

## Status of Active Appeals

Updated on September 14, 2021

Please contact the Board at 780-427-6207, gilbert.vannes@gov.ab.ca or eab@gov.ab.ca for more information about the appeals.

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p><b>Peter Greenways and Greenways Inc.</b> EAB 12-004 September 3, 2021</p>	<p>A Notice of Appeal was received on May 30, 2012 from Peter Greenways and Greenways Inc. with respect to the May 30, 2012 decision of the Director, Alberta Environment and Parks to issue to Peter Greenways and Greenways Inc. Enforcement Order No. EO-2012/01-NR for failing to properly store hazardous wastes and hazardous recyclables at Greenway's Inc., a former chrome and nickel plating facility located at 52 Street and 73 Avenue in Edmonton.</p>	<p>The parties have undertaken discussions to resolve the appeal and regular status reports are to be provided to the Board on their progress. On July 8, 2021 AEP issued to the Appellants Amendment No. 5 to the Enforcement Order. The final remedial report is due to AEP by September 30, 2021. The next status updates are due to the Board on October 8, 2021.</p>	
<p><b>NuVista Energy Ltd.</b> EAB 13-027 September 8, 2021</p>	<p>A Notice of Appeal was received on March 11, 2014 from the landowner with respect to the September 10, 2013 decision of the Director, Alberta Environment and Parks, to issue to NuVista Energy Ltd. Reclamation Certificate No. 00331855-00-00 for the NuVista Alkali 14-13-24-5 well, located at W Sec. 13, Twp. 24, Rg. 5, W4M, near Oyen.</p>	<p>Parties requested the appeal be placed in abeyance while they work to resolve the appeal. A site visit was conducted in 2016 and work has taken place on the land and monitoring of the site continues. NuVista is providing regular status reports on their progress. A detailed site assessment was to be provided by August 31, 2021 however upon attendance at the site there was no vegetation. NuVista conducted a soil assessment and a vegetation assessment is to take place in June 2022 and a detailed site assessment is to be produced by the end of August 2022. The Board's September 8, 2021 letter requests NuVista provide status reports on April 13, May 13, June 13, July 13 and August 31, 2022.</p>	

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p><b>Westar Landfill Ltd.</b> EAB 14-001 September 10, 2021</p>	<p>A Notice of Appeal was received on April 14, 2014 from Westar Landfill with respect to the April 8, 2014 decision of the Director, Alberta Environment and Parks (AEP), to issue to Westar Landfill EPEA Environmental Protection Order No. EPO-2014/04-SSR for allegedly releasing substances from the landfill, located in Cypress County.</p>	<p>The Appellant requested a stay of the Order. AEP agreed to an interim stay and the EPO has been amended by extending the deadlines.</p> <p>Mediation meetings were held on July 15, 2014 and November 17, 2017. Mediation meetings are not open to the public. Discussions are continuing to resolve the appeal and the final due date in the November 24, 2017 Amended Order is November 30, 2021.</p>	
<p><b>Mohinder Gill and Five Pillar Holdings Ltd.</b> EAB 16-057, 061-063 August 9, 2021</p>	<p>A Notice of Appeal was received on February 7, 2017 from Mohinder Gill and Five Pillar Holdings Ltd. with respect to the January 12, 2017 decision of the Director, Alberta Environment and Parks' (AEP), to cancel Water Act Licence No. 20320 and to issue Water Management Order No. WMO-2017/01-SSR to Mohinder Gill and Five Pillar Holdings Ltd. for a water well that supplied water to the Wheatland Hotel in the Town of Strathmore.</p>	<p><b>Mediation Meeting</b> – The mediation meeting held May 10, 2017 was unsuccessful.</p> <p><b>Preliminary Motions</b> – AEP has requested the appeal be dismissed for being moot. AEP stated the information contained in the Director's Record and in the submission show that no legal use can be made of the groundwater well at Lot 8, Block 1, Plan 7711503, in the Town of Strathmore, or diversions of groundwater from it. AEP further stated, any decision the Minister could make regarding the appeals of the cancellation of Water Act Interim Licence No. 11738 and the issuance of Water Management Order No.WMO-2017/01-SSR would be moot, and therefore the appeals should be dismissed. Submissions were received on the issues. The Board issued its <a href="#">Decision</a> on July 5, 2019.</p> <p><b>Reconsideration Request</b> – On July 19, 2019 AEP requested the Board reconsider paragraph 58 of its July 5, 2019 decision regarding the theoretical value of the licence and whether or not it can be sold. AEP stated this is not a matter that was contained in the Notice of Appeal, AEP's Record or in AEP's motion to dismiss the appeal. The Board received</p>	<p>The Board issued its <a href="#">Decision</a> regarding the preliminary motions on July 5, 2019 stating the appeal was not moot as there may be remedies the Board could recommend to the Minister of Environment and Parks.</p> <p>The Board issued its <a href="#">Decision</a> on May 22, 2020 allowing the Town of Strathmore to intervene in the hearing.</p> <p>The Board issued its <a href="#">Decision</a> on June 24, 2021 regarding AEP's request for the Board to reconsider its July 5, 2019 decision.