

THE FOOTHILLS COUNTY LOCAL ASSESMENT REVIEW BOARD AGENDA



Thursday, October 31, 2024, 10:30 a.m.
Foothills County Administration Office
309 Macleod Trail South – High River

Board Members: Dave Anderson, Bruce Macdonald, Judy Stasiuk

	Pages
1. 10:30 a.m. - Prestie - Roll#1929070000	
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Prestie - Roll #1929070000

Appendix 1 - Complaint and Related Materials



2024 COMBINED ASSESSMENT AND TAX NOTICE

Foothills County

Box 5605 309 Macleod Trail SW High River AB T1V 1M7
T: 403-652-2341 F: 403-652-7880 www.foothillscountyab.ca

** REPRINT **

Date Printed May 27, 2024
Date Mailed June 05, 2024

Roll Number	Legal Description	Civic Address	Acres
1929070000	:: S 7;19;29 W4	498142 Meridian St	22.720

Barry & Brenda D. Prestie



343670 01

TAX LEVY SUMMARY

Total Property Tax	\$3,822.60
Local Improvement	\$0.00
Prepay or TIPP Discount	-\$191.13
Previous Balance	-\$1,465.50

A copy of this notice has been sent to the following:

Amount Due **\$2,165.97**
Do Not Pay - see TIPP information
Taxes Due Date **October 01, 2024**

Take notice that you have been assessed under the provision of the Municipal Government Act for the lands on this notice.

Assessment	Land	Improv.	Other	Total
Farmland	5,000			5,000
Residential	342,640	279,440		622,080
Exempt Rural Asst Policy		8,900		8,900

Notice of Assessment Date **June 13, 2024**
Final Date for Complaint **August 12, 2024**

To file an assessment complaint please see reverse side of this notice for further details.
Not applicable to Linear or Designated Industrial Property Assessments

Taxable Total **627,080** **Assessment Total** **635,980**

Tax Levies	Assessment	Tax Rate	Levy
Senior's Foundation	627,080	0.099340	\$62.30
School - Residential or Farm	627,080	2.295498	\$1,439.46
Municipal Residential	622,080	3.637804	\$2,263.01
Municipal Farmland	5,000	11.566726	\$57.83

School Support

Public	Separate	Undeclared
100.00%		

Local Improvement

Bylaw	Expiry	Amount
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Tax Instalment Payment Plan (TIPP)

2024	January to June TIPP payment	\$293.10
2024	July to December TIPP payment	\$312.15
2025	January to June TIPP Payment	\$318.55

Total Property Tax **\$3,822.60**

Penalty Rates 6% Penalty on Current Taxes after October 1st
12% Penalty on Outstanding Balance after December 31st

Personal information on this form is collected under the authority of the Municipal Government Act for use in Assessment & Tax systems, and is protected by the Freedom of Information and Protection of Privacy Act.

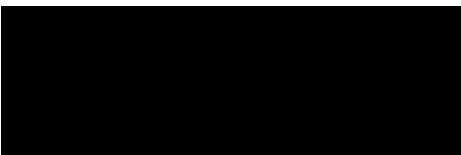
REMITTANCE....See reverse for payment options



Foothills County

Box 5605 309 Macleod Trail SW High River AB T1V 1M7

Barry & Brenda D. Prestie



343670 01

Tax Year 2024
Due Date October 01, 2024
Roll Number 1929070000
Amount Due \$2,165.97

Do Not Pay - see TIPP information

The personal information on this form is being collected under the authority of the Municipal Government Act, section 460, as well as the Freedom of Information and Protection of Privacy Act, section 33(c). The information will be used for administrative purposes and to process your complaint. For further information, contact your local Assessment Review Board.

Municipality Name (as shown on your assessment notice or tax notice) Foothills County Tax Year 2024

Section 1 - Notice Type

Assessment Notice: [X] Annual Assessment [] Amended Annual Assessment [] Supplementary Assessment [] Amended Supplementary Assessment Tax Notice: [] Business Tax [] Other Tax (excluding property tax and business tax) Name of Other Tax

Section 2 - Property Information

Assessment Roll or Tax Roll Number 1929070000 Property Address 498142 Meridian St Legal Land Description (i.e. Plan, Block, Lot or ATS 1/4 Sec-Twp-Rng-Mer) S 7; 19; 29 W 4 M Property Type [X] Residential property with 3 or fewer dwelling units [] Residential property with 4 or more dwelling units [X] Farm land [] Non-residential property [] Machinery and equipment Business Name (if pertaining to business tax) Business Owner(s)

Section 3 - Complainant Information

Is the complainant the assessed person or taxpayer for the property under complaint? [] Yes [] No Note: If this complaint is being filed on behalf of the assessed person or taxpayer by an agent for a fee, or a potential fee, the Assessment Complaints Agent Authorization form must be completed by the assessed person or taxpayer of the property and must be submitted with this complaint form. Complainant Name (if the complainant, assessed person, or taxpayer is a company, enter the complete legal name of the company) Brenda D. Prestie Mailing Address (if different from above) City/Town Province Postal Code Telephone Number (include area code) Fax Number (include area code) Email Address

If applicable, please indicate any date(s) that you are not available for hearing Sept. 4-7 Oct. 7-11, 3 Days in Nov. Unknown

Section 4 - Complaint Information

Check the matter(s) that apply to the complaint (see reverse for coding) [] 1 [] 2 [X] 3 [] 4 [] 5 [] 6 [] 7 [] 8 [] 9 [] 10 [] 11 [] 12 [] 13 Note: Some matters or information may be corrected by contacting the municipal assessor prior to filing a formal complaint.

Section 5 - Reason(s) for Complaint

Note: An assessment review board panel must not hear any matter in support of an issue that is not identified on the complaint form A complainant must: [] indicate what information shown on an assessment notice or tax notice is incorrect. [] explain in what respect that information is incorrect. [] indicate what the correct information is, and [] identify the requested assessed value, if the complaint relates to an assessment. Requested assessed value: 522,080.

- Total residential Assessment too high due to proximity (1/2 mile) from Rimrock Feed lot. Recent approval of Rimrock Biodigester Mature trees dying & have to be cut out.

Section 6 - Complaint Filing Fee

If the municipality has set filing fees payable by persons wishing to make a complaint, the filing fee must accompany the complaint form, or the complaint will be invalid and returned to the person making the complaint. If the assessment review board panel makes a decision in favour of the complainant, or if all the issues under complaint are corrected by agreement between the complainant and the assessor, and the complaint is withdrawn prior to the hearing, the filing fee will be refunded.

Section 7 - Complainant Signature

08/09/2024 Brenda D. Prestie Date (mm/dd/yyyy) Printed Name of Signatory Person and Title Signature

Important Notice: Your completed complaint form and any supporting attachments, the agent authorization form, and the prescribed filing fee must be submitted to the person and address with whom a complaint must be filed as shown on the assessment notice or tax notice prior to the deadline indicated on the assessment notice or tax notice. Complaints with an incomplete complaint form, complaints submitted after the filing deadline, or complaints without the required filing fee, are invalid.

Assessment Review Board Clerk Use Only

Was the complaint filed on time? [] Yes [] No Is the required information included on or with the complaint form? [] Yes [] No Was the required filing fee included? [] Yes [] No [] N/A Date received Was a properly completed agent authorization form attached? [] Yes [] No [] N/A Complaint to be heard by: [] LARB Panel [] CARB Panel

MATTERS FOR A COMPLAINT

A complaint to the assessment review board panel may be about any of the following matters, as shown on an assessment notice or on a tax notice:

- 1 the description of the property or business
- 2 the name or mailing address of an assessed person or taxpayer
- 3 an assessment amount
- 4 an assessment class
- 5 an assessment sub-class
- 6 the type of property
- 7 the type of improvement
- 8 school support
- 9 whether the property or business is assessable
- 10 whether the property or business is exempt from taxation under Part 10, but not if the exemption is given by an agreement under section 364.1(11) that does not expressly provide for the right to make the complaint
- 11 any extent to which the property is exempt from taxation under a bylaw under section 364.1 of the Act
- 12 whether the collection of tax on the property is deferred under a bylaw under section 364.1 of the Act
- 13 a designated officer's refusal to grant an exemption or deferral under a bylaw under section 364.1 of the Act

Note: To eliminate the need to file a complaint, some matters or information shown on an assessment notice or tax notice may be corrected by contacting the municipal assessor. It is advised to discuss any concerns about the matters with the municipal assessor prior to filing this complaint.

If a complaint fee is required by the municipality, it will be indicated on the assessment notice. Your complaint form will not be filed and will be returned to you unless the required complaint fee indicated on your assessment notice is enclosed.

ASSESSMENT REVIEW BOARD PANELS

A local assessment review board panel will hear complaints about residential property with 3 or fewer dwelling units, farm land or matters shown on a tax notice (other than a property tax notice).

A composite assessment review board panel will hear complaints about residential property with 4 or more dwelling units or non-residential property.

DISCLOSURE

Disclosure must include:

- All relevant facts supporting the matters of complaint described on this complaint form.
- All documentary evidence to be presented at the hearing
- A list of witnesses who will give evidence at the hearing
- A summary of testimonial evidence.
- The legislative grounds and reason for the complaint.
- Relevant case law and any other information that the complainant considers relevant.

*Must be ahead of appeal
AEB approval
ArborCare*

Disclosure timelines:

For a complaint about any matter other than an assessment, the parties must provide full disclosure at least 7 days before the scheduled hearing date.

For a complaint about an assessment - local assessment review board panel:

- Complainant must provide full disclosure at least 21 days before the scheduled hearing date.
- Respondent must provide full disclosure at least 7 days before the scheduled hearing date
- Complainant must provide rebuttal at least 3 days before the scheduled hearing date

For a complaint about an assessment - composite assessment review board panel:

- Complainant must provide full disclosure at least 42 days before the scheduled hearing date
- Respondent must provide full disclosure at least 14 days before the scheduled hearing date
- Complainant must provide rebuttal at least 7 days before the scheduled hearing date

DISCLOSURE RULES

Timelines for disclosure must be followed;

Information that has not been disclosed will not be heard by an assessment review board panel.

Disclosure timelines can be reduced if the disclosure information is provided at the time the complaint form is filed. Both the complainant and the assessor must agree to reduce the timelines

PENALTIES

A Composite Assessment Review Board Panel may award costs against any party to a complaint that has not provided full disclosure in accordance with the regulations

IMPORTANT NOTICES

Your completed complaint form and any supporting attachments, the agent authorization form and the prescribed filing fee must be submitted to the person and address with whom a complaint must be filed as shown on the assessment notice or tax notice, prior to the deadline indicated on the assessment notice or tax notice. Complaints with an incomplete complaint form, complaints submitted after the filing deadline, or complaints without the required filing fee are invalid.

An assessment review board panel must not hear any matter in support of an issue that is not identified on the complaint form.

The clerk will notify all parties of the hearing date and location.

For more details about disclosure please see the *Matters Relating to Assessment Complaints Regulation*.

To avoid penalties, taxes must be paid on or before the deadline specified on the tax notice even if a complaint is filed.

Prestie - Roll #1929070000

Appendix 2 - Complainant Disclosure

Property Assessment Appeal

Roll #1929070000

Brenda D. Prestie

Landowners: Barry and Brenda D. Prestie

Mailing Address: [REDACTED]

911 Address: 498142 Meridian Street

Email: [REDACTED]

October 4, 2024

Dear Sir/Madam,

I am appealing our assessment for the following reasons:

We (Barry & I) are located ½ mile from the Rimrock Feedlot property line. We can see the feedlot from our veranda and back yard. Because of our close proximity we are adversely affected by their operation which I am addressing.

The Rimrock feedlot has 35,000 head of feeder cattle. We smell the overwhelming odours on a regular basis which affects our quality of life and the enjoyment of our property. Over the last few years, I have lodged many odour complaints with the NRCB but have not noticed any improvement. As a result, I only file an odour complaint if I consider the odour to be on a scale of at least 7 out of 10. The Western Wheel has reported over 400 odour complaints in July (Aug.14/24 issue). I have attached a copy in my email.

We are on the designated truck route for the feedlot. Foothills County has designated Meridian Street South from #543 to Coal Trail, then East on Coal Trail past Rimrock Feedlot to the Lafarge gravel pit as the official truck route.

The heavy truck traffic on Meridian Street, past our property is overwhelming. The cattle liners, feed trucks and hay trucks are constant, some days more intense than others. Hauling of silage and manure also occur. When Western Feedlot operated, they hauled manure in the spring and fall. Rimrock Feedlot hauls manure all year. In addition to the volume of large truck traffic is the road noise created and the noise of engine retarder brakes we endure.

Foothills County has erected "Truckers Please Avoid the use of Engine Retarder Brakes" signs, which we are told is not enforceable. Therefore, we depend on the decency of the truckers to abide by the signage. We have not noticed a significant reduction in the use of engine retarder brakes.

In addition to the feedlot traffic is the traffic from the Lafarge gravel pit. There is daily hauling, two large hauls (spring and fall) every year from this pit as well as special highway projects.

Gravel was supplied from this pit for the work done this past summer on Deerfoot Trail. Also, an asphalt plant was set up at this site for the Deerfoot Trail project. This was a night haul, 7:00 PM to 7:00 AM. Our quality of sleep was seriously compromised.

The previous year, gravel and asphalt for the Hwy.#22 South project came from this pit and occurred during day light hours.

It has become obvious to us that large highway projects are becoming an annual event. Not only are we getting the additional traffic and noise, we are smelling the asphalt plant as well. The smell of asphalt production occurs at the same time as the feedlot odours.

Meridian Street is also a connector road to gain access to #543 for traffic coming from Coal Trail West. Add the RVs and motorcycles during the summer months and Meridian Street is very busy.

When I came into the office on August 9, 2024, Michael Brennan told me that there was a 15% increase in land value throughout Foothills County. However, the majority of residents in Foothills County do not live in close proximity to a major feedlot and a gravel pit or are on a designated truck route. I would suggest these are negative land influences.

We have also lost many mature poplar trees due to prolonged drought conditions. In 2023 we removed 17 trees (11 on driveway, 5 South of the house & 2 South of barn). These removals are obvious to us and reduce the overall attractiveness to our property. I have attached a copy of the invoice in my email. We have planted spruce trees in between the polars but they are far from mature. This year another 29 mature poplars are scheduled for removal. Although we understand the 2024 removals will not affect the 2023 assessment, we feel it's important to note.

On October 3, 2024 assessors Michael Brennan and Magdalena visited our property for a property inspection. It is important to note on that particular day there was no odour from the feedlot and the truck traffic that day was light. Unfortunately for us, they did not experience the adverse conditions we live with.

In addition, the Rimrock biodigester (Foothills County Waste Management Facility) was approved by Alberta Environment and Protected Areas on December 11, 2023. I have attached a copy of the approval in my email. The industrial application is to be located ½ mile South, NE 6-19-29 W4 & NW 5-19-29W4, of our home on 102 acres of agricultural land. They will use 333,000 m3 of water annually to make renewable natural gas for profit. The carbon credits will be sold to Fortis B.C.

Pollutants such as nitrogen oxide, ammonia and hydrogen sulphide will be released into the atmosphere.

