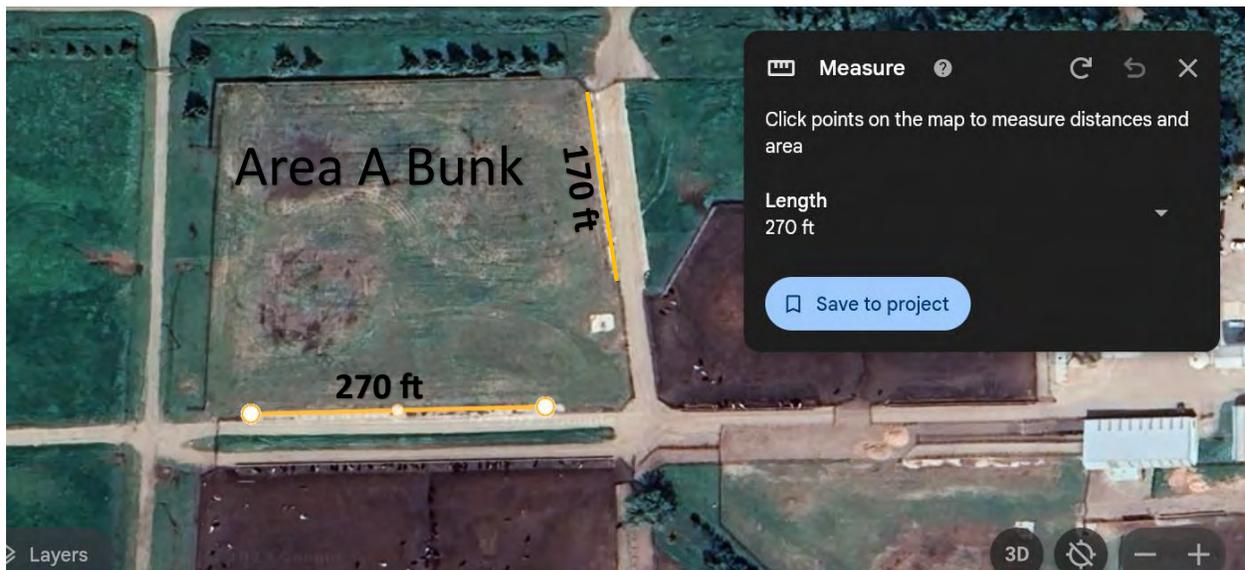
Geospatial Alberta – Valtus 1999-2003



The following aerial imagery is from Google Earth 8/5/2020, due to clarity it was used to calculate pen area and bunk space.

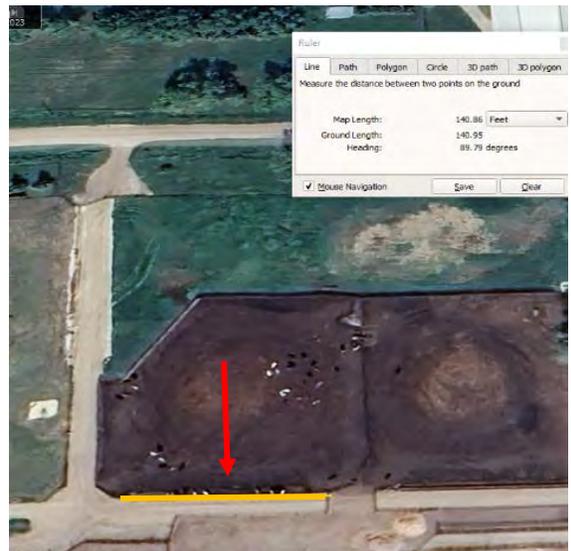
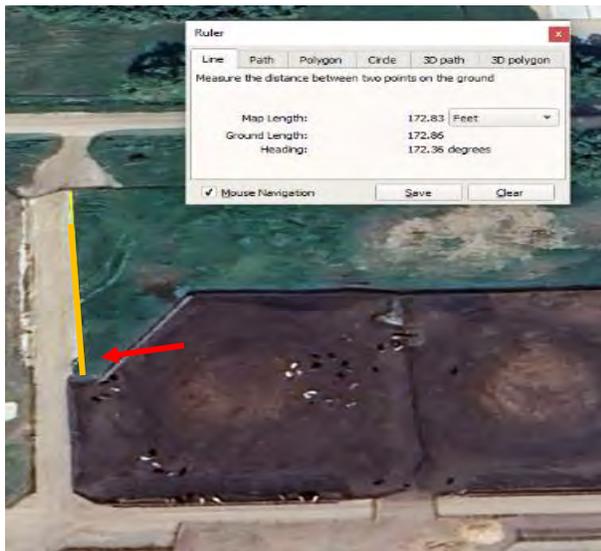