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p><b>Sears Canada Inc., Concord North Hill GP Ltd. and Suncor Energy</b> EAB 17-069-070 &amp; 18-013 March 11, 2020</p>	<p>Notices of Appeal were received on March 6 and 7, 2018 from Sears Canada Inc. and Concord North Hill GP Ltd. with respect to the decision of the Director, Alberta Environment and Parks (AEP), to issue Environmental Protection Order No. EPO-2018/01-SSR, under the <i>Environmental Protection and Enhancement Act</i> to Sears Canada Inc. and Concord North Hill GP Ltd. for a release of a substance which has caused, is causing or may cause an adverse effect on the environment in relation to lands located at Plan 8210266, Block 21, in the City of Calgary. On October 17, 2018 Suncor Energy appealed AEP's October 11, 2018 decision to issue Amendment No. 2 of Environmental Protection Order No. EPO-2018/01-SSR and requested a stay of the</p>	<p>submissions on the motion and issued its <a href="#">Decision</a> on June 24, 2021.</p> <p><b>Hearing</b> – The hearing scheduled for April 8, 2020 was cancelled as a result of COVID-19 and is now scheduled for October 26, 2021 via videoconference. The hearing is not open for public viewing.</p> <p>On April 1, 2020 the Board accepted the intervenor application from the Town of Strathmore and issued its <a href="#">Decision</a> on May 22, 2020.</p> <p>The Minister of Environment and Parks will make the final decision on this appeal. The Board must provide the Minister with its Report and Recommendations within 30 days of the hearing closing.</p>	<p>The Minister of Environment and Parks made the final decision on this appeal. The Board's <a href="#">Report and Recommendations and the Minister's Order</a> were issued on February 10, 2020.</p> <p>As of October 28, 2019 the Board's reasons for denying Suncor's request to adjourn the hearing are outstanding.</p> <p>As of March 11, 2020, the Board's decision on the costs applications is outstanding.</p>
		<p><b>Suncor Stay Request</b> – On November 26, 2018 the Board granted an interim stay. Submissions were received to determine whether the stay would remain in place until the appeal was heard. On January 11, 2019 the Board stated the stay would remain in place, with conditions, until the Minister makes a decision on the appeals or unless the Board orders otherwise. The Board directs the monitoring and sampling to continue and the development only of the remediation plan to continue. The stay applies only to the implementation of the remediation plan. In a letter dated January 24, 2019, the Board provided its reasons for its decision.</p>	
		<p><b>Adjournment Request</b> - Suncor requested an adjournment of the hearing, and on October 28, 2019 the Board denied the adjournment, and stated it would provide reasons for its decision.</p>	

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
	Order. Amendment No. 2 adds Suncor Energy as a responsible party.	<p><b>Hearing</b> – The hearing was held December 3-5, 2019. The Board issued its Report and Recommendations and the Minister’s Order on February 10, 2020.</p> <p><b>Intervenors</b> – The Mall Owners (BIM North Hill Inc. and Bentall Kennedy Prime Canadian Property Fund Ltd.), the Hounsfield Heights Landowners Group (HHLG) and Linda Barron were permitted to participate in the hearing.</p> <p><b>Costs Applications</b> – The Board received costs applications from Concord, the HHLG, the Mall Owners and Linda Barron, and comments on the costs applications were received. As of March 11, 2020 the Board’s decision is outstanding.</p>	
<p><b>Jade Oilfield Maintenance</b> EAB 18-002-003 June 9, 2021</p>	<p>Notices of Appeal were received on May 14, 2018 with respect to the May 7, 2018 decisions of the Director, Alberta Environment and Parks (AEP), to issue to Jade Oilfield and Russell and Cindy Dolanz, Enforcement Order No. EPEA-EO-2018/05-UAR for operating a pit without holding the required registration, and Enforcement Order No. WA-EO-2018/06-UAR for contravening section 36 of the Water Act by conducting an activity without an Approval, in relation to public lands located at SW-35-052-21-W5M and private land described as Plan 0721014 Block 1 Lot 1, in Yellowhead County.</p>	<p>A mediation meeting was held on October 8, 2018. Discussions continued in an effort to resolve the appeals and regular status reports are to be provided on their discussions. A second mediation meeting was held on July 9, 2020. Status reports on the discussions are due September 30, 2021. Mediation meetings are not open to the public.</p>	
<p><b>Zaia Abraham &amp; Romy Tittel</b> EAB 18-015 January 27, 2021</p>	<p>A Notice of Appeal and request for a stay were received on November 7, 2018 from Zaia Abraham and Romy Tittel with respect to the October 31, 2018 decision of the Director, Alberta Environment and Parks, to issue</p>	<p><b>Stay Request</b> – The Board reviewed the stay application and on December 21, 2018 denied the request.</p>	<p>The Board’s Report and Recommendations, due to the Minister of Environment and Parks</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
	<p><i>Water Act</i> Enforcement Order No. WA-EO-2018/08-SSR to Zaia Abraham and Romy Tittel for contravening section (49)(1) of the <i>Water Act</i> by commencing and continuing to divert water from a well located at Lot 68, Plan 9010544 in Rocky View County, without a licence and without otherwise being authorized by the <i>Water Act</i>.</p>	<p><b>Mediation Meeting</b> – The mediation meeting held March 13, 2019 did not resolve the appeal. Mediation meetings are not open to the public.</p> <p><b>Hearing</b> – A hearing was held on October 10, 2019 in Calgary. The continuation of the hearing was to continue on April 22, 2020 however due to Covid-19 it was adjourned to January 27, 2021 by videoconference.</p> <p>The Board will provide the Minister with its Report and Recommendations within 30 days and the Minister will make the final decision. The Report has not been provided to the Minister.</p> <p>The Board received an application to intervene in the hearing from the Elbow River Estates Water Co-operative. On September 26, 2019 the Board denied the Water Co-op's application.</p>	<p>within 30 days after the hearing closes, is outstanding.</p>