There will be a 20 ACRE open air liquid digestate pond (sewage lagoon) which will be a new odour for us.

Manure staging is located outdoors, 200-300 meters away from the pens, maximum of 5,000 tonnes. The manure (200-300 meters closer to us than the pens) will be picked up from the pens, dumped into a pile, then later picked up again and finally fed into the hopper. Each time the manure is disturbed there will be odours.

Solid digestate staging is located outdoors, maximum of 10,000 tonnes and closer to us than the manure staging area. Although the solid digestate is less odorous than manure, it will have its own unique odour which will be new to us. The solid digestate contains nitrogen, phosphorus and potassium & residual microorganisms. Since the moisture is significantly reduced, the strong winds we experience will disperse the odours and particulate matter.

In the original application and supplementary information request (SIR) #1 states that MGCL (maximum off-site ground concentrations) for the baseline (biodigester facility) and cumulative (biodigester facility and feedlot) cases are not in compliance with the applicable AAAQO (Alberta Ambient Air Quality Objective). SIR #2 states the cumulative case is expected to exceed the AAAQO and it is anticipated the cumulative case may continue to exceed the AAAQO.

We will see this facility from our back yard. The view of numerous buildings and the five stacks at this facility will be offensive. The project will have a negative land influence on our property.

The original application (213 pages), SIR #1 (245 pages) and SIR #2 (293 pages) are large documents. Because of the size of these documents, I have not attached copies. If requested, I will send them.

Respectfully,

Brenda & Barry Prestie



INVOICE

A Division of Wright Canada Holdings, Ltd.

Tree Planting | Tree Pruning, Shaping & Restoration | Tree Removal | Snow Removal | Plant Management
Stump Grinding | Storm & Disaster Services | Consulting & Assessment | Mulch Sales

Brenda Prestie



Invoice #: 190423
PO #:
Date: 8/8/2023
Due Date: 9/7/2023

Customer ID #: 726084

Balance Due: \$2,280.41

If you have any questions about this invoice, please email us at ar@arborcare.com

Work Site:



Email:

Item	Description	Completed	Quantity	Ext. Price
1	4-2222 Disposal Fee Disposal fee for Resi/Com - Removal	8/3/2023	1.00	\$180.00
1	Resi/Com - Removal #1) Poplar (11 DRIVEWAY) — Cut to grade - Cutting as low to the ground as safely possible. Haul all material.	8/3/2023	11.00	\$1,800.00
<i>One poplar has a broken stub that needs to be removed - see photo</i>				
2	4-2222 Disposal Fee Disposal fee for Resi/Com - Removal	8/4/2023	1.00	\$22.50
2	Resi/Com - Removal #2) Poplar (5 SOUTH SIDE) — Cut to grade - Cutting as low to the ground as safely possible. Haul all material.	8/4/2023	5.00	\$225.00
3	4-2222 Disposal Fee Disposal fee for Resi/Com - Removal	8/4/2023	1.00	\$16.88
3	Resi/Com - Removal #3) Poplar (2 BARN) — Cut to grade - Cutting as low to the ground as safely possible. Haul all material.	8/4/2023	2.00	\$168.75

PAYMENT IS DUE UPON COMPLETION

GST# 78933 1915 RT0001

2% interest is charged on overdue accounts



CALGARY | EDMONTON
Licensed, Insured & Bonded | COR Safety Certified

Corporate Office: 10100 114 Avenue SE, Calgary, AB T3S 0A5

o: 403-273-6378 | tf: 1-877-444-8733 | f: 403-272-1536 | www.arborcare.com



INVOICE

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Tree Planting | Tree Pruning, Shaping & Restoration | Tree Removal | Snow Removal | Plant Management
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Brenda Prestie



Invoice #: 190423
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Customer ID #: 726084

Balance Due: \$2,280.41

If you have any questions about this invoice, please email us at ar@arborcare.com

Work Site:

Email:

Item	Description	Completed	Quantity	Ext. Price
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Subtotal:	\$2,413.13
Discount:	\$241.31
Other:	\$0.00
GST:	\$108.59
Total:	\$2,280.41
Paid:	\$0.00
Balance:	\$2,280.41

PAYMENT IS DUE UPON COMPLETION **GST# 78933 1915 RT0001**

2% interest is charged on overdue accounts



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APPROVAL

PROVINCE OF ALBERTA

ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT
R.S.A. 2000, c.E-12, as amended.

APPROVAL NO.: 484778-00-00

APPLICATION NO.: 001-484778

EFFECTIVE DATE: December 11, 2023

EXPIRY DATE: December 10, 2033

APPROVAL HOLDER: Rimrock Renewables Ltd.

ACTIVITY: Construction, operation and reclamation of the

Foothills County waste management facility for the collection and processing of waste or recyclables to produce fuel and the associated power plant

is subject to the attached terms and conditions.

Designated Director under the Act: Craig Knaus, B.Sc.

Date Signed: December 11, 2023

TERMS AND CONDITIONS ATTACHED TO APPROVAL

PART 1: DEFINITIONS

SECTION 1.1: DEFINITIONS

- 1.1.1 All definitions from the Act and the regulations apply except where expressly defined in this approval.
- 1.1.2 In all PARTS of this approval:
- (a) “Act” means the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c.E-12, as amended;
 - (b) “air effluent stream” means any substance in a gaseous medium released by or from a facility;
 - (c) “anaerobic digester tank” means a reaction vessel that converts soluble organic compounds into biogas, as described in the application;
 - (d) “AOPA” means the *Agricultural Operation Practices Act*, R.S.A. 2000, c.A-7, as amended;
 - (e) “APEGA” means the Association of Professional Engineers and Geoscientists of Alberta;
 - (f) “application” means the written submissions from the approval holder to the Director in respect of application number 001-484778 and any subsequent applications where amendments are issued for this approval;
 - (g) “arable land” means the land that has the same meaning as that used in section 24(1) of the *Agricultural Operation Practices Act Standards and Administration Regulation*, Alta. Reg. 267/2001, as amended;
 - (h) “biogas” means gaseous fuel produced from the anaerobic digestion of feedstock;
 - (i) “biogas upgrading system” means the system used to purify biogas into renewable natural gas that can be injected into a natural gas distribution system and includes chemical scrubber, activated carbon filter and membrane containers;
 - (j) “cogeneration unit” means a 1095 KW natural gas fired reciprocating engine generator set, as described in the application;

TERMS AND CONDITIONS ATTACHED TO APPROVAL

- (k) “combined total thermal energy” means thermal energy is recovered from the reciprocating engine exhaust, cooling water and lubricating oil, and subsequently used at the facility;
- (l) “composite sample” means a sample prepared from not less than 15 sub-samples that are representative of the entire volume of solid digestate being tested;
- (m) “container” means any portable device in which a substance is kept, including but not limited to drums, barrels and pails which have a capacity greater than 18 litres;
- (n) “confined feeding operation” means confined feeding operation as defined in AOPA;
- (o) “day”, when referring to sampling, means any sampling period of 24 consecutive hours;
- (p) “decommissioning” means the dismantling and decontamination of a facility undertaken subsequent to the termination or abandonment of any activity or any part of any activity regulated under the Act;
- (q) “decontamination” means the treatment or removal of substances from the facility and affected lands;
- (r) “Detailed Design Drawings and Specifications” means the detailed design drawings and specifications, signed and stamped by a professional registered with APEGA, that are issued for construction or tendering;
- (s) “digestate” means liquid or solid material formed during the production of biogas in an anaerobic digester tank at the facility and includes solid digestate and liquid digestate;
- (t) “Directive” means the Storage and Application of Digestate on Agricultural Land Directive, Alberta Agriculture and Irrigation, 2023, as amended;
- (u) “Director” means an employee of the Government of Alberta designated as a Director under the Act;
- (v) “dismantling” means the removal of buildings, structures, process and pollution abatement equipment, vessels, storage facilities, material handling facilities, railways, roadways, pipelines and any other installations that are being or have been used or held for or in connection with the facility;

TERMS AND CONDITIONS ATTACHED TO APPROVAL

- (w) “domestic wastewater” means wastewater that is the composite of liquid and water-carried wastes associated with the use of water for drinking, cooking, cleaning, washing, hygiene, sanitation or other domestic purposes, together with any infiltration and inflow wastewater, that is released into a wastewater collection system;
- (x) “emergency flare” means the flare used for combustion of the biogas that can not be released into the biogas upgrading system or a natural gas distribution system;
- (y) “excavation zone” means the volume containing a tank and backfill material bounded by the ground surface, walls, and floor of the pit and trenches into which the tank is placed at the time of installation;
- (z) “facility” means all buildings, structures, process and pollution abatement equipment, vessels, storage facilities, material handling facilities, roadways, railways, pipelines and other installations, and includes the land, located on the Northwest Quarter of Section 5, Township 19, Range 29, West of the 4th Meridian and the Northeast Quarter of Section 6, Township 19, Range 29, West of the 4th Meridian, that is being or has been used or held for or in connection with the Foothills County waste management facility and the associated power plant;
- (aa) “facility developed area” means the areas of the facility used for the storage, treatment, processing, transport, or handling of raw material, intermediate product, by-product, finished product, process chemicals, or waste material;
- (bb) “feedstock” means manure and any substance listed in the Directive that are used to produce biogas in the anaerobic digester tanks at the facility;
- (cc) “fugitive emissions” means emissions of substances to the atmosphere other than ozone depleting substances, originating from a facility source other than a flue, vent, or stack but does not include sources which may occur due to breaks or ruptures in process equipment;
- (dd) “ISO/IEC 17025” means the international standard, developed and published by International Organization for Standardization (ISO), specifying management and technical requirements for laboratories;
- (ee) “incompatible waste” means waste materials which could cause dangerous reactions from direct contact with one another;
- (ff) “industrial runoff” means precipitation that falls on or traverses the facility developed area;

TERMS AND CONDITIONS ATTACHED TO APPROVAL

- (gg) "industrial runoff control system" means the parts of the facility that collect, store or treat industrial runoff from the facility;
- (hh) "industrial wastewater" means the composite of liquid wastes and water-carried wastes, any portion of which results from any industrial process carried on at the facility;
- (ii) "industrial wastewater control system" means the parts of the facility that collect, store or treat industrial wastewater;
- (jj) "liner" means a continuous layer constructed of natural or man-made materials, which restricts the downward or lateral migration of the contents of the structure or facility;
- (kk) "liquid digestate pond" means a pond used to store liquid digestate and industrial runoff at the facility;
- (ll) "local environmental authority" means the Department of Environment and Protected Areas, in the Province of Alberta, or the agency that has the equivalent responsibilities for any jurisdiction outside the Province;
- (mm) "manual stack survey" means a survey conducted in accordance with the *Alberta Stack Sampling Code*, Alberta Environment, 1995, as amended;
- (nn) "manure" means manure as defined in AOPA;
- (oo) "manure storage facility" means a manure storage facility as defined in AOPA;
- (pp) "membrane container" means the equipment used for removal of carbon dioxide contained in the biogas, as described in the application;
- (qq) "month" means calendar month;
- (rr) " MWh_{net} " means MegaWatt-hour that includes both the combined total thermal energy and the net generation of electricity, excluding any electricity used by the cogeneration units;
- (ss) "NRCB" means the Natural Resources Conservation Board in the Province of Alberta;
- (tt) "odour abatement system" means air pollution abatement equipment used to treat the air effluent streams and includes chemical scrubber and carbon filter that are operated in series for removal of ammonia, total reduced sulphur and volatile organic compounds contained in the air effluent streams, as described in the application;

TERMS AND CONDITIONS ATTACHED TO APPROVAL

- (uu) “process and building air system” means the system used to collect building air and the air effluent streams from the processes and subsequently direct them to the odour abatement system for treatment, as described in the application;
- (vv) “QA/QC” means quality assurance and quality control;
- (ww) “record drawing/document” means a document prepared by a professional member of APEGA to record design changes for which they accept professional responsibility and which represents the final design of the project that was either approved or authorized according to the terms and conditions of this approval;
- (xx) “regulations” means the regulations enacted pursuant to the Act, as amended;
- (yy) “release detection” means determining whether a release has occurred from a tank into the environment or a leak has occurred into the interstitial space between the tank and secondary containment around it;
- (zz) “representative grab” means a sample consisting of equal volume portions of water collected from at least four sites between 0.20-0.30 metres below the water surface within a pond;
- (aaa) “routine parameters” means Ca, Mg, Na, K, Cl, SO₄, NO₃ + NO₂ – Nitrogen, hardness, alkalinity (HCO₃, CO₃), pH, conductance (electrical conductivity), total dissolved solids (calculated), SAR (calculated), and cation/anion balance;
- (bbb) “run-on” means precipitation that may drain as surface flow onto the facility developed area;
- (ccc) “soil” means mineral or organic earthen materials that can, have, or are being altered by weathering, biological processes, or human activity;
- (ddd) “storm event” means a 1 in 100 year precipitation event occurring over 24 hours in High River, Alberta;
- (eee) “tank” means a stationary device, designed to contain an accumulation of a substance, which is constructed primarily of non-earthen materials that provide structural support including wood, concrete, steel and plastic;
- (fff) “topsoil” means the uppermost layer of soil and consists of:
 - (i) the A-horizons and all organic horizons as defined in *The Canadian System of Soil Classification* (Third Edition), Agriculture and Agri-Food Canada, Publication 1646, 1998, as amended, and
 - (ii) the soil ordinarily moved during tillage;

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- (ggg) “total reduced sulphur” means a gaseous mixture consisting of hydrogen sulphide, methyl mercaptan, dimethyl sulphide, dimethyl disulphide, carbon disulphide and carbonyl sulphide;
- (hhh) “upper subsoil” means the layer of soil directly below the topsoil layer that consists of the B-horizons as defined in *The Canadian System of Soil Classification*, (Third Edition), Agriculture and Agri-Food Canada, Publication 1646, 1998, as amended;
- (iii) “volume estimate” means a technical evaluation based on the sources contributing to the release including but not limited to pump capabilities, water meters and batch release volumes;
- (jjj) “waste storage areas” means the areas designated for storage of waste, as described in the application;
- (kkk) “water table” means the upper level of groundwater, below which the pore spaces in the soil or rock are saturated with water;
- (lll) “week” means any consecutive 7-day period; and
- (mmm) “year” means calendar year, unless otherwise specified.

PART 2: GENERAL

SECTION 2.1: REPORTING

- 2.1.1 The approval holder shall immediately report to the Director by telephone any contravention of the terms and conditions of this approval at 1-780-422-4505.
- 2.1.2 The approval holder shall submit a written report to the Director within seven (7) days of the reporting pursuant to 2.1.1.
- 2.1.3 The approval holder shall immediately notify the Director in writing if any of the following events occurs:
 - (a) the approval holder is served with a petition into bankruptcy;
 - (b) the approval holder files an assignment in bankruptcy or Notice of Intent to make a proposal;
 - (c) a receiver or receiver-manager is appointed;
 - (d) an application for protection from creditors is filed for the benefit of the approval holder under any creditor protection legislation; or

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(e) any of the assets which are the subject matter of this approval are seized for any reason.