Area A

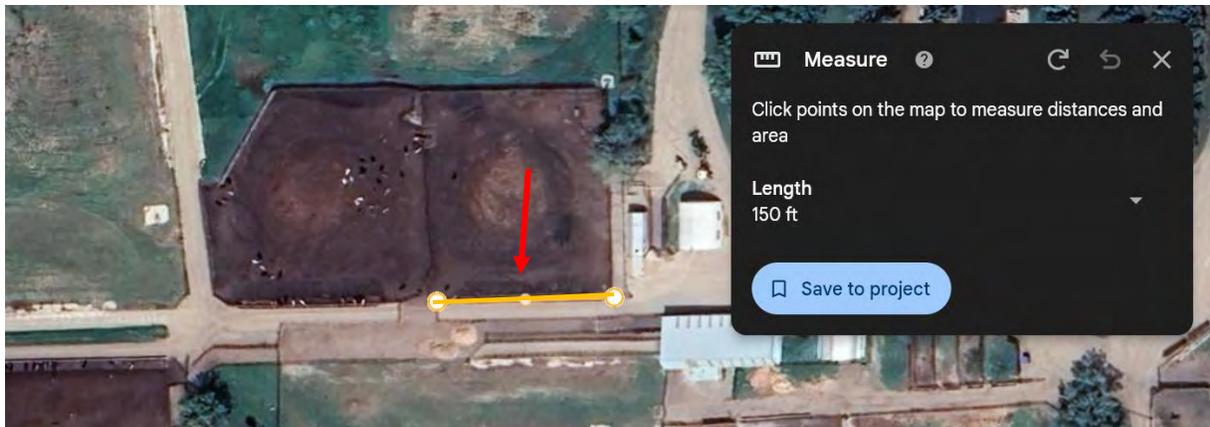


Total Feed Bunk Length Area A = 440 ft

Area B

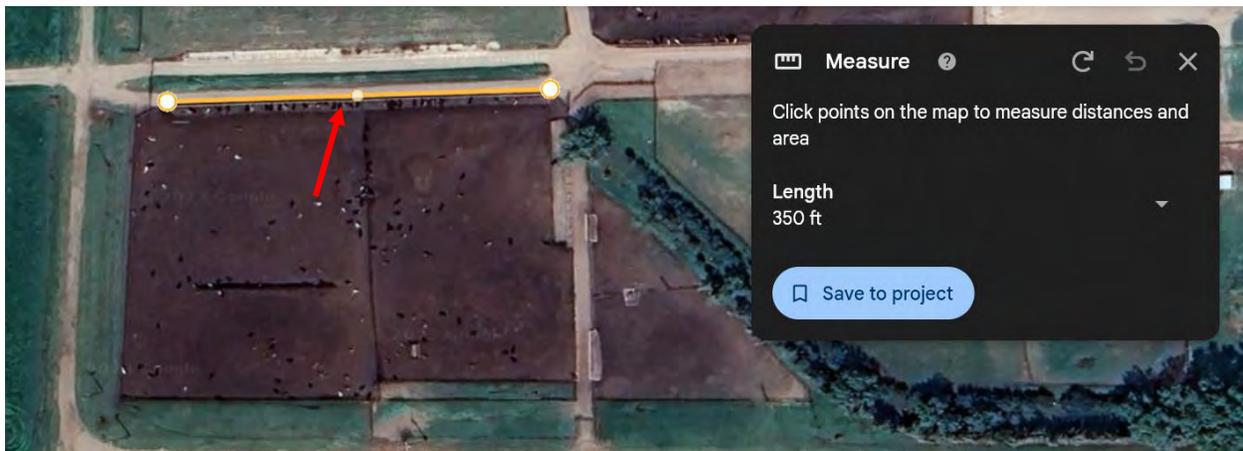


Feed bunk length on the west side of the pen 170 ft. Feed bunk length on the southwest side 140 ft.



Feed bunk length on the southeast side of the pen 150 ft.