<p><b>Waste Connections of Canada (Progressive Waste Solutions Canada)</b> EAB 18-018 September 8, 2021</p>	<p>A Notice of Appeal was received on November 23, 2018 from Waste Connections of Canada with respect to the November 23, 2018 decision of the Director, Alberta Environment and Parks, to refuse a request of confidentiality under section 35(5)(b) of the Environmental Protection and Enhancement Act in relation to the release of Waste Connections of Canada annual report for the Coronation Landfill. The appeal relates to EPEA Approval No. 70686-02-00 issued to Progressive Waste Solutions Canada Inc.</p>	<p>A mediation meeting was held February 11, 2019. Discussions are continuing and status reports are due October 8, 2021. Mediations are not open to the public.</p>	
<p><b>West Fraser Mills Ltd.</b> EAB 18-019</p>	<p>A Notice of Appeal and request for a stay were received on December 28, 2018 from West Fraser Mills Ltd. with respect to the November 30, 2018 decision of the Director,</p>	<p><b>Stay Request</b> – The Appellant requested a stay and AEP advised it would agree to a temporary stay of certain clauses in the Approval until the conclusion of a mediation or by June 28, 2019,</p>	<p>The Board issued its <u>Decision</u> regarding the stay on March 13, 2020.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
August 20, 2021	Alberta Environment and Parks (AEP), to issue EPEA Approval No. 108-03-00 to West Fraser Mills for the construction, operation and reclamation of the Slave Lake Chemithermomechanical Pulp Manufacturing Plant.	<p>whichever is earliest. After receiving submissions, on April 9, 2019 the Board granted a stay of certain clauses in the Approval and stated reasons will be issued in due course. The Board issued its Decision on March 13, 2020.</p> <p><b>Mediation Meeting</b> – A mediation meeting was held on April 15, 2019 and discussions are ongoing. The parties reached an agreement on three of the issues. The Board provided the Minister with a Report and Recommendations in accordance with the agreement on the three issues and a Ministerial Order was issued on August 14, 2019 concurring. The parties reached a further agreement and the Board provided the Minister with a Report and Recommendations reflecting the parties' agreement. The Board's Report and Recommendations and the Ministerial Order were issued on February 4, 2021. Discussions are continuing on the remaining issue and status reports are due from the parties on September 30, 2021. Mediations are not open to the public.</p>	<p>The Board issued its <u>Report and Recommendations</u> and the Minister's Order on August 14, 2019 concurring with the parties' agreement reached at mediation on the three issues.</p> <p>The Board issued a second <u>Report and Recommendations</u> and the Minister's Order on February 4, 2021 concurring with the parties' agreement reached at mediation.</p>
<p><b>Alberta-Pacific Forest Industries</b> EAB 18-021 August 3, 2021</p>	A Notice of Appeal and request for a stay were received on February 26, 2019 from Alberta-Pacific Industries Inc. (AI-Pac) with respect to the January 28, 2019 decision of the Director, Alberta Environment and Parks (AEP), to issue EPEA Approval No. 111-03-00 to AI-Pac for the construction, operation and reclamation of the Athabasca Bleached Market Kraft Pulp Manufacturing Plant.	<p><b>Stay Request</b> – The Appellant requested a stay and AEP agreed to stay certain clauses in the Approval until the conclusion of a mediation meeting or until 6 months from the date of the Notice of Appeal. Submissions were received and the Board issued its Decision on December 11, 2019 dismissing the stay application.</p> <p><b>Mediation Meeting</b> – A mediation meeting was held on June 12, 2019 and discussions are ongoing. The parties reached agreements addressing all of the issues. The Board provided the Minister with two Reports and Recommendations in accordance with the</p>	<p>The Board issued its <u>Decision</u> on December 11, 2019 dismissing the stay application.</p> <p>The Board issued its <u>Report and Recommendations</u> and the Minister's Order on August 12, 2019 concurring with the parties' agreement reached at mediation on some of the issues.</p> <p>The Board issued its second <u>Report and Recommendations</u> and the Minister's Order on August 3, 2021</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p><b>Celanese Canada</b> EAB 19-011 and 19-013 September 1, 2021</p>	<p>A Notice of Appeal was received on May 28, 2019 from Celanese Canada with respect to the May 10, 2019 decision of the Director, Alberta Environment and Parks, to issue EPEA Approval No. 1349-03-00 to Celanese Canada ULC for the reclamation of the former Celanese Edmonton Petrochemical Manufacturing Plant. A Notice of Appeal was also received from Capital Power Generation Services Inc. on June 11, 2019 with respect to Celanese's Approval.</p>	<p>parties' agreements. The Minister agreed to the recommendations that resulted in the appeal being withdrawn. Mediation meetings are not open to the public. The file is now closed.</p>	<p>concurring with the parties' final agreement reached at mediation.</p>