2.1.4 If the approval holder monitors for any substances or parameters which are the subject of operational limits as set out in this approval more frequently than is required and uses procedures authorized in this approval, then the approval holder shall provide the results of such monitoring as an addendum to the reports required by this approval.

2.1.5 The approval holder shall submit all annual reports required by this approval to be compiled or submitted to the Director on or before March 31 of the year following the year in which the information was collected, unless otherwise specified in this approval.

SECTION 2.2: RECORD KEEPING

2.2.1 The approval holder shall:

(a) record; and

(b) retain

all the following information in respect of any sampling conducted or analyses performed in accordance with this approval for a minimum of ten (10) years, unless otherwise authorized in writing by the Director:

(i) the place, date and time of sampling,

(ii) the dates the analyses were performed,

(iii) the analytical techniques, methods or procedures used in the analyses,

(iv) the names of the persons who collected and analysed each sample, and

(v) the results of the analyses.

SECTION 2.3: ANALYTICAL REQUIREMENTS

2.3.1 With respect to any sample required to be taken pursuant to this approval, the approval holder shall ensure that:

(a) collection;

(b) preservation;

(c) storage;

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(d) handling; and

(e) analysis

shall be conducted in accordance with the following, unless otherwise authorized in writing by the Director:

(i) for air:

(A) the *Alberta Stack Sampling Code*, Alberta Environment, 1995, as amended,

(B) the *Methods Manual for Chemical Analysis of Atmospheric Pollutants*, Alberta Environment, 1993, as amended, and

(C) the *Air Monitoring Directive*, Alberta Environment and Parks, 2016, as amended;

(ii) for industrial wastewater, industrial runoff, groundwater and domestic wastewater:

(A) the *Standard Methods for the Examination of Water and Wastewater*, published jointly by the American Public Health Association, American Water Works Association, and the Water Environment Federation, 2023, as amended;

(iii) for soil:

(A) the *Soil Monitoring Directive*, Alberta Environment, 2009, as amended, and

(B) the *Soil Quality Criteria Relative to Disturbance and Reclamation*, Alberta Agriculture, 1987, as amended;

(iv) for waste and digestate:

(A) the *Test Methods for Evaluating Solid Waste, Physical/Chemical Methods*, USEPA, SW-846, 1986, as amended,

(B) the *Methods Manual for Chemical Analysis of Water and Wastes*, Alberta Environmental Centre, Vegreville, Alberta, 1996, AECV96-M1, as amended,

TERMS AND CONDITIONS ATTACHED TO APPROVAL

(C) *ASTM D5623, Standard Test Method for Sulfur Compounds in Light Petroleum Liquids by Gas Chromatography and Sulfur Selective Detection*, ASTM International, West Conshohocken, PA, 2019, as amended, or

(D) *the Standard Methods for the Examination of Water and Wastewater*, American Public Health Association, American Water Works Association, and the Water Environment Federation, 2023, as amended.

2.3.2 The approval holder shall analyse all samples that are required to be obtained by this approval in a laboratory accredited pursuant to ISO/IEC 17025, as amended, for the specific parameter(s) to be analysed, unless otherwise authorized in writing by the Director.

2.3.3 The term sample used in 2.3.2 does not include samples directed to continuous monitoring equipment, unless specifically required in writing by the Director.

2.3.4 The approval holder shall comply with the terms and conditions of any written authorization issued by the Director under 2.3.2.

SECTION 2.4: OTHER

2.4.1 The terms and conditions of this approval are severable. If any term or condition of this approval or the application of any term or condition is held invalid, the application of such term or condition to other circumstances and the remainder of this approval shall not be affected thereby.

2.4.2 All tanks shall conform to the *Guidelines for Secondary Containment for Above Ground Storage Tanks*, Alberta Environmental Protection, 1997, as amended, unless otherwise authorized in writing by the Director.

2.4.3 All above ground storage tanks containing liquid hydrocarbons or organic compounds shall conform to the *Environmental Guidelines for Controlling Emissions of Volatile Organic Compounds from Aboveground Storage Tanks*, Canadian Council of Ministers of the Environment, PN 1180, 1995, as amended.

PART 3: CONSTRUCTION

SECTION 3.1: GENERAL

3.1.1 If construction of the Foothills County waste management facility as described in application number 001-484778 has not commenced by December 31, 2024, the approval holder shall apply for an amendment to this approval, unless otherwise authorized in writing by the Director.

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- 3.1.2 The approval holder shall notify the Director in writing at least 14 days before commencing operations of the facility, unless otherwise authorized in writing by the Director.
- 3.1.3 The approval holder shall construct the Foothills County waste management facility as described in the application and shall include, at a minimum, all of the following:
- (a) the two (2) feedstock receiving hoppers;
 - (b) the two (2) manure blend tanks;
 - (c) the two (2) digester feed tanks;
 - (d) the three (3) organics reception tanks;
 - (e) the digestate nurse tank;
 - (f) the liquid digestate tank;
 - (g) the six (6) anaerobic digester tanks;
 - (h) the feedstock receiving hopper building;
 - (i) the feedstock pumphouse building;
 - (j) the digestate separation building;
 - (k) the biogas upgrading system;
 - (l) the two (2) cogeneration units; and
 - (m) the process heater.
- 3.1.4 The approval holder shall construct, at a minimum, all of the following for each of tanks referred to in 3.1.3(b) to (g):
- (a) automatic shutoff devices for overfill protection;
 - (b) a secondary containment for leak detection; and
 - (c) a ground water monitoring well within the excavation zone for release detection.

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3.1.5 The approval holder shall construct the secondary containment required by 3.1.4 according to the application and shall include, at a minimum, all of the following:

- (a) a geomembrane barrier to surround the below-ground portions of an underground tank; and
- (b) a leak detection and removal system.

SECTION 3.2: AIR

3.2.1 The approval holder shall construct the following stacks according to the corresponding height requirements referred to in the TABLE 3.2-A.

TABLE 3.2-A: STACK HEIGHTS

STACK	MINIMUM HEIGHT ABOVE GRADE (metres)
The odour abatement system exhaust stack	6.0
The emergency flare stack	12.0
Each of the two (2) cogeneration unit exhaust stacks as identified in the application by the designations Cogen 1 and Cogen 2	10.0
The process heater exhaust stack as identified in the application by the designation H-701	6.1

3.2.2 The approval holder shall equip the following stacks with sampling facilities:

- (a) the odour abatement system exhaust stack;
- (b) each of the two (2) cogeneration unit exhaust stacks as identified in the application by the designations Cogen 1 and Cogen 2; and
- (c) the process heater exhaust stack as identified in the application by the designation H-701.

3.2.3 The approval holder shall:

- (a) install;
- (b) operate; and

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- (c) maintain

the sampling facilities required by 3.2.2 in accordance with, at a minimum, all of the following:

- (i) the *Alberta Stack Sampling Code*, Alberta Environment, 1995, as amended, and
- (ii) the *Air Monitoring Directive*, Alberta Environment and Parks, 2016, as amended.

3.2.4 The approval holder shall install, at a minimum, all of the following on the emergency flare stack:

- (a) wind guard;
- (b) pilot light; and
- (c) electric igniter

unless an equivalent system is authorized in writing by the Director.

POLLUTION ABATEMENT EQUIPMENT

3.2.5 The approval holder shall construct, at a minimum, all of the following pollution abatement equipment:

- (a) the odour abatement system;
- (b) the nitrogen oxides abatement equipment;
- (c) the aeration system in the liquid digestate pond; and
- (d) the emergency flare.

3.2.6 The approval holder shall construct the process and building air system as described in the application to direct the air effluent streams from all of the following sources to the odour abatement system:

- (a) the feedstock receiving hopper building including the two (2) feedstock receiving hoppers;
- (b) the tanks referred to in 3.1.3(b) to (f); and
- (c) the digestate screw presses.

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SECTION 3.3: LIQUID DIGESTATE, INDUSTRIAL RUNOFF AND INDUSTRIAL WASTEWATER

- 3.3.1 The approval holder shall construct:
- (a) the industrial runoff control system; and
 - (b) the industrial wastewater control system
- as described in the application.
- 3.3.2 At least three (3) months prior to the commencement of construction of the liquid digestate pond, the approval holder shall submit to the Director the following documents for the liquid digestate pond construction, signed and stamped by a professional registered with APEGA:
- (a) Detailed Design Drawings and Specifications prepared in accordance with the application;
 - (b) a Construction Quality Assurance Plan; and
 - (c) a Construction Quality Control Plan.
- 3.3.3 If any Detailed Design Drawings and Specifications are found deficient by the Director, the approval holder shall correct all deficiencies identified in writing by the Director by the date specified in writing by the Director.
- 3.3.4 The approval holder shall implement the Detailed Design Drawings and Specifications as authorized in writing by the Director.
- 3.3.5 The Detailed Design Drawings and Specifications required by 3.3.2 shall include, at a minimum, all of the following:
- (a) a geomembrane liner that shall have:
 - (i) a thickness of not less than 50 mil, and
 - (ii) a hydraulic conductivity of not more than 1×10^{-9} metres per second;
 - (b) separation between the seasonally high water table and the bottom of the liner;
 - (c) a liner uplift analysis that considers effects of an underdrain or a dewatering system in the event that separation referred to in (b) is less than one (1) metre;
 - (d) a system capable of preventing accumulation of gases under the entire liner;
 - (e) a prepared clay sub-grade suitable to protect the integrity of liner system; and

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(f) any other information as required in writing by the Director.

3.3.6 The approval holder shall submit to the Director a summary report of the Construction Quality Assurance and Construction Quality Control results, signed and stamped by a professional registered with APEGA, at least one (1) month prior to commencement of the liquid digestate pond operation.

3.3.7 The summary report required by 3.3.6 shall contain, at a minimum, all of the following:

(a) confirmation that the liquid digestate pond has been constructed according to:

(i) the Construction Quality Assurance Plan,

(ii) the Construction Quality Control Plan, and

(iii) the Detailed Design Drawings and Specifications;

(b) a description of any deviations that resulted in a minor adjustment to the Detailed Design Drawings and Specifications to suit field conditions encountered;

(c) confirmation by the professional registered with APEGA that deviations will result in an equivalent design performance of the liquid digestate pond;

(d) record drawing/document; and

(e) any other information as required in writing by the Director.

SECTION 3.4: SOLID DIGESTATE AND MANURE

3.4.1 The approval holder shall construct:

(a) the solid digestate staging area; and

(b) the manure staging area

as described in the application and shall include, at a minimum, all of the following:

(i) a liner that shall:

(A) be constructed of clay material or alternative material,

(B) have a thickness of at least 0.3 metres measured perpendicular to the liner surface, and

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- (C) have a hydraulic conductivity of not more than 1×10^{-9} metres per second;
- (ii) an industrial runoff control system with the capability of collecting and controlling the volume of industrial runoff expected from a storm event, and
- (iii) a run-on control system with the capability of preventing the volume of run-on expected from a storm event.

SECTION 3.5: DOMESTIC WASTEWATER

- 3.5.1 The approval holder shall construct the domestic wastewater system according to the application and shall include, at a minimum, all of the following:
- (a) a domestic wastewater holding tank; and
 - (b) a domestic wastewater collection and removal system.

SECTION 3.6: LAND CONSERVATION

- 3.6.1 The approval holder shall:
- (a) salvage; and
 - (b) conserve
- all topsoil for land reclamation.
- 3.6.2 The approval holder shall:
- (a) salvage; and
 - (b) conserve
- all upper subsoil for land reclamation.
- 3.6.3 The approval holder shall:
- (a) conserve; and
 - (b) stockpile
- all topsoil separately from the upper subsoil.

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- 3.6.4 The approval holder shall locate all:
- (a) topsoil stockpiles; and
 - (b) upper subsoil stockpiles
- at the facility.
- 3.6.5 The approval holder shall stockpile all topsoil as follows:
- (a) on stable foundations; and
 - (b) on undisturbed topsoil.
- 3.6.6 The approval holder shall stockpile all upper subsoil as follows:
- (a) on stable foundations; and
 - (b) on areas where the topsoil has been removed.
- 3.6.7 The approval holder shall take all steps necessary to prevent erosion, including but not limited to, all of the following:
- (a) revegetating the stockpiles; and
 - (b) any other steps authorized in writing by the Director.
- 3.6.8 The approval holder shall immediately suspend conservation of:
- (a) topsoil; and
 - (b) upper subsoil
- when wet or frozen conditions will result in mixing, loss or degradation of topsoil or upper subsoil.
- 3.6.9 The approval holder shall recommence conservation of:
- (a) topsoil; and
 - (b) upper subsoil
- only when wet or frozen field conditions in 3.6.8 no longer exist.

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PART 4: OPERATIONS, LIMITS, MONITORING AND REPORTING

SECTION 4.1: AIR

OPERATIONS

- 4.1.1 The approval holder shall not release any air effluent streams to the atmosphere except as authorized by this approval.
- 4.1.2 The approval holder shall only release air effluent streams to the atmosphere from the following sources:
- (a) the odour abatement system exhaust stack;
 - (b) the two (2) membrane container vents;
 - (c) each of the two (2) cogeneration unit exhaust stacks as identified in the application by the designations Cogen 1 and Cogen 2;
 - (d) the emergency flare stack;
 - (e) the process heater exhaust stack as identified in the application by the designation H-701;
 - (f) any emergency pressure relief valves;
 - (g) the space ventilation exhaust stacks as described in the application;
 - (h) the space heater exhaust vents as described in the application; and
 - (i) any other source authorized in writing by the Director.
- 4.1.3 The approval holder shall direct air effluent streams from all of the following sources to the odour abatement system:
- (a) the feedstock receiving hopper building including the two (2) feedstock receiving hoppers;
 - (b) the three (3) organics reception tanks;
 - (c) the two (2) manure blending tanks;
 - (d) the two (2) digester feed tanks;
 - (e) the digestate nurse tank;

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- (f) the liquid digestate tank;
- (g) all hood vents and air ducts above the digestate screw presses; and
- (h) any other source authorized in writing by the Director.

4.1.4 In addition to the limits specified in 4.1.13, the approval holder shall not operate the process equipment unless and until the pollution abatement equipment associated with the process equipment is operating.

4.1.5 The approval holder shall only release biogas from each of the six (6) anaerobic digester tanks to:

- (a) the biogas upgrading system;
- (b) the emergency flare;
- (c) the emergency pressure relief valves; and
- (d) the two (2) cogeneration units

as described in the application.

4.1.6 The approval holder shall prevent excessive biogas from being built up in each of the six (6) anaerobic digester tanks.

4.1.7 The approval holder shall maintain the following stacks according to the minimum height requirements specified in TABLE 4.1-A.

TABLE 4.1-A: STACK HEIGHTS

STACK	MINIMUM HEIGHT ABOVE GRADE (metres)
The odour abatement system exhaust stack	6.0
The emergency flare stack	12.0
Each of the two (2) cogeneration unit exhaust stacks as identified in the application by the designations Cogen 1 and Cogen 2	10.0
The process heater exhaust stack as identified in the application by the designation H-701	6.1

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4.1.8 The approval holder shall continuously operate the emergency flare stack with the following minimum systems:

- (a) wind guard;
- (b) pilot light; and
- (c) electric igniter

unless an equivalent system is authorized in writing by the Director.