Area C

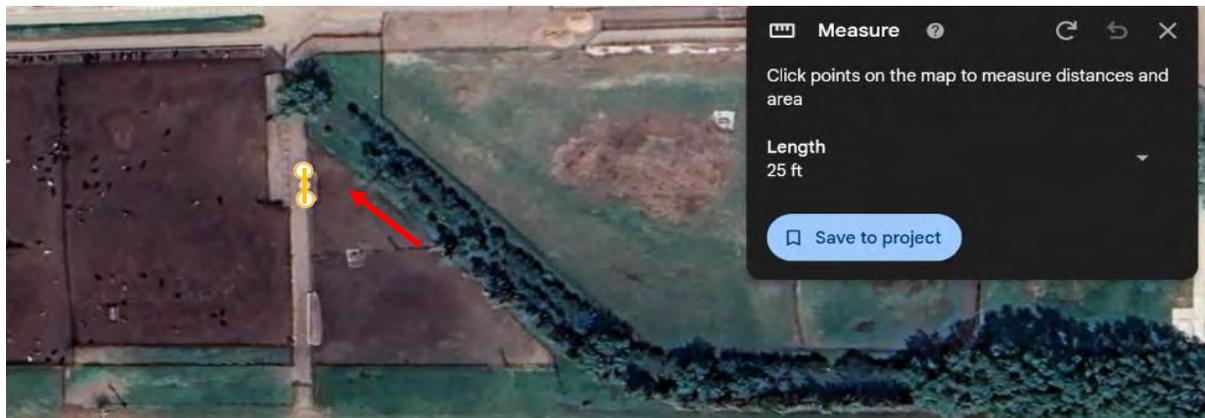


Feed bunk length north side of pen 350 ft.

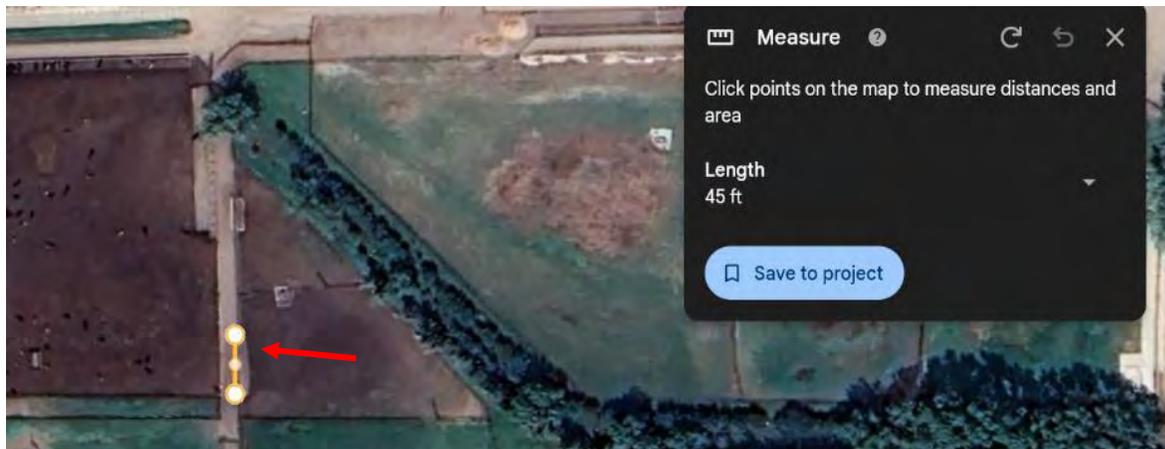


Feed bunk length along the east side of the pen 70 ft.

