



Decision Summary LA20006A

This document summarizes my reasons for issuing Approval LA20006A, an amended version of Approval LA20006. This amended approval is issued on my own motion, under section 23 of the *Agricultural Operation Practices Act* (AOPA). My decision is based on the act and its regulations, the policies of the NRCB, and all other materials in the permit file.

1. Background

Dogwood Poultry Farms Ltd. (Dogwood) owns and operates an existing multi-species confined feeding operation (CFO) on NW 30-11-18 W4M in Lethbridge County. The existing CFO is approximately 4.8 km east of Iron Springs, Alberta. The topography at this site is flat, and the closest body of water is an irrigation ditch 820 m to the south.

On June 9, 2020, the NRCB issued Approval LA20006 which superseded all other previously issued permits, including Dogwood's last NRCB permit Approval LA16001. Approval LA20006 permitted:

- Extending three barns (barns 3, 4, 5) by 61.0 m x 12.2 m (200 ft. x 40 ft.) each
- Decommissioning barn 2 and replacing it with a new barn (152.4 m x 12.2 m (500 ft. x 40 ft.))
- Constructing manure storage pads east of buildings F, G, and H (45.7 m x 15.2 m (150 ft. x 50 ft. each) (as on the site plan)

Approval LA20006 also permitted an increase of animal numbers from 290,000 to 380,000 chicken broiler birds in addition to the existing permitted 600 beef finishers. The construction deadline in Approval LA20006 was September 30, 2023.

A reminder for the upcoming construction completion deadline of September 30, 2023, was sent June 5, 2023. Dogwood did not request an extension to the September 30, 2023, construction deadline. A follow up email on December 19, 2023, alerted Dogwood that Approval LA20006 will have to be amended to reflect what has been built to date, including a reduction of permitted animals.

As per NRCB policy (Operational Policy 2015-1 *Construction Deadlines*, Part 4), if some permitted facilities have not been constructed and a request to amend the permit to extend the construction deadline has not been made, the approval officer is to use section 23 of AOPA to amend this permit on the approval officer's own motion to remove any unconstructed facilities and to reduce the livestock capacity accordingly.

As required under section 9 of the Administrative Procedures Regulation under AOPA, I advised the operator on December 19, 2023, and again on February 28, 2024, of my intention to amend the permit to reflect what had been built to date and to adjust the animal numbers accordingly. To date, Mr. Hoschka has not commented.

I am therefore amending Approval LA20006 on my own motion under section 23 of AOPA, to exclude the unconstructed extension of barns 3-5 from the permitted CFO facilities. Because the barn extensions were not constructed, the capacity of the CFO's facilities will also be amended to reflect the reduced livestock capacity of the constructed facilities.

As recommended by the most recent Poultry Code of Practice issued by the National Farm Animal Care Council, the recommended stocking density is 6.35 lb. live weight / square foot. The total square footage of barn space that has not been constructed is 29,548 ft². Considering a weight of 1.9 to 2.3 kg (4.1 lb. – 5.07 lb.) per bird, the overall unconstructed space would have been able to accommodate between 918 to 1135 birds. Therefore, the permitted animals at this CFO will be reduced by 1000 chicken broiler birds (from 380,000 to 379,000).

2. Terms and conditions

Approval LA20006A specifies the new permitted livestock capacity as:

- 379,000 chicken broilers
- 600 beef finishers

and removes the permitted extensions of barns 3-5.

For clarity and efficiency, and in accordance with NRCB policy, I have consolidated the previously issued approval, Approval LA20006, into a new approval: LA20006A (see NRCB Operational Policy 2016-7: *Approvals*, part 11.5). Consolidating permits generally involves carrying forward all relevant terms and conditions in the existing permits into the new permit, with any necessary changes or deletions of those terms and conditions, and then superseding all existing permits once the new permit is issued. This consolidation is carried out under section 23 of AOPA, which enables approval officers to amend AOPA permits on their own motion.

Therefore, Approval LA20006A contains all of the relevant terms from Approval LA20006, with a livestock capacity reduced by 1,000 chicken broilers. It also carries forward consolidated conditions except the construction conditions related to the extensions of barns 3-5 that were not constructed. All other existing facilities are listed in the appendix of Approval LA20006A.

3. Conclusion

Approval LA20006A is issued for the reasons provided above.

Dogwood's NRCB-issued Approval LA20006 is therefore superseded, unless Approval LA20006A is held invalid following a review and decision by the NRCB's board members or by a court, in which case Approval LA20006 will remain in effect.

March 12, 2024

(original signed)
Carina Weisbach
Approval Officer