4.1.9 The approval holder shall ensure the combustion of all combustible gases released to the emergency flare stack.

4.1.10 The approval holder shall operate:

- (a) the odour abatement system;
- (b) the nitrogen oxides abatement equipment;
- (c) the aeration system in the liquid digestate pond; and
- (d) the emergency flare

in accordance with their respective manufacturers' operation and maintenance manuals.

4.1.11 The approval holder shall control fugitive emissions and any source not specified in 4.1.2 in accordance with 4.1.12 of this approval, unless otherwise authorized in writing by the Director.

4.1.12 With respect to fugitive emissions and any source not specified in 4.1.2, the approval holder shall not release a substance or cause to be released a substance that causes or may cause any of the following:

- (a) impairment, degradation or alteration of the quality of natural resources;
- (b) material discomfort, harm or adverse effect to the well being or health of a person; or
- (c) harm to property or to vegetative or animal life.

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AIR LIMITS

4.1.13 Releases of the following substances to the atmosphere shall not exceed the limits specified in TABLE 4.1-B.

TABLE 4.1-B: LIMITS

FACILITY UNIT	EMISSION SOURCE	SUBSTANCE	LIMIT
Power plant	Each of the two (2) cogeneration unit exhaust stacks as identified in the application by the designations Cogen 1 and Cogen 2	Nitrogen oxides	0.20 kg/MWh _{net} on an annual average and 0.45 kg/hour
Feedstock and digestate processing units	The odour abatement system exhaust stack	Hydrogen sulphide	0.0008 kg/hour
		Ammonia	0.040 kg/hour
Process heater	The process heater exhaust stack as identified in the application by the designation H-701	Nitrogen oxides	16.0 g/GJ

MONITORING AND REPORTING

4.1.14 The approval holder shall monitor the air emission sources as specified in TABLE 4.1-C.

4.1.15 The approval holder shall report to the Director the results of the air emission source monitoring as required in TABLE 4.1-C.

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TABLE 4.1-C: SOURCE MONITORING AND REPORTING

Emission Source	Monitoring			Reporting Frequency
	Parameter	Frequency	Method	
Each of the two (2) cogeneration unit exhaust stacks as identified in the application by the designations Cogen 1 and Cogen 2	Nitrogen oxides	Annually		End of the month following the month in which the manual stack survey was done
	Stack effluent flowrate			
	Temperature			
The process heater exhaust stack as identified in the application by the designation H-701	Nitrogen oxides	Once every five (5) years	Manual stack survey	
	Stack effluent flowrate			
	Temperature			
The odour abatement system exhaust stack	Total reduced sulphur	Twice per year, at least six (6) months apart		
	Ammonia			
	Volatile organic compounds			
	Stack effluent flowrate			
	Temperature			

4.1.16 The information required by:

- (a) 4.1.14;
- (b) 4.1.15; and

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(c) 4.1.22

shall, at a minimum, comply with:

- (i) the *Alberta Stack Sampling Code*, Alberta Environment, 1995, as amended, and
- (ii) the *Air Monitoring Directive*, Alberta Environment and Parks, 2016, as amended.

4.1.17 The approval holder shall notify the Director in writing a minimum of two (2) weeks prior to any manual stack survey that is required to be conducted by this approval.

4.1.18 The approval holder shall daily:

- (a) monitor; and
- (b) record

dissolved oxygen concentrations in each of two (2) cells of the liquid digestate pond.

4.1.19 The approval holder shall:

- (a) continuously monitor pH of the scrubbing solution of the odour abatement system; and
- (b) record the time, date and pH when pH is outside of the designed operating range provided by the manufacturer.

4.1.20 The approval holder shall retain the records required by 4.1.18 and 4.1.19 for a minimum of five (5) years.

4.1.21 The approval holder shall make the records required by 4.1.18 and 4.1.19 available immediately upon request by the Director.

4.1.22 The approval holder shall submit to the Director an Annual Air Emissions Summary and Evaluation Report.

4.1.23 The approval holder shall include in the Annual Air Emissions Summary and Evaluation Report, at a minimum, all of the following:

- (a) information as specified in the following sections of the *Air Monitoring Directive Chapter 9: Reporting*, Alberta Environment and Parks, 2016, as amended:
 - (i) section 6.2,

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- (ii) sections 6.4.3 and 6.4.4,
 - (iii) sections 6.4.7 to 6.4.10, and
 - (iv) section 6.6;
- (b) a month-by-month summary of information required by:
- (i) 4.1.18,
 - (ii) 4.1.19, and
 - (iii) 4.1.31; and
- (c) any other information as required in writing by the Director.

ODOUR MANAGEMENT

4.1.24 The approval holder shall:

- (a) implement, before commencing operations of the facility; and
- (b) annually update

the Best Odour Management Practices Control Plan as described in the application.

4.1.25 The approval holder shall submit to the Director an up-to-date Best Odour Management Practices Control Plan, when requested in writing by the Director.

4.1.26 If the Best Odour Management Practices Control Plan is found deficient by the Director, the approval holder shall correct all deficiencies identified by the Director by the date specified in writing by the Director.

4.1.27 The approval holder shall:

- (a) implement, before commencing operations of the facility; and
- (b) annually update

the Odour Complaint Management and Response Program as described in the application.

4.1.28 The approval holder shall submit to the Director an up-to-date Odour Complaint Management and Response Program, when requested in writing by the Director.

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4.1.29 If the Odour Complaint Management and Response Plan is found deficient by the Director, the approval holder shall correct all deficiencies identified by the Director by the date specified in writing by the Director.

4.1.30 Upon:

- (a) receiving an odour complaint; or
- (b) being informed of an odour complaint by the Director or another authority,

the approval holder shall immediately:

- (i) investigate the situation, and
- (ii) take all measures necessary to mitigate the odour, when the approval holder knows or ought to know the source of the odour being complained of results from the facility, including but not limited to:
 - (A) improve, repair or replace any equipment or thing in order to control or eliminate the odour; and
 - (B) contain, remove or treat the substance or thing causing the odour.

4.1.31 The approval holder shall:

- (a) record; and
- (b) retain

all of the following information regarding odour complaints referred to in 4.1.30 for a minimum of five (5) years:

- (i) the organization that received the complaint,
- (ii) the contact information of the complainant, if provided to the approval holder,
- (iii) the date and time of the complaint,
- (iv) the approximate location where the odour was detected,
- (v) the date and time that the complainant detected the odour,

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- (vi) the hourly average wind speed and wind direction at or near the facility over a period of 24 hours prior to the complaint,
 - (vii) the hourly average ambient outdoor temperature at or near the facility over a period of 24 hours prior to the complaint,
 - (viii) the investigation outcomes pursuant to 4.1.30,
 - (ix) for where the source of odour being complained of results from the facility:
 - (A) a detailed description of the measures taken pursuant to 4.1.30,
 - (B) a detailed description of how the source of the odour may have given rise to the complaints,
 - (C) a follow-up review of actions taken to determine the effectiveness of eliminating the source of the odour from that occurrence, and
 - (D) measures that will be taken in the future to prevent the same situation that caused that odour from re-occurring; and
 - (x) any other information as required in writing by the Director.
- 4.1.32 The approval holder shall make the records required by 4.1.31 available immediately upon request by the Director.
- 4.1.33 The approval holder shall submit a proposal for Fugitive Emissions Monitoring Program to the Director within the first 12 months of the operation.
- 4.1.34 The approval holder shall develop the proposal for Fugitive Emissions Monitoring Program, at a minimum, comparable with the following:
- (a) the *Measurement of Gaseous Emission Rates from Land Surfaces Using an Emission Isolation Flux Chamber – User’s Guide*, EPA 600/8-86/008, 1986; and
 - (b) the *Quantification of Area Fugitive Emissions at Oil Sands Mines*, Version 2.2, Government of Alberta, 2023, as amended.
- 4.1.35 In the proposal for Fugitive Emissions Monitoring Program, the approval holder shall include, at a minimum, all of the following:
- (a) a detailed description of the fugitive emission sources at the facility, including but not limited to:

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- (i) the liquid digestate pond,
 - (ii) the digestate separation building staging bays,
 - (iii) the solid digestate staging area, and
 - (iv) the manure staging area;
- (b) an identification of factors that may affect the actual emission rates of:
- (i) total reduced sulphur,
 - (ii) ammonia, and
 - (iii) volatile organic compounds
- from the fugitive emission sources referred to in (a);
- (c) a sampling strategy to determine:
- (i) the sampling numbers,
 - (ii) the sampling locations, and
 - (iii) the sampling duration and frequency
- so that the spatial and temporal variability of the air emissions from the fugitive emission sources at the facility is adequately addressed;
- (d) the methods to be used for quantification of the mass emission rates of:
- (i) total reduced sulphur,
 - (ii) ammonia, and
 - (iii) volatile organic compounds
- from the fugitive emission sources referred to in (a), including but not limited to:
- (A) the procedures for the sampling and analysis of air emissions,
 - (B) the design and specifications of the sampling apparatus,
 - (C) the quality control plans for the sampling and analysis of air emissions, and

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- (D) the surface area measurement and calculation methods; and
 - (e) any other information as required in writing by the Director.
- 4.1.36 If the proposal for Fugitive Emissions Monitoring Program is found deficient by the Director, the approval holder shall correct all deficiencies identified in writing by the Director by the date specified in writing by the Director.
- 4.1.37 The approval holder shall implement the Fugitive Emissions Monitoring Program as authorized in writing by the Director.
- 4.1.38 The approval holder shall submit to the Director any written Fugitive Emissions Monitoring Program Report obtained from the fugitive emissions monitoring referred to in 4.1.37 by the end of the month following the month in which the fugitive emissions monitoring was done, unless otherwise authorized in writing by the Director.
- 4.1.39 If any Fugitive Emissions Monitoring Program Report is found deficient by the Director, the approval holder shall correct all deficiencies identified in writing by the Director by the date specified in writing by the Director.

SECTION 4.2: INDUSTRIAL WASTEWATER AND INDUSTRIAL RUNOFF

OPERATIONS

- 4.2.1 The approval holder shall not release any substances from the facility to the surrounding watershed except as authorized by this approval.
- 4.2.2 The approval holder shall manage:
- (a) industrial wastewater; and
 - (b) industrial runoff
- as described in the application, unless otherwise authorized in writing by the Director.
- 4.2.3 The approval holder shall only release industrial wastewater as follows:
- (a) to the facility to be used within the process;
 - (b) to facilities holding a current Act authorization;
 - (c) to an Alberta Energy Regulator approved facility; or
 - (d) as otherwise authorized in writing by the Director.

TERMS AND CONDITIONS ATTACHED TO APPROVAL

4.2.4 The approval holder shall only release industrial runoff as follows:

- (a) to the facility to be used within the process;
- (b) to facilities holding a current Act authorization;
- (c) to the liquid digestate pond; or
- (d) as otherwise authorized in writing by the Director.

SECTION 4.3: WASTE MANAGEMENT

OPERATIONS

4.3.1 The wastes referred to in SECTION 4.3 of this approval do not refer to:

- (a) feedstock; and
- (b) the digestate released in accordance with 4.4.7 (a) and (b).

4.3.2 The approval holder shall release waste generated at the facility only:

- (a) to facilities holding a current Act authorization;
- (b) to an Alberta Energy Regulator approved facility;
- (c) to facilities approved by a local environmental authority outside of Alberta; or
- (d) as otherwise authorized in writing by the Director.

4.3.3 The approval holder shall not:

- (a) receive; or
- (b) store

any third party waste at the facility.

4.3.4 The approval holder shall:

- (a) treat; and
- (b) store

waste generated at the facility in accordance with this approval.

TERMS AND CONDITIONS ATTACHED TO APPROVAL

4.3.5 The approval holder shall store hazardous waste or hazardous recyclables stored in containers or tanks in accordance with the *Hazardous Waste Storage Guidelines*, 1988, Alberta Environment, as amended.

4.3.6 The approval holder shall not:

- (a) transfer;
- (b) treat; or
- (c) store

waste or recyclables in an amount or in a manner that will cause or may cause an adverse effect on human health or the environment.

4.3.7 The approval holder shall not:

- (a) treat; or
- (b) store

waste or recyclables at the facility in an amount or in a manner that causes or may cause:

- (i) fire,
- (ii) explosion,
- (iii) violent reaction,
- (iv) emission of toxic dust, mist, fumes or gases, or
- (v) emission of flammable fumes or gases.

4.3.8 The approval holder shall store waste generated at the facility only in the waste storage areas.

4.3.9 The approval holder shall:

- (a) provide and maintain an adequate aisle space between containers in the waste storage areas to allow:
 - (i) inspection, and

TERMS AND CONDITIONS ATTACHED TO APPROVAL

- (ii) unobstructed movement of personnel, fire protection equipment, spill control equipment and decontamination equipment to any area of the waste storage areas; and
- (b) arrange inspection aisles in the waste storage areas such that the identification label on each container is readable.

4.3.10 The approval holder shall prevent direct contact of incompatible waste with one another.

MONITORING AND REPORTING

4.3.11 Prior to the consignment or storage of any waste generated at the facility, the approval holder shall:

- (a) identify;
- (b) characterize; and
- (c) classify

the waste but not including industrial runoff and air effluent streams in accordance with:

- (i) the *Industrial Waste Identification and Management Options*, Alberta Environment, 1996, as amended, and
- (ii) the *Alberta User Guide for Waste Managers*, Alberta Environment, 1996, as amended.

4.3.12 The approval holder shall measure or, when not practical to measure, estimate the quantity of waste generated at the facility each year.

4.3.13 The approval holder shall compile all the information required by 4.3.11 and 4.3.12 in an Annual Waste Management Summary Report as indicated in TABLE 4.3-A.

TERMS AND CONDITIONS ATTACHED TO APPROVAL

TABLE 4.3-A: ANNUAL WASTE MANAGEMENT SUMMARY REPORT

Waste Name	Uniform Waste Code				Quantity (kg or L)		Stored	Recycled		Disposed	
	WC	PIN	Class	Mgmt	Hazardous	Non-hazardous	On-site	On-site	Off-site	On-site	Off-site
TOTAL											

4.3.14 The approval holder shall submit the Annual Waste Management Summary Report to the Director.

SECTION 4.4: FEEDSTOCK AND DIGESTATE MANAGEMENT

OPERATIONS

4.4.1 The approval holder shall only process feedstock as described in the Directive.

4.4.2 In the event the percentage of manure by wet weight of the feedstock falls below 50%, the approval holder shall apply for an amendment to this approval on or before March 31 of the year following the year in which the percentage of manure by wet weight used as feedstock fell below 50%.

4.4.3 The approval holder shall manage digestate as described in the application.

4.4.4 At any one time the approval holder shall not store more than:

- (a) ten thousand (10,000) tonnes of solid digestate in the solid digestate staging area; and
- (b) five thousand (5,000) tonnes of manure in the manure staging area.

4.4.5 The approval holder shall only release the following to the liquid digestate pond:

- (a) liquid digestate;
- (b) industrial runoff; and
- (c) any accidental release of manure or digestate.

TERMS AND CONDITIONS ATTACHED TO APPROVAL

4.4.6 The approval holder shall operate the liquid digestate pond at or below a maximum level of 0.6 metres below the top of the pond liner, unless otherwise authorized in writing by the Director.