Area D

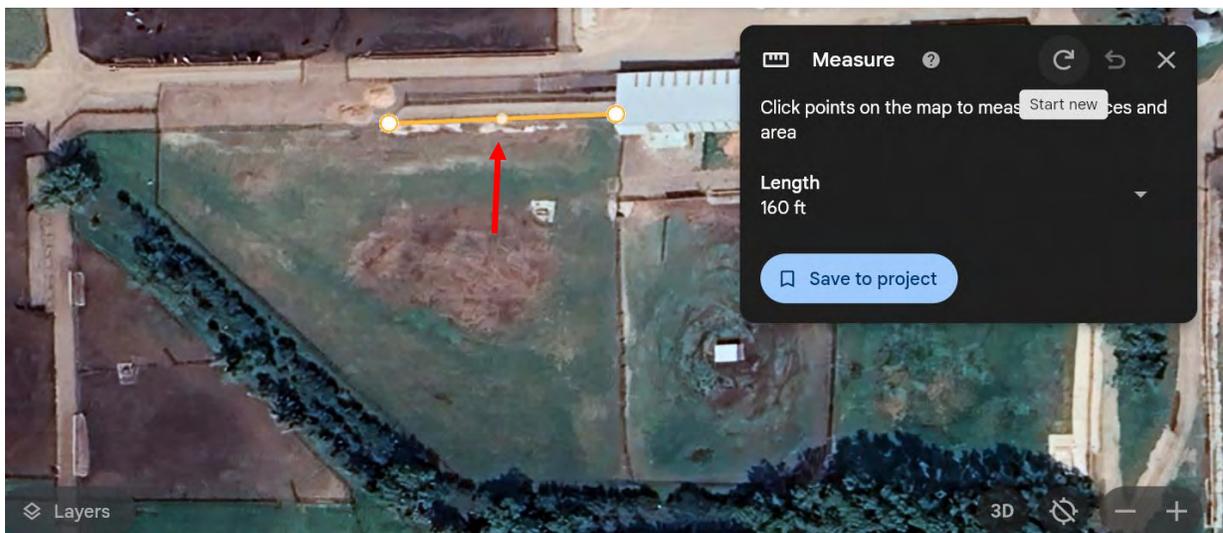


Feed bunk length in north portion of pen 25 ft.



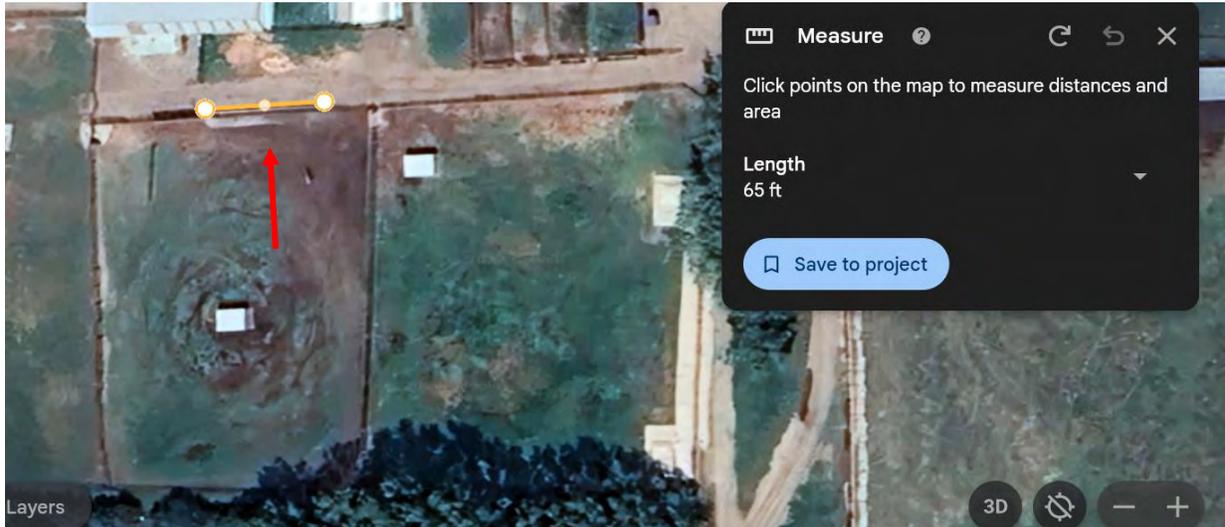
Feed bunk length in south portion of pen 45 ft.

Area E



Feed bunk length 160 ft.