<p><b>David and Lorraine Way</b> EAB 19-022-023 &amp; 19-097-098 September 8, 2021</p>	<p>A Notice of Appeal was received from David and Lorraine Way on June 27, 2019, with respect to the April 10, 2019 decision of the Director, Alberta Environment and Parks, to issue EPEA Enforcement Order No. EPEA-EO-2019/02-RDNSR and Water Act Enforcement Order No. WA-EO-2019/03-RDNSR to David Way and Lorraine Way in relation to lands located at SW-17-54-11-W4M. A second Notice of Appeal was received from the Ways on February 27, 2020 in relation to Amendment No. 2 issued by the Director in relation to EPEA Enforcement Order No. EPEA-EO-2019/02-RDNSR and Water Act Enforcement Order No. WA-EO-2019/03-RDNSR.</p>	<p>The appeal was placed in abeyance at the request of the parties and regular status reports are to be provided on their discussions. The next status reports are due September 30, 2021.</p> <p>The appeals were placed in abeyance at the request of the parties while they are in discussions, and regular status reports are to be provided on their discussions. Status reports are due from the Appellants and AEP by October 25, 2021.</p>	



Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p><b>Yvon and Lea Lapointe</b> EAB 19-043 July 13, 2021</p>	<p>A Notice of Appeal and request for a stay were received on October 9, 2019 from Yvon and Lea Lapointe with respect to the October 2, 2019 decision of the Director, Alberta Environment and Parks, to issue Water Act Enforcement Order No. WA-EO-2019/09-LAR to them for the construction and operation of a berm, located at SE 24-61-6-W4M in the Municipal District of Bonnyville # 87, without authorization.</p>	<p><b>Stay Request</b> – AEP agreed to stay the Orders while the appeals are in mediation.</p> <p><b>Mediation Meeting</b> – A joint mediation meeting was held December 13, 2019 for the appeals of the Lapointes and Mr. Donald Lapierre (19-046-047). Discussions did not resolve the appeals and proceeded to a hearing. Mediation meetings are not open to the public.</p> <p><b>Hearing</b> – A joint hearing for appeals of the Lapointes and Mr. Donald Lapierre (19-046-047) was held March 22-23, 2021, via videoconference. The Board issued its <a href="#">Report and Recommendations and the Minister's Order</a> on June 17, 2021.</p> <p>Following the Minister issuing his Order, the Appellants have re-entered mediation.</p> <p><b>Costs Application</b> – The appellants reserved their right to claim for costs at the hearing. As of July 13, 2021, the Board's decision on the costs applications is outstanding.</p>	<p>The Board issued its <a href="#">Report and Recommendations and the Minister's Order</a> on June 17, 2021.</p>
<p><b>Mitchell Hochhausen and Wavy Lake Enterprises Ltd.</b> EAB 19-044-045 September 1, 2021</p>	<p>A Notice of Appeal was received on October 16, 2019, from Mitchell Hochhausen, Wavy Lake Enterprises Ltd. with respect to the October 10, 2019 decision of the Director, Alberta Environment and Parks, to issue Water Act Enforcement Order No. WA-EO-2019/12-RDNSR to them for conducting unauthorized activities involving multiple wetlands located at S ½ 7-46-15-W4M, in Flagstaff County, without authorization.</p>	<p><b>Preliminary Motion</b> – On November 1, 2019 AEP filed a motion to dismiss the appeal for not being a valid appeal. The Board issued its reasons for dismissing the motion on April 8, 2020.</p> <p>A mediation meeting via video conference was scheduled for June 10, 2020. On June 1, 2020 the mediation was cancelled at the request of the parties as they are in discussions to resolve the appeal. Status reports are due September 17, 2021.</p>	<p>The Board issued its <a href="#">Decision</a> on April 8, 2020 stating the appeal is valid.</p>



Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p><b>Donald Lapierre and 645639 Alberta Ltd.</b> EAB 19-046-047 July 13, 2021</p>	<p>Notices of Appeal and request for a stay from received Donald Lapierre and 645639 Alberta Ltd., on October 25, 2019 with respect to the October 18, 2019 decision of the Director, Alberta Environment and Parks, to issue Water Act Enforcement Order No. WA-EO-2019/08-LAR to them for the construction and operation of a drainage ditch, located on lands described as Plan 8621749, Lot B, in the Municipal District of Bonnyville No. 87, without authorization.</p>	<p><b>Stay Request</b> – AEP agreed to stay the Orders while the appeals are in mediation.</p> <p><b>Mediation Meeting</b> – A joint mediation meeting was held December 13, 2019 for the appeals of Mr. Donald Lapierre and the Lapointes (19-043). Discussions did not resolve the appeals and proceeded to a hearing. Mediation meetings are not open to the public.</p> <p><b>Hearing</b> – A joint hearing for appeals of the Lapointes (19-043) and Mr. Donald Lapierre was held March 22-23, 2021, via videoconference. The Board issued its <a href="#">Report and Recommendations and the Minister's Order</a> on June 17, 2021.</p> <p>Following the Minister issuing his Order, the Appellants have re-entered mediation.</p> <p><b>Costs Application</b> – The appellants reserved their right to claim for costs at the hearing. As of July 13, 2021, the Board's decision on the costs applications is outstanding.</p>	<p>The Board issued its <a href="#">Report and Recommendations and the Minister's Order</a> on June 17, 2021.</p>