4.4.7 The approval holder shall only release digestate as follows:

- (a) by application to arable land in accordance with the Directive;
- (b) to the following that is the subject of the appropriate Approval, Registration or Authorization under AOPA:
 - (i) a confined feeding operation, or
 - (ii) a manure storage facility;
- (c) to facilities holding a current Act authorization;
- (d) to the facility to be used within the process; or
- (e) as otherwise authorized in writing by the Director.

4.4.8 The approval holder shall:

- (a) implement, before commencing operations of the facility; and
- (b) annually update

the Program for Keeping Out Vectors as described in the application.

4.4.9 The approval holder shall submit to the Director an up-to-date Program for Keeping Out Vectors, when requested in writing by the Director.

4.4.10 If the Program for Keeping Out Vectors is found deficient by the Director, the approval holder shall correct all deficiencies identified by the Director by the date specified in writing by the Director.

MONITORING AND REPORTING

4.4.11 The approval holder shall monitor digestate as required in TABLE 4.4-A, unless otherwise authorized in writing by the Director.

4.4.12 The approval holder shall report to the Director the results of the digestate monitoring as required in TABLE 4.4-A, unless otherwise authorized in writing by the Director.

TERMS AND CONDITIONS ATTACHED TO APPROVAL

TABLE 4.4-A: DIGESTATE MONITORING AND REPORTING

MONITORING				REPORTING FREQUENCY
Parameters	Frequency	Sampling Method	Sampling Location	
Total Kjeldahl Nitrogen (without reduction of nitrate)	Twice per year, at least six (6) months apart	(a) one (1) composite sample for solid digestate; and (b) one (1) representative grab for liquid digestate.	(a) solid digestate staging area; and (b) liquid digestate pond.	Annually
Ammonium-nitrogen (KCl extract)				
Nitrate-nitrogen (KCl extract)				
Total phosphorus (strong acid digest)				
Routine parameters				
Total metals (strong acid digest)				
Solid content				
Reduced sulphur compounds				
Any other parameters as required in writing by the Director				

4.4.13 The approval holder shall record all the information as indicated in:

- (a) TABLE 4.4-B; and
- (b) TABLE 4.4-C.

TERMS AND CONDITIONS ATTACHED TO APPROVAL

TABLE 4.4-B: ANNUAL DIGESTATE RELEASE SUMMARY

Owner of the Facility or Land	Facility Type Referred to in 4.4.7	AOPA or EPEA Authorization Referred to in 4.4.7*	Legal Land Description of the Land Referred to in 4.4.7	Type of Digestate (Liquid or Solid Digestate)	Digestate Quantity (kg)

* If grandfathered under AOPA without a municipal permit, just state: "grandfathered"

TABLE 4.4-C: ANNUAL FEEDSTOCK SUMMARY

Feedstock Provider	Legal Land Description	Feedstock Description	Feedstock Quantity (kg)

4.4.14 The approval holder shall submit an annual Feedstock and Digestate Management Report on or before March 31 of the year following the year in which the information was collected to:

- (a) the Director; and
- (b) the NRCB

unless otherwise authorized in writing by the Director.

4.4.15 The annual Feedstock and Digestate Management Report shall include, at a minimum, all of the following:

- (a) the information required in:
 - (i) 4.4.11,

TERMS AND CONDITIONS ATTACHED TO APPROVAL

- (ii) 4.4.12, and
- (iii) 4.4.13; and
- (b) any other information as required in writing by the Director.

SECTION 4.5: GROUNDWATER

- 4.5.1 The approval holder shall develop a proposal for a Groundwater Monitoring Program for the facility which shall include, at a minimum, all of the following:
- (a) a hydrogeologic description and interpretation of the facility;
 - (b) a map and description of surface water drainage patterns for the facility;
 - (c) a lithologic description and maps, including cross-sections, of the surficial and the upper bedrock geologic materials at the facility;
 - (d) a site map showing the location and type of current and historical potential sources of groundwater contamination;
 - (e) cross-sections showing depth to water table, patterns of groundwater movement and hydraulic gradients at the facility;
 - (f) the hydraulic conductivity of all surficial and bedrock materials at the facility;
 - (g) a map showing the location of existing and additional proposed groundwater monitoring wells at the facility;
 - (h) a lithologic description of all boreholes drilled at the facility;
 - (i) construction and completion details of existing groundwater monitoring wells;
 - (j) a rationale for proposed groundwater monitoring well locations and proposed completion depths of those wells;
 - (k) a description of groundwater monitoring well development protocols;
 - (l) a list of parameters to be monitored and the monitoring frequency for each groundwater monitoring well or group of groundwater monitoring wells at the facility;
 - (m) a description of the groundwater sampling and analytical QA/QC procedures;

TERMS AND CONDITIONS ATTACHED TO APPROVAL

- (n) details of a groundwater response plan specifying actions to be taken should contaminants be identified through the Groundwater Monitoring Program; and
- (o) any other information relevant to groundwater quality at the facility.

4.5.2 The approval holder shall submit the proposal for the Groundwater Monitoring Program to the Director on or before December 31, 2024.

4.5.3 If the Groundwater Monitoring Program proposal is found deficient by the Director, the approval holder shall correct all deficiencies as identified in writing by the Director within the timeline specified in writing by the Director.

4.5.4 The approval holder shall implement the Groundwater Monitoring Program as authorized in writing by the Director.

4.5.5 The approval holder shall:

- (a) protect from damage; and
- (b) keep locked except when being sampled

all groundwater monitoring wells, unless otherwise authorized in writing by the Director.

4.5.6 If a representative groundwater sample cannot be collected because the groundwater monitoring well is damaged or is no longer capable of producing a representative groundwater sample, the approval holder shall:

- (a) clean, repair or replace the groundwater monitoring well; and
- (b) collect and analyse a representative groundwater sample prior to the next scheduled sampling event

unless otherwise authorized in writing by the Director.

4.5.7 In addition to the sampling information recorded in 2.2.1, the approval holder shall record the following sampling information for all groundwater samples collected:

- (a) a description of purging and sampling procedures;
- (b) the static elevations above sea level, and depth below ground surface of fluid phases in the groundwater monitoring well prior to purging;
- (c) the temperature of each sample at the time of sampling;
- (d) the pH of each sample at the time of sampling; and

TERMS AND CONDITIONS ATTACHED TO APPROVAL

(e) the specific conductance of each sample at the time of sampling.

4.5.8 The approval holder shall carry out remediation of the groundwater in accordance with the following:

(a) the *Alberta Tier 1 Soil and Groundwater Remediation Guidelines*, Alberta Environment and Parks, August 2022, as amended; and

(b) the *Alberta Tier 2 Soil and Groundwater Remediation Guidelines*, Alberta Environment and Parks, August 2022, as amended.

4.5.9 The approval holder shall compile a Groundwater Monitoring Report which shall include, at a minimum, all of the following information:

(a) a completed *Record of Site Condition* Form, Government of Alberta, 2014, as amended;

(b) a legal land description of the facility and a map illustrating the facility boundaries;

(c) a topographic map of the facility;

(d) a description of the industrial activity and processes;

(e) a map showing the location of all surface and groundwater users, and a listing describing surface water and water well use details, within at least a three (3) kilometre radius of the facility;

(f) a general hydrogeological characterization of the region within a three (3) kilometre radius of the facility;

(g) a detailed hydrogeological characterization of the facility, including an interpretation of groundwater flow patterns;

(h) cross-sections showing depth to water table, patterns of groundwater movement and hydraulic gradients at the facility;

(i) borehole logs and completion details for groundwater monitoring wells;

(j) a map showing locations of all known buried channels within at least three (3) kilometres of the facility;

(k) a map of surface drainage within the facility and surrounding area to include nearby water bodies;

TERMS AND CONDITIONS ATTACHED TO APPROVAL

- (l) a map of groundwater monitoring well locations and a table summarizing the existing groundwater monitoring program for the facility;
- (m) a summary of any changes to the groundwater monitoring program made since the last groundwater monitoring report;
- (n) analytical data recorded as required in 4.5.4 and 4.5.6(b);
- (o) a summary of fluid elevations recorded as required in 4.5.7(b) and an interpretation of changes in fluid elevations;
- (p) an interpretation of QA/QC program results;
- (q) an interpretation of all the data in this report, including the following:
 - (i) diagrams indicating the location and extent of any contamination,
 - (ii) a description of probable sources of contamination, and
 - (iii) a site map showing the location and type of current and historical potential sources of groundwater contamination;
- (r) a summary and interpretation of the data collected since the groundwater monitoring program began including:
 - (i) control charts which indicate trends in concentrations of parameters, and
 - (ii) the migration of contaminants;
- (s) a description of the following:
 - (i) contaminated groundwater remediation techniques employed,
 - (ii) source elimination measures employed,
 - (iii) risk assessment studies undertaken, and
 - (iv) risk management studies undertaken;
- (t) a proposed sampling schedule for the following years;
- (u) a description of any contaminant remediation, risk assessment or risk management action conducted at the facility; and

TERMS AND CONDITIONS ATTACHED TO APPROVAL

- (v) recommendations for changes to the groundwater monitoring program to make it more effective.
- 4.5.10 The approval holder shall submit the Groundwater Monitoring Report to the Director on or before March 31 of every year, unless otherwise authorized in writing by the Director.
- 4.5.11 If the Groundwater Monitoring Report is found deficient by the Director, the approval holder shall correct all deficiencies identified in writing by the Director by the date specified in writing by the Director.

SECTION 4.6: SOIL MANAGEMENT

Not used at this time.

SECTION 4.7: DOMESTIC WASTEWATER

- 4.7.1 The approval holder shall only release domestic wastewater to facilities holding a current Act authorization, unless otherwise authorized in writing by the Director.

PART 5: FINANCIAL SECURITY REQUIREMENTS

- 5.1.1 The approval holder shall annually review and revise the cost estimate for reclamation of the facility including decommissioning and land reclamation.
- 5.1.2 The annual revised cost estimate for the facility shall be submitted to the Director by March 31 of each year.
- 5.1.3 The approval holder shall review and revise the cost estimate for reclamation of the facility when one or more of the following occurs:
 - (a) the cost estimate of future conservation and reclamation of the facility changes;
 - (b) the extent of the operation of the facility is increased or reduced;
 - (c) the facility or any portion of it is conserved and reclaimed;
 - (d) the conservation and reclamation plan required by this approval is changed; or
 - (e) the activities conducted at the facility for which security is required are increased or decreased.
- 5.1.4 The approval holder shall submit the revised cost estimate arising from 5.1.3 to the Director within 30 days of the occurrence of any of the circumstances described in 5.1.3.

TERMS AND CONDITIONS ATTACHED TO APPROVAL

- 5.1.5 The approval holder shall provide additional financial security as required in writing by the Director.
- 5.1.6 The approval holder shall renew the financial security for the facility at least 30 days prior to the date it expires.
- 5.1.7 The approval holder shall maintain the financial security for the facility until returned in accordance with the Act or the regulations.

PART 6: DECOMMISSIONING AND LAND RECLAMATION

SECTION 6.1: GENERAL

6.1.1 The approval holder shall apply for an amendment to this approval to reclaim the facility by submitting a:

- (a) Decommissioning Plan; and
- (b) Land Reclamation Plan

to the Director.

6.1.2 The approval holder shall submit the:

- (a) Decommissioning Plan; and
- (b) Land Reclamation Plan

referred to in 6.1.1 within six (6) months of the facility ceasing operation, except for repairs and maintenance, unless otherwise authorized in writing by the Director.

SECTION 6.2: DECOMMISSIONING

6.2.1 The Decommissioning Plan referred to in 6.1.1 shall include, at a minimum, all of the following:

- (a) a plan for dismantling the facility;
- (b) a comprehensive study to determine the nature, degree and extent of contamination at the facility and affected lands;
- (c) a plan to manage all wastes at the facility;
- (d) evaluation of remediation technologies proposed to be used at the facility and affected lands;

TERMS AND CONDITIONS ATTACHED TO APPROVAL

- (e) a plan for decontamination of the facility and affected lands in accordance with the following:
 - (i) for soil or groundwater, the *Alberta Tier 1 Soil and Groundwater Remediation Guidelines*, Alberta Environment and Parks, August 2022, as amended,
 - (ii) for soil or groundwater, the *Alberta Tier 2 Soil and Groundwater Remediation Guidelines*, Alberta Environment and Parks, August 2022, as amended,
 - (iii) for drinking water, the *Canadian Environmental Quality Guidelines*, Canadian Council of Ministers of the Environment, PN 1299, 1999, as amended, and
 - (iv) for surface water, the *Environmental Quality Guidelines for Alberta Surface Waters*, Alberta Environment and Parks, 2018, as amended;
- (f) confirmatory testing to indicate compliance with the remediation objectives;
- (g) a plan for maintaining and operating contaminant monitoring systems;
- (h) a schedule for activities (a) through (g) above; and
- (i) any other information as required in writing by the Director.

6.2.2 If the Decommissioning Plan is found deficient by the Director, the approval holder shall correct all deficiencies identified in writing by the Director by the date specified in writing by the Director.

SECTION 6.3: LAND RECLAMATION

- 6.3.1 The Land Reclamation Plan referred to in 6.1.1 shall include, at a minimum, all of the following:
- (a) the final use of the reclaimed area and how equivalent land capability will be achieved;
 - (b) removal of infrastructure;
 - (c) restoration of drainage;
 - (d) soil replacement;
 - (e) erosion control;

TERMS AND CONDITIONS ATTACHED TO APPROVAL

- (f) revegetation and conditioning of the facility including:
 - (i) species list, seed source and quality, seeding rates and methods,
 - (ii) fertilization rates and methods, and
 - (iii) wildlife habitat plans where applicable;
- (g) reclamation schedule; and
- (h) any other information as required in writing by the Director.

6.3.2 If the Land Reclamation Plan is found deficient by the Director, the approval holder shall correct all deficiencies identified in writing by the Director by the date specified in writing by the Director.

December 11, 2023

DATE

DESIGNATED DIRECTOR UNDER THE ACT
CRAIG KNAUS, B.Sc.

Prestie - Roll #1929070000

Appendix 3 - Respondent Disclosure



Local Assessment Review Board Hearing

Roll: 1929070000

Legal Description: S-7-19-29-4

Appellant: Brenda Prestie

Presented By: Teresa Lemon, AMAA

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Assessment Issues

The Appellant has brought forward the following issues which will be discussed in this report.

1. The Appellant believes the total assessed value is too high due to its proximity to the Rimrock Feedlot.
2. The Appellant indicates the dying trees decrease the property value.
3. The Appellant believes the location of the property along a designated Industrial through route is a factor decreasing the value of their property.
4. The Appellant indicates proximity to an asphalt plant negatively impacting the property value.

The Appellant has requested the assessed value to be \$522,080 as a result of the four issues.

Legislation and Assessment Background

Assessed values are prepared on an annual basis. To establish values, the Assessment Department is legislated to use up to 36 months worth of sales information. In this case 36 months (3 years) of data was used. The hard date cut offs of the legislation leads to information being used one year and not the next. When older information is no longer a part of the process and new information is introduced, it can result in larger assessment changes than the real estate market indicates year over year.