Area F

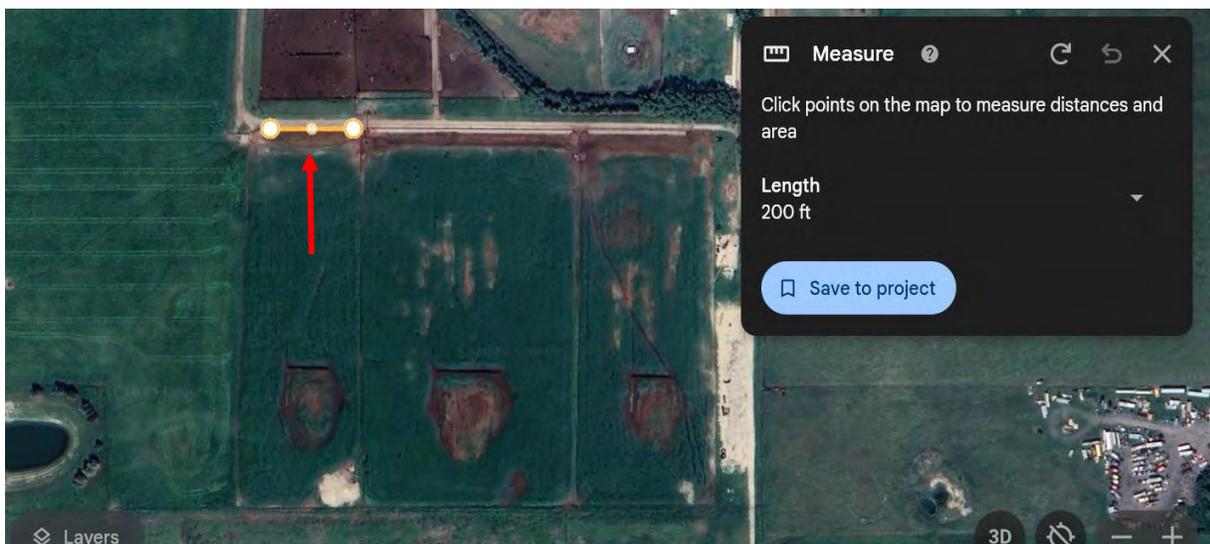


Feed bunk length along north portion of pen 65 ft.