<p><b>Evergreen Regional Waste Management Services Commission</b> EAB 19-048 June 29, 2020</p>	<p>A Notice of Appeal was received on November 30, 2019 with respect to the November 29, 2019 decision of the Director, Alberta Environment and Parks, to issue Approval No. 248406-01-00 to Evergreen Regional Waste Management Services Commission (ERWMSC) for the construction, operation, and reclamation of the Evergreen Regional Landfill (Class II), located near St. Paul, Alberta.</p>	<p>Preliminary motions are being dealt with and submissions are being received. ERWMSC requested the appeal be dismissed for being frivolous. The Appellant requested the hearing be split according to his concerns. The Board denied the request and the Appellant has requested the Board reconsider its decision. The Appellant requested a stay of ERWMSC's Approval. On June 29, 2020, the Board denied the stay request and stated it would provide reasons in due course. As of June 26, 2020, the Board is to make a decision on ERWMSC's request to dismiss the appeal.</p>	<p>As of June 29, 2020, the Board's reasons for denying the Appellant's stay request are outstanding.</p> <p>As of June 26, 2020, the Board's decision on ERWMSC's motion to dismiss the appeal is outstanding.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p><b>BURNCO Rock Products</b> EAB 19-049 May 12, 2020</p>	<p>A Notice of Appeal was received on December 5, 2019 from Burnco Rock Products Ltd. with respect to the November 8, 2019 decision of the Director, Alberta Environment and Parks (AEP), to refuse to renew Water Act Licence 00223671-00-00 for gravel washing at Hover Pit at W ½ 30-008-22-W4.</p>	<p>AEP requested the appeal be dismissed for being without merit. Submissions were received and the Board advised on April 1, 2020 AEP's motion is dismissed and confirmed the appeal is valid. Reasons for this decision are outstanding. AEP has requested a reconsideration of the decision and were advised to wait for the reasons to be issued and to make another request if they wished. Once the Board's decision is issued a hearing will be scheduled.</p>	<p>As of April 1, 2020, the Board's reasons for dismissing AEP's motion and confirming the appeal is valid are outstanding.</p>
<p><b>SUEZ Canada Waste Services Inc. and Minister of Infrastructure</b> EAB 19-051-058, 087-088, 103-110 April 17, 2020</p>	<p>Eighteen Notices of Appeal were received with respect to the December 13, 2019 decision of the Director, Alberta Environment and Parks (AEP), to issue EPEA Approval 1744-03-00 to SUEZ Canada Waste Services Inc. and Her Majesty the Queen in Right of Alberta as represented by the Minister of Infrastructure for the construction, operation and reclamation of the Swan Hills Hazardous Waste Treatment Centre.</p>	<p>Preliminary motions are being dealt with. The appeals are being challenged for filing the appeals late and for not filing statements of concern with AEP during AEP's application process. Filing a statement of concern with AEP is a prerequisite to filing an appeal, in this case.</p>	
<p><b>Badlands Recreation Development Corp.</b> 19-059-085 February 10, 2021</p>	<p>Twenty-seven Notices of Appeals were received on January 20, 2020 with respect to the January 8, 2020 decision of the Director, Alberta Environment and Parks (AEP), to issue Water Act Approval No. 00406489-00-00 to Badlands Recreation Development Corp. for infilling 2 wetlands, modifying 3 wetlands, and constructing, operating and carrying out maintenance of a storm water management system at 22-027-21-W4M,</p>	<p><b>Stay</b> – The Appellants requested a stay of the Approval. After receiving submissions, the Board issued a decision on April 28, 2020 denying the stay and dismissing 22 of the 27 appeals for not being directly affected.</p> <p><b>Reconsideration Request</b> – The Appellants requested the Board reconsider its April 28, 2020 decision. Submissions were received and on July 8, 2020, the Board advised the reconsideration request was denied and</p>	<p>The Board issued its <u>Decision</u> on April 28, 2020 denying the Appellants' request for a stay and dismissing 22 appeals for not being directly affected.</p> <p>On July 8, 2020, the Board advised the parties the Appellants' request for the Board to reconsider its April 28, 2020 decision was denied with</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
	near Rosebud, Alberta, for the Badlands Motorsport Resort.	<p>reasons for the decision would be issued in due course.</p> <p><b>Mediation Meeting</b> – A mediation meeting was held on June 3, 2020 and discussions continued, however the appeals were not resolved. Mediations are not open to the public.</p> <p><b>Hearing</b> – The hearing scheduled for December 7, 9 and 10, 2020 via video conference was rescheduled to February 23-25, 2021. The hearing has been cancelled and will be rescheduled after submissions have been received (last submission due April 15, 2021) on the following motions and the Board makes a decision on the motions:</p> <ol style="list-style-type: none"> <li>1. The Appellants’ request for the Board to reconsider its decision dismissing some of the appeals for not being directly affected based on the recent Court of Appeal decision in the <u>Normtek</u> case. The Court of Appeal decision affects the Board’s directly affected test.</li> <li>2. The Appellants’ request to strike the portion of AEP’s written submissions for the hearing dealing with the correctness/reasonableness of AEP’s decision.</li> <li>3. The Appellants’ request for AEP and Badlands to provide further and better hearing submissions in the form of “will stay” statements for each of the witnesses.</li> <li>4. AEP’s request for the Appellants to provide detailed summaries of the evidence each of their witnesses, including their three experts, intend to speak to.</li> </ol> <p>Any person, other than the parties, who wished to make a representation before the Board on these appeals, was to submit a request by October 16, 2020. No requests to intervene were received.</p>	reasons to be issued. The reasons are outstanding.