The Assessment Department is required by legislation to consider areas in use and apply the relevant valuation standards of market value for residential and agricultural use value for farm properties. The Assessment Department must assess 3 acres of land at market value if it is being used for residential purposes. The balance of the property is assessed at farmland rates. The Assessment Department compares this property to other acreages of a similar size to establish the assessed value of the market area and home(s).

Assessments in the province of Alberta must reflect the following:

- The market conditions of July 1 of the assessment year.
- The property characteristics and physical condition on December 31 of the assessment year.

Assessments must be prepared using mass appraisal and be representative of market value. An assessment is deemed to be reasonable when it falls within five percent of market value indicators. This is established in the Matters Relating to Assessment and Taxation Regulation. The excerpt can be found in Appendix A.

The following court case outlines how the Appellant should use their evidence to establish doubt on the assessed value through the burden of proof. The Alberta Queens Bench in “**Calgary (City) v Alberta (Municipal Government Board), 2010, ABQB 719**”, paragraph 161, outlines the burden of proof that must be followed.

The ultimate burden of proof or onus rests on the Appellant, at an assessment appeal, to convince the MGB their arguments, facts and evidence are more credible than that of the Respondent. However, if the Applicant leads sufficient evidence at the outset to establish a prima facie case, the evidentiary onus shifts to the Respondent. In order to establish a prima facie case, the Appellant must convince the MGB panel that there is merit to the appeal.

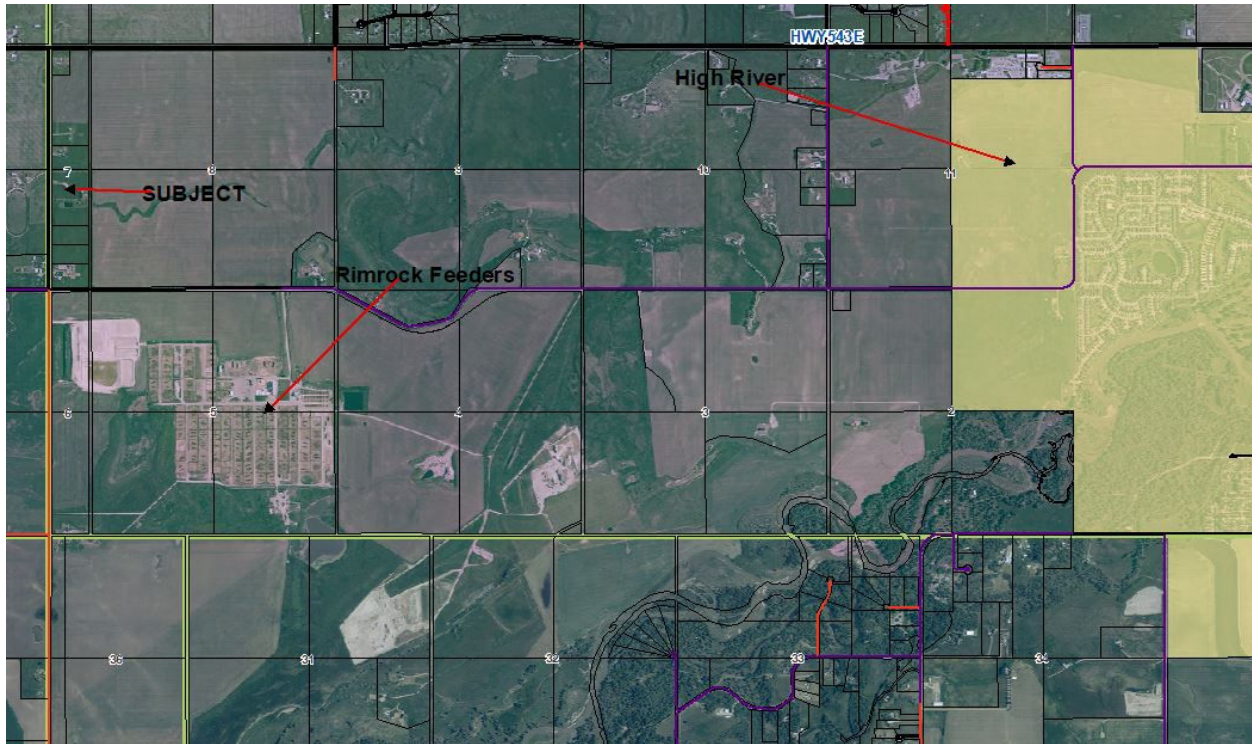
The Appellant must establish that it is more probable than not that the assessed value is incorrect or inequitable. Once the evidentiary onus shift occurs, then the validity of the assessment is in question. In order to rebut the Appellants prima facie case, and in order to raise a legitimate inference that the assessment is correct, the Respondent must lead evidence to counter the Appellant's evidence. At the end of the hearing, the MGB considers all the evidence presented and determines which party has established their case on a preponderance of evidence. In theory this means the party with the strongest case should succeed.

As outlined in Matters Relating to Assessment Complaints (MRAC) both parties must present evidence in sufficient detail to allow the other party to respond to, or rebut, the presented evidence. This is also a requirement of any rebuttal evidence submitted by the complainant. MRAC details this in Section 5, clause 2, sub (c) states the complainant must disclose to the respondent and the review board all evidence they intend to disclose at the hearing in rebuttal..."(b) in sufficient detail to allow the respondent to respond to or rebut the evidence at the hearing." This section affords the respondent the opportunity to address any or all rebuttal information presented by the complainant at the hearing.

Additional and expanded legislation can be found in Appendix A: Legislation.

Description of Subject Property

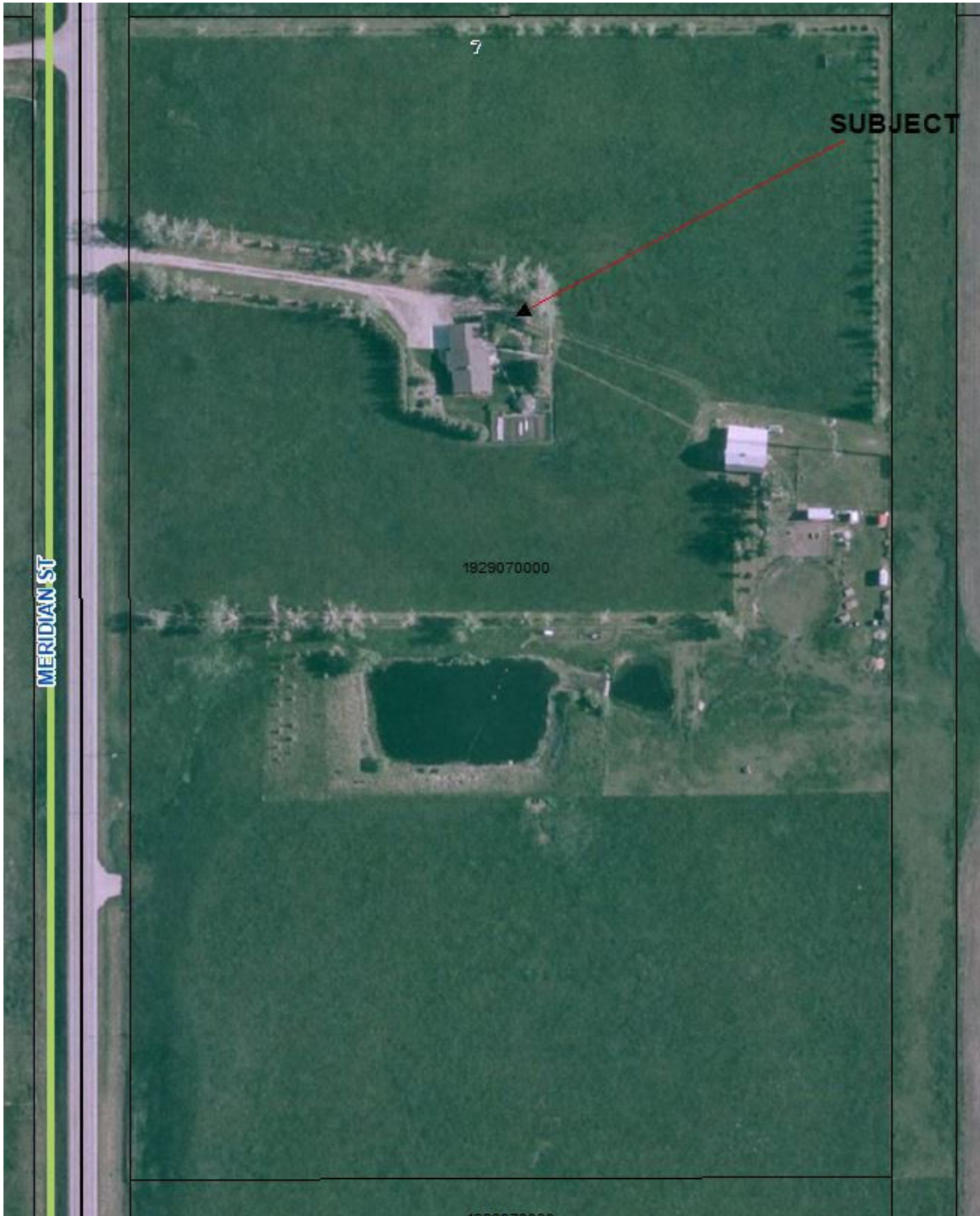
This subject property is located approximately 3.5 miles West of the Town of High River and ½ mile south of Hwy 543E as seen on Map 1.



Map 1: AERIAL MAP OF SUBJECT PROPERTY LOCATION

The parcel as seen in Map 2 is a 22.72 acre relatively flat site with partial mountain view and a few mature trees. Access to the property is off the paved Meridian Street. A gravel laneway heads east to the bungalow style residence, attached garage, barn, small shed and two horse shelters. In the north half of the parcel is the 1989 one storey residence of 1,250 square feet and a 510 square foot 1989 garage. The residence has forced air heat, 7 plumbing fixtures, and an open front veranda. The garage has a concrete floor, insulated and finished interior walls and electrical services. Photos of the property and improvements can be found in Appendix B.

The property is assessed with 3 acres at market value and the remaining 19.72 acres at regulated farmland rates. The owners indicate the agricultural use on the property to be horses grazing.



Map 2: Subject Property

Assessment Recommendation

The assessed value on the property in complaint is \$627,080.

The Assessment Department conducted a site inspection to review attributes and property characteristics on October 3, 2024. No changes resulted from the inspection. Although the owners are in the process of removing some trees, there were a few mature trees onsite as of the physical condition date of December 31, 2023 (MGA s.289(2)(a)).

Further review of the issues was completed by the Assessment department which results in the recommendation of a revised assessed value of \$569,850.

Sales (Fairness) Comparables

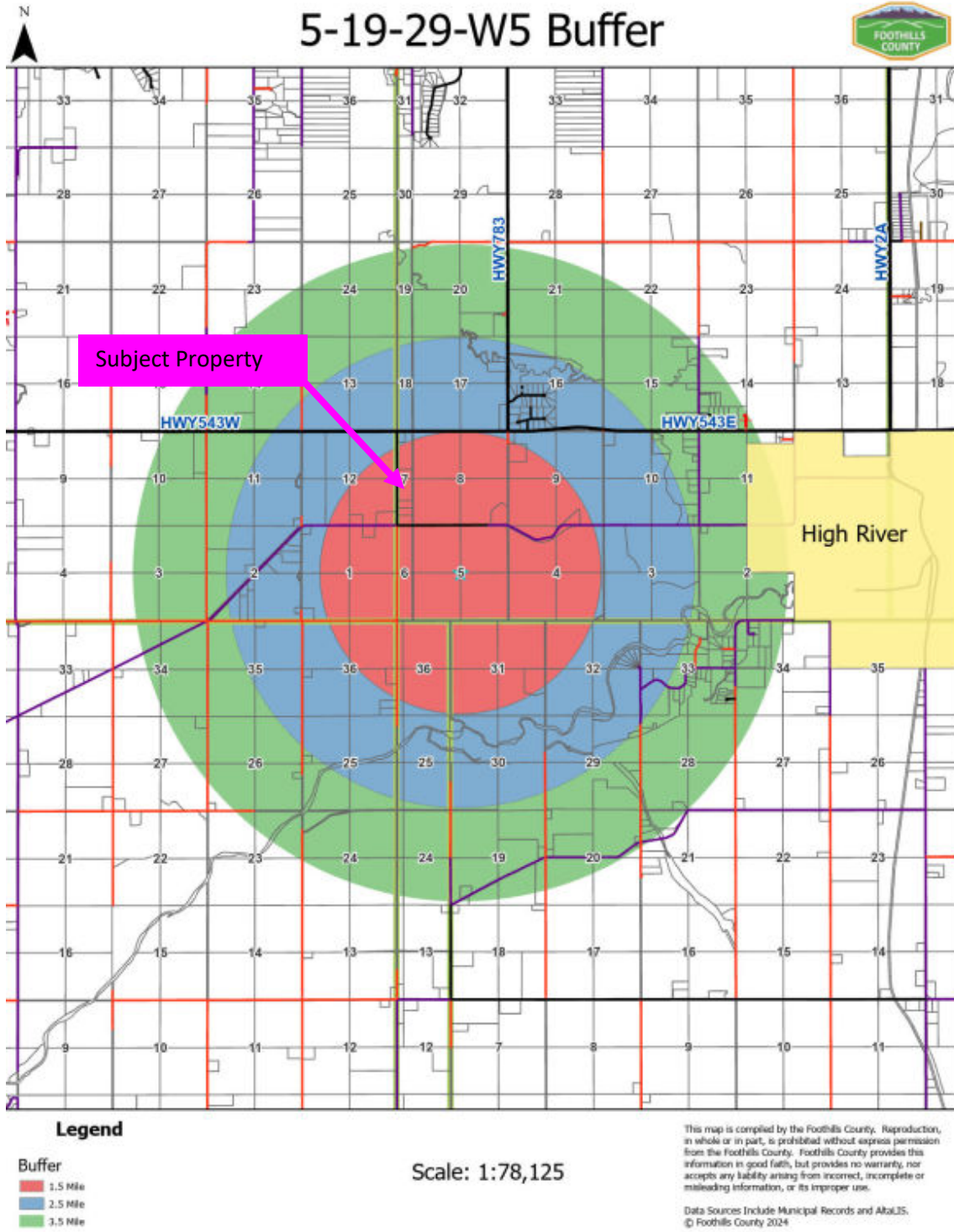
Assessments are representations of market value, which is determined by using sales of similar properties, that have been marketed and sold with no undue pressure between a willing buyer and a willing seller.

The land influences the complainant brought forward include; proximity to a feedlot, proximity to an asphalt plant, location along a designated truck route.

As part of the determining assessed values statistical measuring of attributes and characteristics are completed. Items measured are determined through communication with market participants, such as sellers, buyers and realtors.

The assessment department is tracking, measuring and applying adjustments for proximity to: feedlots, highways and gravel pits. The current amount of adjustment applied for properties in proximity to feedlots is -10% for properties within 1 mile of the feedlots and EcoAg facility; -5% for properties within 2 miles and no adjustment for properties within 3 miles. The current adjustment amounts for proximity to highways varies depending on the distance to and type of highway. Properties within 1 mile of a gravel pit have an adjustment applied for this influence.