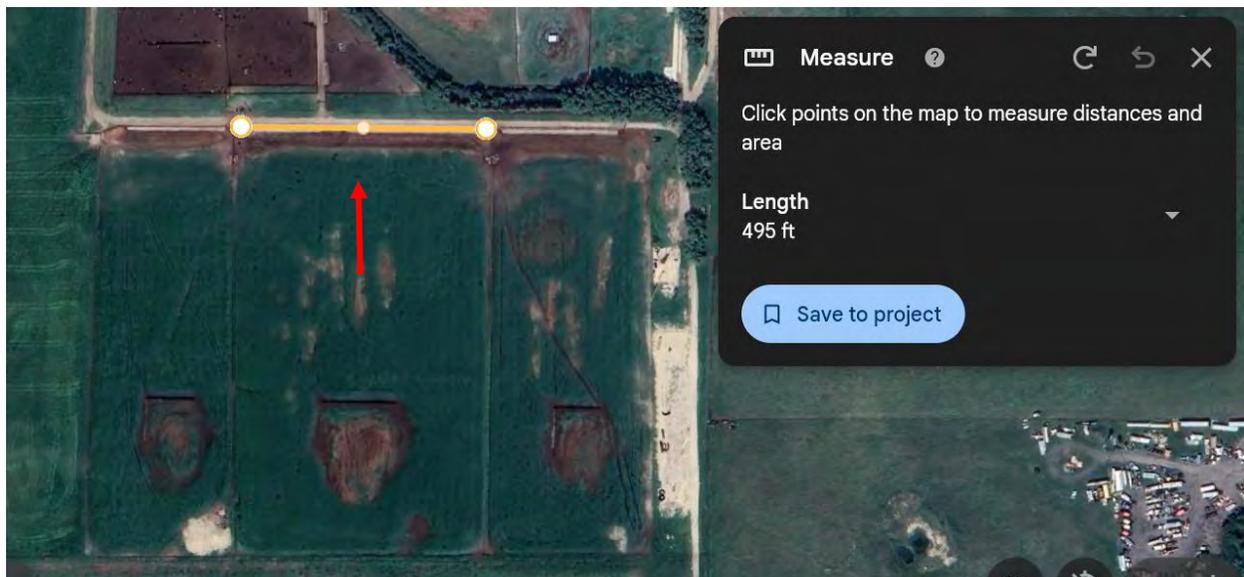
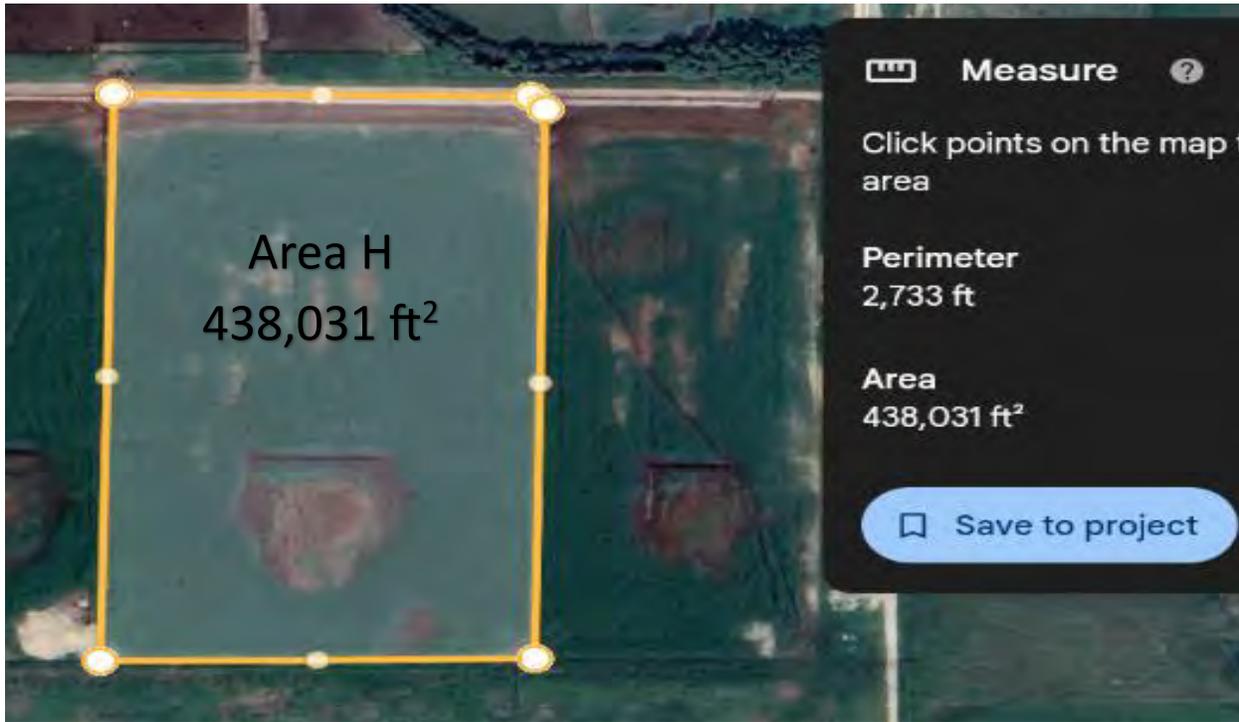
Feed bunk length along east portion of pen 100 ft.