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p><b>Town of High River</b> EAB 19-089, 093 and 094 May 31, 2021</p>	<p>Five Notices of Appeal and stay requests were received from February 7-14, 2020 regarding the January 28, 2020 decision of the Director, Alberta Environment and Parks (AEP), to issue Water Act Approval 00419723-00-00 to the Town of High River. The Approval authorizes the construction and placement of a berm, and swale within the flood plain of the Highwood River resulting in the permanent alteration of the flow, direction of flow and water levels, changing the location of water for drainage purposes, and maintaining, removing, or disturbing ground, vegetation or other material in or on any land, water or waterbody. The locations of the activities are Sections 35-018-29-W4M and S½-01-019-29-W4M in the Town of High River.</p>	<p>Since the hearing will be held via videoconference, it will not be open to the public for viewing. You may request a copy of the audio recording.</p> <p>The Minister of Environment and Parks will make the final decision on these appeals. Once the hearing is closed, the Board must provide the Minister with its Report and Recommendations within 30 days.</p> <p><b>Judicial Review</b> – The Appellants filed a judicial review in Court of Queen’s Bench in Calgary regarding the Board’s April 28, 2020 decision. The judicial review has been adjourned <i>sine die</i> until the Minister makes a decision on the appeals following the Board’s hearing. Badlands has also agreed to not do any work under the Approval.</p> <p>One appeal (19-090) has been withdrawn. After receiving submissions, on April 1, 2020 the Board dismissed appeal 19-091 for not filing a Statement of Concern with AEP, a prerequisite to filing an appeal in this case, and denied the Appellants’ stay request. The Board’s reasons for these decisions are outstanding.</p> <p><b>Intervenor Requests</b> – Any person, other than the parties, who wished to make a representation before the Board on these appeals was to submit a request by October 19, 2021. The Board received three applications to intervene. On November 9, 2020 the Board permitted one of the applicants to intervene and stated it would provide reasons for the decision.</p> <p>Since the hearing is being held via video conference, it will not be open to the public for</p>	<p>As of April 1, 2020, the Board’s reasons for dismissing appeal 19-091 and for denying the stay request are outstanding.</p> <p>As of November 9, 2020, the Board’s reasons for permitting one of the applicants to intervene in the hearing is outstanding.</p> <p>As of November 9, 2020, the Board’s reasons for determining the issues for the hearing are outstanding.</p> <p>The Board’s Report and Recommendations, due to the Minister within 30 days after the hearing closes, is outstanding.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p><b>Paul and Mary Davis</b> EAB 19-092 September 8, 2021</p>	<p>A Notice of Appeal was received on February 10, 2020 from Paul and Mary Davis regarding the January 31, 2020 decision of the Director, Alberta Environment and Parks, to issue to Paul and Mary Davis <i>Water Act</i> Approval No. 00315274-00-00 for constructing a spillway, auxiliary spillway and berm of a dam, near Foothills.</p>	<p>viewing. You may request a copy of the audio recording.</p> <p><b>Hearing</b> – On November 2 and 9, 2020 after receiving submissions from the parties, the Board set the issues for the hearing. The Board's reasons for setting the issues is outstanding.</p> <p>The hearing scheduled for October 6-7, 2020 was held on January 12-13, 2021 via videoconference. Following the hearing, the Board requested further information from the parties. The information was received from the parties and on May 31, 2021, the hearing was closed.</p> <p>The Minister of Environment and Parks will make the final decision on this appeal. Pursuant to EPEA, the Board's Report and Recommendations is to be provided to the Minister within 30 days. As of June 30, 2021, the Report and Recommendations has not been provided to the Minister.</p>	
		<p><b>Mediation Meeting</b> – A mediation meeting via conference call was held June 17, 2020. The mediation meeting is for appeals 19-092, 19-099 and 101. Mediation meetings are not open to the public. The appeals were not resolved at mediation and a hearing has been scheduled.</p> <p>The hearing scheduled for February 17-18, 2021 via conference call has been cancelled. The hearing was for appeals EAB 19-092 and EAB 19-099 &amp; 101.</p> <p>The parties have decided to continue to work to resolve the appeals. The parties are to provide status reports on their discussions by September 22, 2021.</p>	