Map 3 indicates the location of the subject property in relation to the Rimrock feedlot. The feedlot is located in section 5 of township 29 range 29 west of the 5th meridian or the center of the red highlighted on the map.

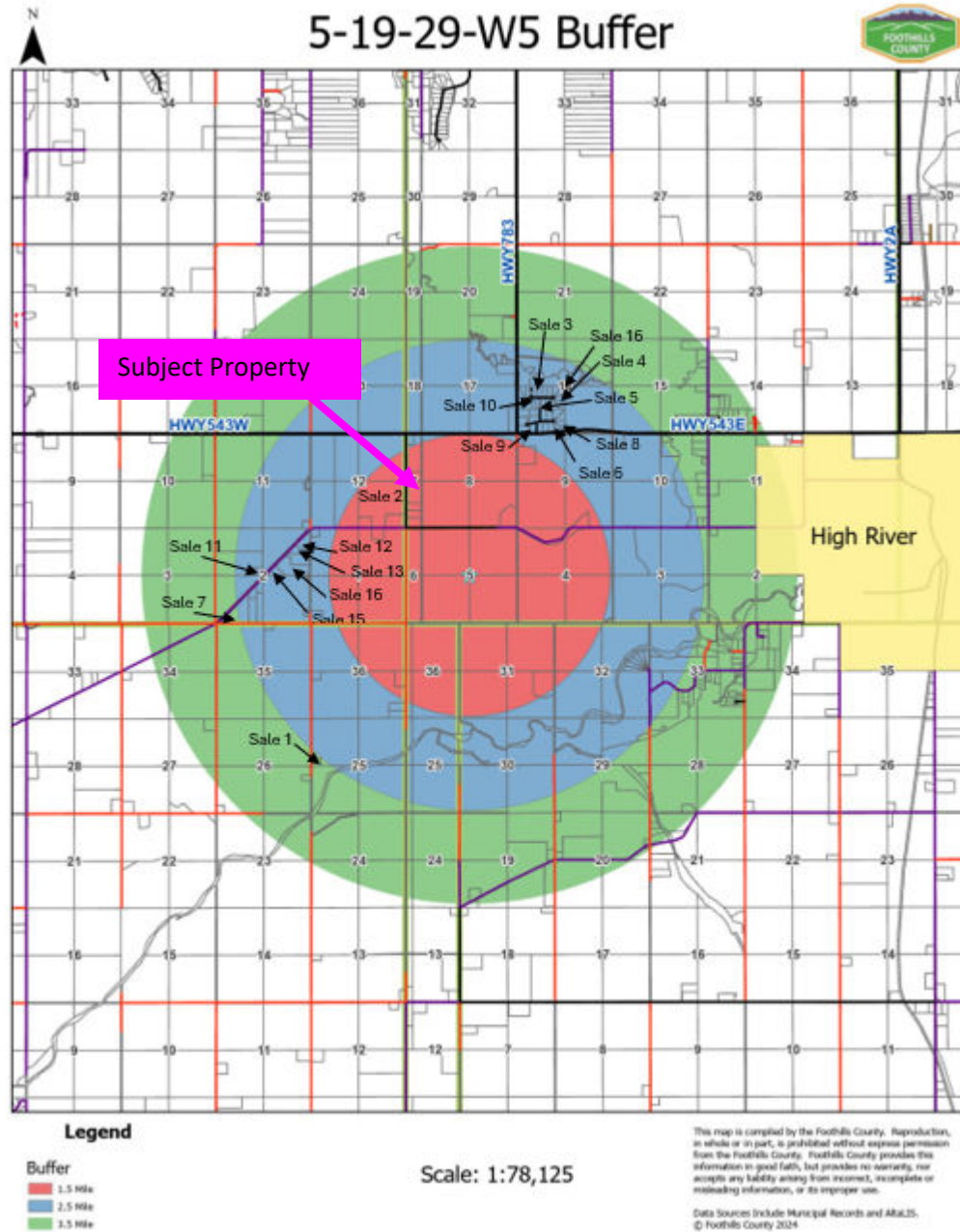


Map 3: Feedlot @ Center of Section 5

Matters Relating to Assessment Regulation (MRAT s.1(g)) defines “mass appraisal” as the process of preparing assessments for a group of properties using standard methods and common data and allowing for statistical testing.

There are a total of 16 sales within the legislated time frame within a 2 mile radius of the Rimrock feedlot. Fifteen properties are within a 2 mile radius and 1 sale within a 1 mile radius.

Map 4 details the location of the comparables and the subject property in relation to the feedlot.



Map 4: Comparable Sales

In MRAT Section 14(3) the quality standard sets out an assessment to sales ratio (ASR) range of 0.95 to 1.05. The ASR measures the assessment value to the sale value with the following formula:

$$\text{assessed value} / \text{sale value} = \text{ASR}$$

Table 1 contains details of the 16 sales within proximity to the Rimrock feedlot. These sales represent market transactions impacted by the same issue as the subject property, feedlot proximity. Only three recent property purchasers within 2 miles indicated to the Assessment department that odour was a factor with the purchase.

Sale	Sale Date	ROLL	Radius	ASR
1	05-03-2023	1901012510	2	0.99
2	02-08-2023	1901120020	1	1.05
3	12-05-2022	1929162780	2	0.93
4	09-29-2022	1929162730	2	0.93
5	07-18-2022	1929162680	2	0.97
6	05-31-2022	1929162600	2	0.87
7	02-18-2022	1901022510	2	1.18
8	02-07-2022	1929162720	2	1.00
9	11-18-2021	1929162520	2	0.88
10	09-24-2021	1929162670	2	0.96
11	09-16-2021	1901025000	2	0.81
12	06-04-2021	1901027520	2	0.92
13	05-26-2021	1901027500	2	0.87
14	01-19-2021	1929162740	2	0.99
15	11-30-2020	1901027530	2	1.01
16	09-10-2020	1901027540	2	1.03
Average				0.96
Median				0.97

Table 1: Comparable Sales

The median ASR of the 16 sales is .97. The ASR for Sale 2, the property within 1 mile of the feedlot, is 1.05. This indicates the adjustment applied is appropriate for the property attributes and characteristics.

The Appellant indicates being located along an Industrial Truck route as an issue. There is no market evidence to suggest or measure an appropriate adjustment for this concern. Sale 2 shares this attribute and the ASR is within legislated requirements.

The Appellant indicates an asphalt plant near their property. The Assessment department has no records of an asphalt plant near the subject property. The gravel pit mentioned in the Appellants disclosure as the Lafarge gravel pit is 2 miles from the subject property.

The subject property is within 1 mile of the Rimrock feedlot, similar to Sale 2. Applying the same adjustment factor of -10% to the land and residential improvements results in a revised assessment of \$569,850.

Summary

The Appellant has brought forward concerns regarding the assessed value being too high due to the issues of proximity to a feedlot, location along an Industrial Truck route, proximity to an asphalt plant and dying trees. The Appellant has requested an assessed value of \$522,080. There has been no evidence or reasoning supplied by the Appellant to support the requested value as a whole or the specific issues individually.

The Assessment Department has demonstrated applicable legislative standards have been followed and met in determining assessed values. The Sales Comparables demonstrate the assessment is representative of market value. This infers that the assessment is fair amongst similar properties, given the market information.

The Assessment Department respectfully requests the board to revise the assessment of \$627,080 to \$569,850 given the information that has been presented.

Appendix A: Legislation

s.284(1)(r) “**property**” means

- (i) a parcel of land,
- (ii) an improvement, or
- (iii) a parcel of land and the improvements to it;

MGA s.284(1)(r)

s.289(2) Each assessment must reflect

- (a) the characteristics and physical condition of the property on December 31 of the year prior to the year in which the tax is imposed under Part 10 in respect of the property, and
- (b) the valuation and other standards set out in the regulations for that property.

MGA s.289(2)

s.295(1) A person must provide, on request by the assessor, any information necessary for the assessor to carry out the duties and responsibilities of an assessor under Parts 9 to 12 and the regulations.

MGA s.295(1)

s.1(g) “mass appraisal” means the process of preparing assessments for a group of properties using standard methods and common data and allowing for statistical testing;

MRAT s.1(g)

s.5 An assessment of property based on market value

- (a) must be prepared using mass appraisal,
- (b) must be an estimate of the value of the fee simple estate in the property, and
- (c) must reflect typical market conditions for properties similar to that property.

MRAT s.5

s.6 Any assessment prepared in accordance with the Act must be an estimate of the value of the property on July 1 of the assessment year.

MRAT s.6

s.9(1) When an assessor is preparing an assessment for a parcel of land and the improvements to it, the valuation standard for the land and improvements is market value unless subsection (2) or (3) applies.

MRAT s.9

s.14(1) In this section, “property” does not include regulated property.

(2) In preparing an assessment for property, the assessor must have regard to the quality standards required by subsection (3) and must follow the procedures set out in the Alberta Assessment Quality Minister’s Guidelines.

(3) For any stratum of the property type described in the following table, the quality standards set out in the table must be met in the preparation of assessments:

Property Type	Median Assessment Ratio	Coefficient of Dispersion
Property containing 1, 2 or 3 dwelling units	0.950 - 1.050	0 - 15.0
All other property	0.950 - 1.050	0 - 20.0

(4) The assessor must, in accordance with the procedures set out in the Alberta Assessment Quality Minister's Guidelines, declare annually that the requirements for assessments have been met.

MRAT s.14

s.5(1) In this section, "Complainant" includes an assessed person or taxpayer who is affected by a complaint who wishes to be heard at the hearing.

(2) If a complaint is to be heard by a local assessment review board panel, the following rules apply with the respect to the disclosure of evidence:

- (a) the complainant must, at least 21 days before the hearing date,
 - (i) disclose to the respondent and the local assessment review board the documentary evidence, a summary of the testimonial evidence, including any signed witness reports, and any written argument that the complainant intends to present at the hearing in sufficient detail to allow the respondent to respond to or rebut the evidence at the hearing, and
 - (ii) provide to the respondent and the local assessment review board an estimate of the amount of time necessary to present the complainant's evidence;
- (b) the respondent must, at least 7 days before the hearing date, (i) disclose to the complainant and the local assessment review board the documentary evidence, a summary of the testimonial evidence, including any signed witness reports, and any written argument that the respondent intends to present at the hearing in sufficient detail to allow the complainant to respond to or rebut the evidence at the hearing, and (ii) provide to the complainant and the local assessment review board an estimate of the amount of time necessary to present the respondent's evidence;
- (c) the complainant must, at least 3 days before the hearing date, disclose to the respondent and the local assessment review board the documentary evidence, a summary of the testimonial evidence, including any signed witness reports, and any written argument that the complainant intends to present at the hearing in rebuttal to the disclosure made under clause (b) in sufficient detail to allow the respondent to respond to or rebut the evidence at the hearing.

MRAC s.5

Appendix B: Subject Property Photos



Photo 1: Entrance to the Property (Oct.3,2024)



Photo 2: Residence (Oct.3,2024)



Photo 3: Garage (Oct.3,2024)



Photo 4: Animal Shelters (Oct.3,2024)



Photo 5: Barn with lean-to (Oct.3,2024)



Photo 6: Shed (Oct.3,2024)



Photo 7: Looking East towards the feedlot (Oct.3,2024)



Photo 8: Few mature trees (Oct.3,2024)

Prestie - Roll #1929070000

Appendix 4 - Complainant Rebuttal

Assessment Review Board Hearing Oct.31/24
Complainant Rebuttal
Roll 1929070000, Legal S-7-19-29 W4
Appellant: Brenda Prestie

Dear Sir/Madam,

The respondent disclosure was sent to me on Wednesday Oct. 23/24 @ 4:01 PM. I did not receive it until Thursday Oct. 24/24. I called Foothills County office on Friday Oct.25/24 to ask Teresa Lemon for clarification on her presentation. Teresa was not in the office on Friday Oct.25/24. I did speak with Michael Brennan on Friday Oct.25/24. He was unable to comment on Teresa's email as he has not seen it, and advised me he is not working on my appeal.

The italicized text below was sent to Michael Brennan and appeals on October 10, 2024. I was not asked to send it to Teresa Lemon. I now choose to include my response to Michael Brennan as part of my rebuttal.

Assessor Michael Brennan called me on October 9, 2024. I was asked how I determined the requested assessed value of \$522,080 on my Assessment Review Board Complaint dated August 9, 2024. In order to file my complaint on August 9, 2024 I was told I had to supply a number. With the deadline quickly approaching, I chose a number without any research.

On October 9, 2024 Michael Brennan asked me to place a dollar value on each issue.

We (Barry and I) have since realized our requested assessed value is far too low. We are now both retired and spend most of our time on our property.

We have identified two major issues which affect our quality of life and enjoyment of our property. They are odour and the designated truck route.

Issue #1 - Odour. We have become aware that Foothills County has set a precedent in 2011 with the Eco Ag Facility regarding the negative impact of odour to market value. Foothills County had used a percentage to apply an adjustment to both the land and building component of the assessment. The amount of adjustment applied was -20% for properties within 1 mile of both the Feedlots and Eco Ag Facility; -10% for properties within 2 miles and -5% for properties within 3 miles. Being that we are in close proximity to Rimrock Feedlot (1/2 mile from property line) we would expect the same consideration. I have sent appeals the August 24, 2024 Western Wheel issue to substantiate there is an odour issue from Rimrock Feedlot.

Issue #2 -Foothills County designated truck route. Due to the fact that Foothills County upgraded Meridian Street South of #543 to Coal Trail, then East past Rimrock Feedlot to Lafarge gravel pit and designated these roads as the official truck route, all the feedlot and gravel pit truck traffic goes past our residence. Not only is there a huge volume of truck traffic, the truck traffic creates an excessive amount of noise (engine noise, engine retarder brake noise and road noise). This is as much, if not more, a negative impact as odour. We cannot escape the noise, we hear it inside our home.

In addition, Meridian Street is also a connector road between Coal Trail and #543 for local traffic, recreational vehicles and motorcycles.

We would anticipate an additional -30% on our assessment for the negative impact.

The Municipal Government Act, section 687, states in part "a development should not materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land".

In conclusion, we are requesting our property assessment value be reduced to \$250,832.

Please note: The sentence, We (Barry and I) have since realized our requested assessed value is far too low is an error. The sentence should have read: We (Barry and I) have since realized our requested assessed value is far too high.

Complainant Rebuttal to Respondent Disclosure

Teresa Lemon presented: The assessment department is tracking, measuring and applying adjustments for proximity to: feedlots, highways and gravel pits. The current amount of adjustment applied for properties in proximity to feedlots is -10% for properties within 1 mile of the feedlots and EcoAg facility; -5% for properties within 2 miles and no adjustment for properties within 3 miles. The current adjustment amounts for proximity to highways varies depending on the distance to and type of highway. Properties within 1 mile of a gravel pit have an adjustment applied for this influence.

Rebuttal: A precedent was set in 2011 regarding odours, a -20% for properties within 1 mile of both the Feedlots and Eco Ag Facility. We would expect the same consideration. See above Oct.9/24 response to Michael Brennan's request for information. I interpret Theresa's current reduction of -10% is for the EcoAg facility, Tongue Creek Feeders and Roseburn Ranches. I assume the implementation of the indoor compost facility has changed the assessed value reduction from -20% to -10%.