Area G



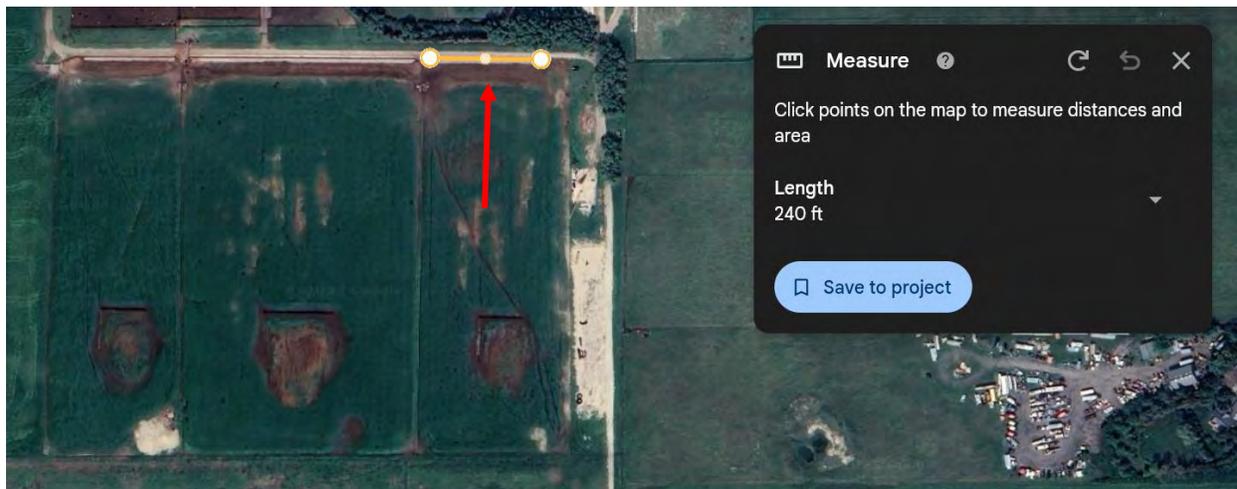
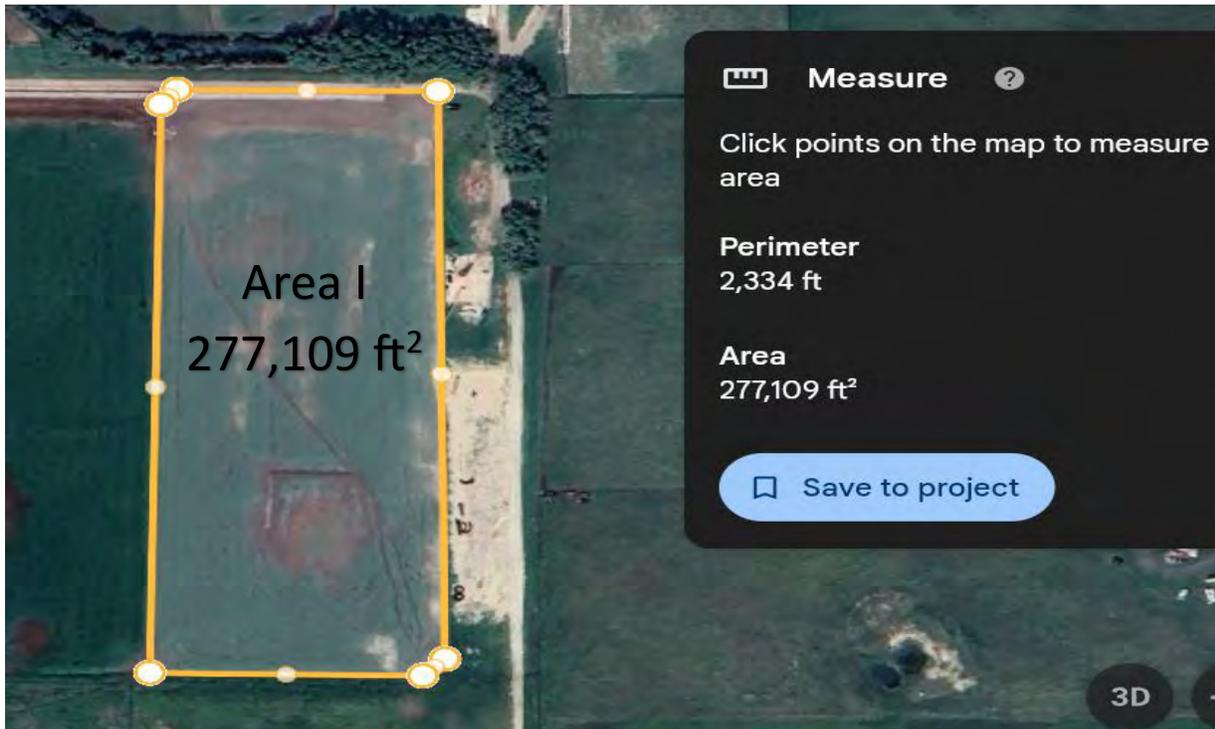
Feed bunk length 200 ft.

Area H



Feed bunk length 495 ft.

Area I



Feed bunk length 240 ft.



LAND TITLE CERTIFICATE

S
 LINC SHORT LEGAL TITLE NUMBER
 0021 242 037 5;2;27;10;NW 031 404 214

LEGAL DESCRIPTION
 MERIDIAN 5 RANGE 2 TOWNSHIP 27
 SECTION 10
 QUARTER NORTH WEST
 EXCEPTING THEREOUT ALL MINES AND MINERALS
 AREA: 64.7 HECTARES (160 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 031 404 207

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
031 404 214	21/11/2003	TRANSFER OF LAND	\$320,000	\$1

OWNERS

RODNEY ALLEN MORISON

AND

CHERYL ANN MORISON

BOTH OF:

270123 RANGE ROAD 22

ROCKY VIEW COUNTY

ALBERTA T4B 4Y2

AS JOINT TENANTS

(DATA UPDATED BY: CHANGE OF ADDRESS 221035261)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
741 099 462	28/10/1974	RESTRICTIVE COVENANT
861 196 878	28/11/1986	EASEMENT "EXTENDED BY"