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p><b>Paul and Mary Davis</b> EAB 19-099 &amp; 101 September 8, 2021</p>	<p>Notices of Appeal were received on March 5 and 9, 2020 from Paul and Mary Davis and a local resident with respect to the January 31, 2020 decision of the Director, Alberta Environment and Parks, to issue Water Act Preliminary Certificate No. 00315275-00-00 to Paul and Mary Davis stating they will receive a Licence to divert 1,200 cubic metres of water annually from an unnamed tributary to Threepoint Creek in SE 16-021-03-W5M with 915 cubic metres for evaporative loss and up to 285 cubic metres for consumptive use for agricultural (stock watering) and recreational purposes, with Priority No. 2006-04-27-001 upon compliance with the conditions in the Preliminary Certificate.</p>	<p><b>Mediation Meeting</b> – A mediation meeting via conference call was held June 17, 2020. The mediation meeting is for appeals 19-092, 19-099 and 101. Mediation meetings are not open to the public. The mediation meeting did not resolve the appeals and a hearing has been scheduled.</p> <p>The hearing scheduled for February 17-18, 2021 via conference call has been cancelled. The hearing was for appeals EAB 19-092 and EAB 19-099 &amp; 101.</p> <p>The parties have decided to continue to work to resolve the appeals. The parties are to provide status reports on their discussions by September 22, 2021.</p>	
<p><b>Secure Energy Services</b> EAB 19-111 February 2, 2021</p>	<p>A Notice of appeal was received on March 20, 2020 from Drew Yewchuk, Faculty of Law, University of Calgary, on behalf of Cody Cuthill and Normtek Radiation Services Ltd., with respect to the March 4, 2020 decision of the Director, Alberta Environment and Parks (AEP), to issue EPEA Amending Approval No. 48516-01-07 extending the expiry date of Approval 48516-01-00 to March 31, 2021. The Amending Approval was issued to Secure Energy Services Inc. for the construction, operation and reclamation of the Pembina Area Landfill, near Drayton Valley.</p> <p>AEP advised on January 18, 2021 Secure's amendment request and the approval renewal application will be processed as a single document. All previous amendments will be incorporated into the renewal. A draft approval renewal in form is expected to be</p>	<p>The Appellants have been challenged on standing and the parties agreed to wait for the Court of Appeal's decision in a previous appeal filed by the Appellants (EAB 16-024). The Board dismissed the Appellants' previous appeal on March 2, 2018 for not being directly affected. The matter was heard in the Court of Appeal on February 11, 2020 and the Court's <u>Decision</u> was issued on December 11, 2020.</p> <p>On February 2, 2021, the Board set a schedule to receive submissions on appeal 16-024 and placed appeal 19-111 on hold pending the outcome of appeal 16-024. In the Board's view, the existing record in appeal 16-024 does not include fulsome evidence on the substantive issues on appeal, which the Court of Appeal instructed are relevant to the question of Normtek's "directly affected" status. Therefore, in order for the Board to reconsider Normtek's</p>	

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
	ready by the first week of March 2021, and will be sent to Secure for review and comment.	standing, consistent with its governing legislation and the Court of Appeal's reasons, the Board needs additional submissions and evidence on these issues. The Board also requires arguments on the directly affected status of Normtek having regard to the Court of Appeal's decision.  To allow time for the parties to settle the Order of Judgement, the submissions on the question of Normtek's directly affected status are due as follows: Normtek's submission is due March 5; Secure and AEP's submissions are due March 26; and Normtek's rebuttal submission is due April 19, 2021.	
<b>Spruce Ridge Capital Inc.</b> EAB 19-112-122 & 20-001 February 6, 2021	Eleven Notices of Appeal were received from March 23 to April 2, 2020, with respect to the February 27, 2020 decision of the Director, Alberta Environment and Parks (AEP), to issue Water Act Licence No. 00396302-00-00 to Spruce Ridge Capital Inc. for the operation of a works and the diversion of up to 95,583 cubic metres of water annually from SE-22-022-03-W5M for irrigation purposes at NE-01-022-03-W5M and SE-12-022-03-W5M.	On April 7, 2020 AEP challenged the appeals for not filing a statement of concern with AEP during the application process, except for the Fish Creek Watershed Group who was challenged for not being directly affected. Submissions were received on the motions and as of May 18, 2020, the Board's decision is outstanding.  Since the Board's decision in the Spruce Ridge matter is outstanding, the Board must consider the implications of the Court of Appeal's <u>Normtek</u> decision issued on December 11, 2020 as it challenges the Board's directly affected test. The Board requested comments from the parties and as of February 6, 2021, the Board is reviewing the comments and file.	As of May 18, 2020, the Board's decision on whether the Appellants have standing is outstanding.