I would like to know when this -10% came into effect and how. Was it arbitrarily changed by the assessment department or was there a council resolution?

We experience horrendous odours, often, from Rimrock Feeders. When Western Feedlot existed, we did not experience the horrendous odour which occur today. The odours have been documented in the Western Wheel August 24, 2024 issue. The NRCB has been working with Rimrock Feeders for several years to find a solution to the odour issue. There has been no improvement. Each year the odours get worse.

Teresa Lemon presented: The Appellant indicates being located along an Industrial Truck route as an issue. There is no market evidence to suggest or measure an appropriate adjustment for this concern. Sale 2 shares this attribute and the ASR is within legislated requirements. The Appellant indicates an asphalt plant near their property. The Assessment department has no records of an asphalt plant near the subject property. The gravel pit mentioned in the Appellants disclosure as the Lafarge gravel pit is 2 miles from the subject property. The subject property is within 1 mile of the Rimrock feedlot, similar to Sale 2. Applying the same adjustment factor of -10% to the land and residential improvements results in a revised assessment of \$569,850.

Rebuttal: Our location on the County's designated truck route is an issue. When we moved here in 1989 Meridian Street in front of our property was a gravel road. In the early 1990's the County upgraded and

paved Meridian Street from #543 to Coal Trail, then East on Coal Trail past the former Western Feedlot to the former Alberta Transportation gravel pit and designated it as the truck route.

Prior to the road improvement, truck traffic would travel Meridian Street or 48 Street East. We did not experience the volume of heavy truck traffic when Western Feedlot was in operation.

We did not have as much traffic from the gravel pit when Alberta Transportation owned it. When Lafarge took ownership of this pit it became a sales pit and the heavy truck traffic increased.

Sale 2. This property was originally developed by Meridian Farms as a breeding operation for Standardbred racing horses. The current owner is breeding performance horses.

The developed property is specific to the horse breeding industry, attracting that type of buyer, willing to pay for the facility. It is not comparable to our property.

The assessment department does not have record of an asphalt plant at the Lafarge gravel pit because it is a portable plant. For a number of years the asphalt plant is hauled in on semi truck trailers and assembled on site. When a paving project is complete, the asphalt plant is disassembled, loaded on semi truck trailers and hauled away. When there is asphalt production, we smell that odour at the same time as the feedlot odours. This past summer, the asphalt for the Deerfoot paving project came from this pit, a night haul from 7:00PM to 7:00 AM seriously compromising our sleep. Never was there a lull in the traffic. The previous two years included paving of highway #22 from Black Diamond South and paving of highway #22 around Chain Lakes. Both of these projects were day time hauls, every load past our residence.

Teresa Lemon presented: The Appellant has brought forward concerns regarding the assessed value being too high due to the issues of proximity to a feedlot, location along an Industrial Truck route, proximity to an asphalt plant and dying trees. The Appellant has requested an assessed value of \$522,080. There has been no evidence or reasoning supplied by the Appellant to support the requested value as a whole or the specific issues individually.

Rebuttal: I supplied my reasoning to Michael Brennan on Oct. 9/24. In this letter I also addressed the fact that our requested assessed value of \$522,080 was far too high as we are negatively impacted by odour from Rimrock Feeders and the volume of heavy truck traffic on the County's designated truck route. I sent in the Western Wheel article substantiating the odour issue. I sent in the 2011 letter and map from the County assessment department which set the adjustment of -20% for those within 1 mile of the feedlots and the EcoAg facility.

Teresa presented: There are a total of 16 sales within the legislated time frame within a 2 mile radius of the Rimrock feedlot. Fifteen properties are within a 2 mile radius and 1 sale within a 1 mile radius.

Rebuttal: Although these properties are within the two mile radius of the feedlot, most of them are not on the designated truck route. Of the 16 sales only 1 is on the County's designated truck route.

Sale #2. The property is specific to a horse breeding operation and is not comparable to our property.

Sale #1 is on a gravel road, does not receive the heavy truck traffic and is not on the County's designated truck route.

Sales 7, 11, 12, 13, 15 & 16 are on Coal Trail which has a road ban of 90% year round. They do not experience any heavy truck traffic and are not on the County's designated truck route.

Sales 3, 4, 5, 6, 8, 9, 10 & 16 are all in Tongue Creek Estates and are not on the County's designated truck route.

In my opinion, none of these properties are comparable to ours.

Teresa Lemon Presented: The Assessment Department respectfully requests the board to revise the assessment of \$627,080 to \$569,850 given the information that has been presented.

Rebuttal: When viewing our current assessment of \$627,080, we cannot identify any adjustment for any of our concerns. We don't understand how the \$569,850 was determined. It is not a 10% reduction of the current assessment.

We have lived at this location for 35 years.

Since Rimrock Feedlot purchased the former Western feedlot, we are subjected to horrendous odours from their 35,000 head of feeder cattle operation, an increase in the volume of heavy truck traffic and the noise created by the heavy truck traffic.

We did petition the County for signage to prohibit the use of engine retarder brakes. We understood the County could not prohibit the use of engine retarder brakes on a designated truck route.

Instead, "Truckers please avoid the use of engine retarder brakes" were erected, strictly a voluntary request and not enforceable. Therefore, we depend on the decency of truckers to consider us as they drive by our residence. We have not noticed a reduction in the use of engine retarder brakes. We cannot escape the sound of engine retarder brakes or the road noises. We hear it inside our home.

Since Lafarge purchased the former Alberta Transportation gravel pit we are experiencing an increase of heavy truck traffic. During the months when the portable asphalt is hauled to the site, we experience the smell of asphalt production and an increase in heavy truck traffic.

Since we have owned this property, we have been negatively affected by circumstances beyond our control.

We have seen no consideration for the negative impacts.

Brenda & Barry Prestie

New name given to Centennial Arenas, events centre



BRENT CALVER/Western Wheel File Photo

The Okotoks Oilers take on the Blackfalds Bulldogs at Okotoks Centennial Arenas on Sept. 22, 2023. The Okotoks Centennial Arenas, along with the Foothills Centennial Centre, will now be known as Viking Rentals Centre.

By Western Wheel Staff

The Town of Okotoks has announced a naming rights deal with Viking Rentals for Centennial Arenas and Foothills Centennial Centre.

This 10-year partnership to create the Viking Rentals Centre will unify the arenas and event centre under a single, cohesive identity, enhancing the facility's recognition and accessibility, the Town said in a statement released last week.

Financial details of the sponsorship weren't made public as the Town said it cannot disclose the annual dollar figure on behalf of Viking Rentals as it is contractually protected as confidential.

"We are thrilled to partner with Viking Rentals

and bring their name to our outstanding sports and event centre," said Christa Michailuck, the Town's parks and recreation director. "This sponsorship will not only provide significant support for the ongoing operations and enhancements of our facilities but also foster a stronger sense of community pride and engagement."

The facility includes two ice surfaces, an unboarded leisure ice surface, a walking track and versatile, multi-purpose event space.

It's home for the Okotoks Junior A Oilers and provides a top environment for both athletes and community members.

"My family and I are very excited to work with the Town of Okotoks and

to sponsor these exceptional venues that serve so many members of our community as well as surrounding areas," said Lars Pettersen, owner of Viking Rentals.

"We are especially proud that Viking Rentals' sponsorship will directly benefit athletes, spectators and all visitors to the facilities. Sports, particularly hockey, have given me so much in my life, and I have always wanted to give back and help athletes to have the kinds of opportunities that I did.

"I have always admired people who contribute positively to their community and have been driven to be able to do the same. Together with the Town, I believe we will be able to achieve both goals."

Over 400 odour complaints made near High River in July



ROBERT KOROTYSZYN/Western Wheel File Photo

Rimrock Feeders in Foothills County, west of High River. The body that oversees feedlots in Alberta said it was recently doing around-the-clock odour monitoring in High River.

By Robert Korotyszyn

Staff Reporter

A high number of complaints during the recent heatwave have led the province's feedlot regulator to step up odour monitoring efforts in High River.

The Natural Resources Conservation Board (NRCB) said on Aug. 1 it received 404 alleged odour complaints related to Rimrock Feeders during the month of July.

In response, the NRCB has stepped up inspections by conducting in-person, 24-hour monitoring over several days in High River, the agency said in a July 25 bulletin on its webpage.

The complaints came from residents in High River, Foothills County and

Okotoks, but information about how many households lodged the complaints was not readily available, the NRCB said.

The regulator said it is looking at ways the feedlot six kilometres west of High River can alter management practices and is working with feedlot operators to lower levels in catch basins that are higher than normal after spring rains.

Next steps include evaluating emissions at specific odour sources within the feedlot, the NRCB said.

July's complaint numbers are up significantly from June, when 154 feedlot-related complaints were received, but they are comparable to May, when the regulator took 401 complaints.

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about the latest
research at the RAO

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Event is free and
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Municipal District of Foothills No. 31

309 Macleod Trail, Box 5605

High River, Alberta T1V 1M7

Telephone: (403) 652-2341 OR (403) 931-1905

Fax: (403) 652-7880

www.mdfoothills.com

May 23, 2011

Dear Property Owner

The Assessment Department have recently been made aware of the odor concerns regarding the operations on the SE ¼ of 16 19 01 W5. It is our understanding that **until the indoor Eco Ag Facility is in operation**, some of the material being composted outside in the compost facility, also on the SE ¼ of 16, is producing a significant odor problem for surrounding residents.

The assessment you have received with your 2011 tax notice reflects the condition and status of a property as of December 31, 2010. The assessments in Alberta are based on a market value standard. **Since this negative impact existed prior to December 31 and likely has an impact on the market value of surrounding properties**, we are able to recognize this in the market value component of the assessment.

By looking at Alberta Department of Agriculture web sites we have determined the prevailing wind directions for this area are primarily west to east and southwest to northeast. This information as well as comments from area residents, was used to establish the area affected by the odor from the compost facility. The attached map outlines the area we feel is affected and the properties within 1, 2 and 3 miles of both the feedlots and Eco Ag Facility are identified.

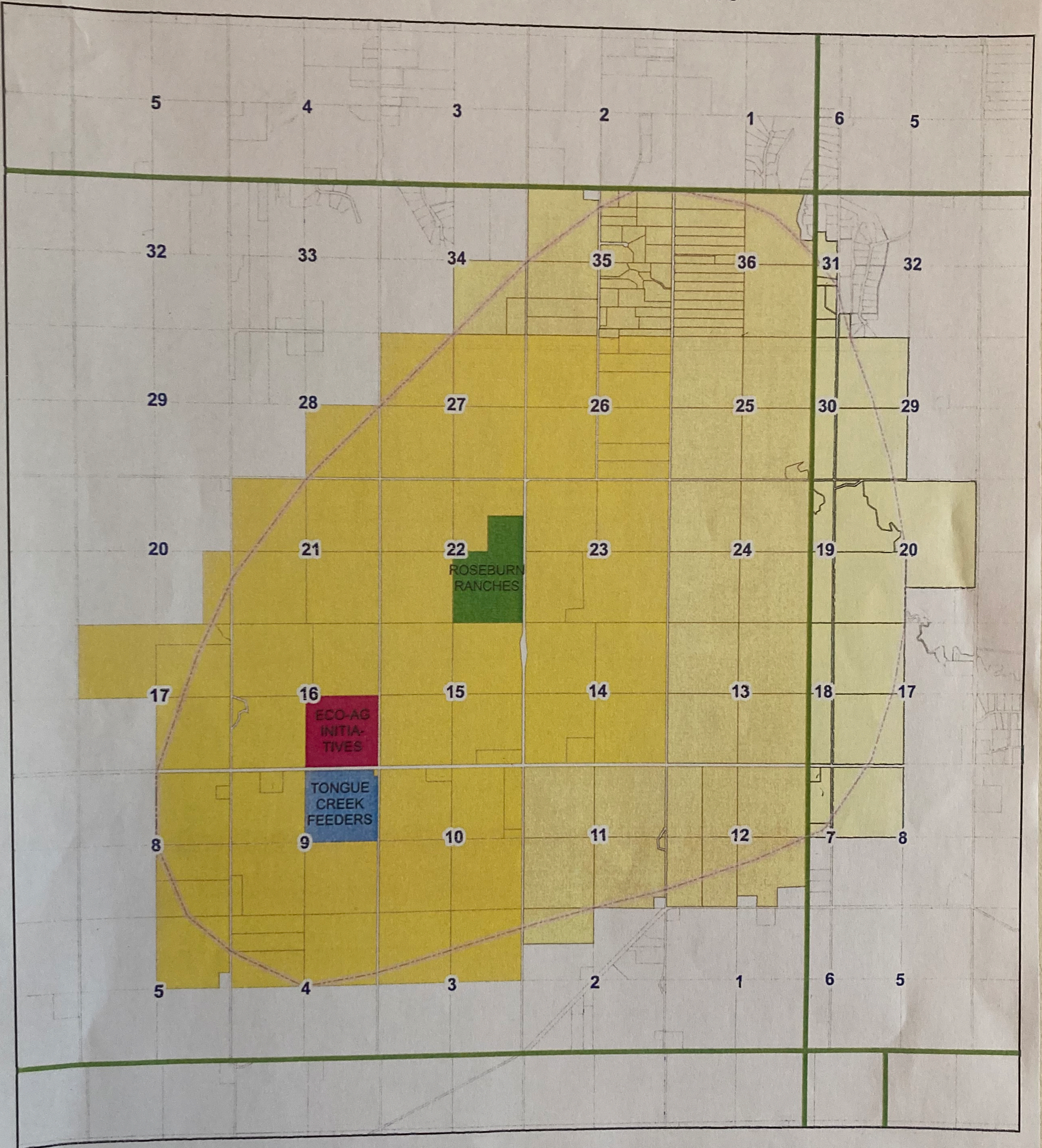
We do not have any definitive market evidence as to how much the market value is affected, but we have had two recent property purchasers within 1 mile indicate to us it was a factor with the purchase. Two other sales within 2 and 3 miles made no mention of it.

Generally we apply this type of adjustment to only the land portion of the assessment, but due to the extent of odor experienced we have chosen to apply an adjustment to both the land and building component of the assessment. The amount of adjustment applied is **-20% for properties within 1 mile of both the feedlots and Eco Ag facility; -10% for properties with 2 miles and -5% for properties within 3 miles.**

The enclosed amended assessment/tax notice for 2011 includes this adjustment to your assessment. This odor issue will be monitored annually and the adjustment removed if the odor is resolved once the indoor facility is in operation. Please contact either Stan Penchuk or Diane Fraser at 403-652-2341 or email MD-Assessment@mdfoothills.com for any questions or concerns.

Parcels Affected by Feedlot Operations & EcoAg Facility

Townships 19-29 W4 & 19-01 W5



Affected Area
Parcel Distance
 1 mile
 2 miles
 3 miles
 Affected Area Boundary

May 12, 2011

1:55,000
 Custom 3TM NAD83 projection
 Produced by the MD of Foothills Taxes & Mapping
 Department. Do not duplicate without permission.