

13-010

Appellant – Bodil Jelhof Jensen, **Operator** – 541466 Alberta Ltd. (JLG Ball Enterprises),
Location – near Boyle

A Notice of Appeal and request for a stay were received on August 6, 2013, from Ms. Bodhil Jelhof Jensen, in relation to the July 30, 2013 decision of Alberta Environment and Sustainable Resource Development to issue *Water Act* Approval No. 00328026-00-00 to 541466 Alberta Ltd. (JLG Ball Enterprises) authorizing the draining of groundwater from aggregate extraction pits within SW-36-063-19-W4M, near Boyle.

On August 16, 2013, the Board received a second Notice of Appeal with regards to the same Approval from Mr. Colin Bussiere (EAB 13-011).

In its letter of August 26, 2013, the Board denied Ms. Jensen's stay request. Ms. Jensen raised concerns regarding the potential degradation of Long Lake and the aquifer servicing the Hamlet of Long Lake should dewatering of the gravel site occur, the need for baseline data with respect to water quality and the level of the lake, and the adequacy of the terms and conditions in the Approval. The Approval allows for a specified amount of water that can be discharged into Long Lake annually, and the water must be analyzed and meet criteria prior to being discharged into the lake. It is unlikely the full amount of water that can be discharged annually would be discharged during the time it would take for the Board to hear the appeal. Therefore, based on the information provided, the Board did not believe that Ms. Jensen or the environment would suffer irreparable harm during the time it would take for the appeal to be heard.

On September 26, 2013, in consultation with the parties, the Board scheduled a mediation meeting for November 14, 2013 to address the appeals of Ms. Jensen and Mr. Bussiere.

On November 15, 2013, the Board advised that further to certain steps within the mediation agreement, the appeal of Ms. Jensen was withdrawn, and the Board discontinued its proceedings and closed its file with respect to Ms. Jensen's appeal. The appeal of Mr. Bussiere remains outstanding.