<b>Stone's Jewellery</b> EAB 20-002 September 8, 2021	A Notice of Appeal was received on April 30, 2020 with respect to the April 23, 2020 decision of the Director, Alberta Environment and Parks (AEP), to issue Water Act Approval	<b>Stay Request</b> – The Appellants requested a stay of the Approval. The Board received submissions on the stay request and whether the Appellants are directly affected. The Board	As of May 27, 2020, the Board's reasons for denying the stay request



Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
	<p>No. 5038754 to Stone's Jewellery Ltd. to commence, continue and discontinue placing, constructing, operating, maintaining, removing, disturbing works, in or on any land, water or water body; maintaining, removing or disturbing ground, vegetation or other material in or on any land, water or water body; altering the flow, direction of flow or level of water; and changing the location of water for the purposes of removing an ice jam, drainage, flood control, erosion control or channel realignment or for a similar purpose (the Activity); and to disturb 2 water bodies for the purpose of constructing a residential development (Morning Vista Estates) located at SW 23-024-03-W5M in Rocky View County.</p>	<p>advised on May 27, 2020 the Appellants are directly affected and denied the stay request. Reasons for these decisions are outstanding.</p> <p><b>Mediation Meeting</b> – A mediation meeting by video conference was held on July 28, 2020. Discussions continue and updates are due from Stone's and the Appellants on September 13, 2021. Mediation meetings are not open to the public.</p>	<p>and determining the Appellants are directly affected are outstanding.</p>
<p><b>James (Rod) MacLean</b> EAB 20-003 May 27, 2020</p>	<p>A Notice of Appeal was received on May 4, 2020 from James (Rod) MacLean with respect to the April 16, 2020 decision of the Director, Alberta Environment and Parks, to issue Water Act Enforcement Order No. WA-EO-2020/03-SSR to James (Rod) MacLean for placing soil and other materials within a ditch located at SE-16-021-W4M in the County of Newell.</p>	<p>As the appeal was filed beyond the legislated timeframe, the Appellants requested an extension to the legislated deadline to file the appeal. After receiving an explanation from the Appellants, the Board dismissed the appeal on May 27, 2020 and stated reasons for the decision will be issued in due course.</p>	<p>As of May 27, 2020, the Board's reasons for dismissing the appeal for filing it late are outstanding.</p>
<p><b>Bryce Haesloop</b> EAB 20-004 February 6, 2021</p>	<p>A Notice of Appeal was received on April 30, 2020 with respect to the April 24, 2020 decision of the Director, Alberta Environment and Parks (AEP), to issue Water Act Approval No. 504871 to Bryce Haesloop. The Approval authorizes Mr. Haesloop to commence, continue and discontinue maintaining, removing or disturbing ground, vegetation or other material in or on any land, water or</p>	<p>The appeal was placed in abeyance on May 13, 2020 at the request of AEP while the parties were in discussions, however, the appeal was not resolved.</p> <p>On July 8, 2020 AEP requested the appeal be dismissed stating the Appellants' land is not directly affected by the Approval. The Board received submissions from the parties on AEP's motion and the last submission was received</p>	<p>As of September 22, 2020, the Board's reasons for dismissing the appeals for not being directly affected are outstanding.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p><b>Shaun Larsen</b> EAB 20-006 &amp; 20-008 August 9, 2021</p>	<p>Notices of Appeal was received on June 8 and June 30, 2020 with respect to the December 5, 2019 decision of the Director, Alberta Environment and Parks, to issue Approval No. 5041876, under the <i>Water Act</i>, to Shaun Larsen to commence, continue and discontinue placing, constructing, maintaining, removing, disturbing works, in or on any land, water or water body; maintaining, removing or disturbing ground, vegetation or other material in or on any land, water or water body; changing the location of water for the purposes of drainage, flood control, erosion control or channel realignment or for a similar purpose; and to construct a diversion ditch for the purpose of flood control, at SE-23-058-21-W4M, near Redwater.</p>	<p>August 28, 2020. On September 22, 2020, the Board dismissed the appeals for not being directly affected and stated reasons will be issued in due course for its decision.</p> <p>Since the Board's reasons for dismissing the appeal is outstanding, the Board must consider the implications of the Court of Appeal's <u>Normtek</u> decision issued on December 11, 2020 as it challenges the Board's directly affected test. The Board requested comments from the parties and as of February 6, 2021, the Board is reviewing the comments and file.</p> <p><b>Preliminary Motions</b> - The appeals have been challenged as they appear to be filed outside of the legislated timeline. Final submissions were received and on August 24, 2020 the Board decided it will extend the appeal periods and accept the appeals as filed on time. Reasons for the Board's decision will be issued in due course.</p> <p>In the submission filed by Mr. Larsen, he raised motions that the Appellants are not directly affected by the Approval and their appeals are without merit. As the Board must address the motions, further submissions were received. On September 22, 2020, the Board decided the appellants are directly affected and their appeals have merit. The Board will issue its reasons for the decisions in due course.</p> <p><b>Mediation Meeting</b> – A mediation meeting was held on November 23, 2020. Mediation meetings are not open to the public. Mr. Larsen has agreed to restore the diversion ditch to natural contours and predevelopment conditions by September 1, 2021. Upon completion of the work, Mr. Larsen will advise</p>	<p>As of August 24, 2020 the Board's reasons for extending the appeal period and accepting the appeals as filed on time, are outstanding.</p> <p>As of September 22, 2020, the Board's reasons for deciding the Appellants are directly affected and their appeals have merit, are outstanding.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p><b>Patrick McCarthy</b> EAB 20-007 September 1, 2021</p>	<p>A Notice of Appeal and a request for a stay were received on June 22, 2020 from Patrick McCarthy with respect to the June 16, 2020 decision of the Director, Alberta Environment and Parks (AEP), to issue Water Act Enforcement Order No. WA-EO-2020/04-SR to Patrick McCarthy for unauthorized activity in a wetland located in the SW-5-47-20-W4M, in Camrose County.</p>	<p>the Director and request that the Approval be canceled.</p>	<p>On January 27, 2021, the Board issued its <u>Decision</u> containing the reasons for granting a stay of the Order.</p>
<p><b>Byron Mitchell &amp; Vantage Pointe Homeowners Association</b> EAB 20-009 August 20, 2020</p>	<p>A Notice of Appeal was received on July 3, 2020 from Mr. Byron Mitchell and Vantage Pointe Homeowners Association, with respect to a letter dated June 4, 2020 from Mohammad Habib, Approvals Manager, Red Deer-North Saskatchewan Region, Regulatory Assurance Division, Alberta Environment and Parks (AEP), regarding Application No. 001-356471 filed under the Water Act by the Vantage Pointe Homeowners Association for a proposed wastewater treatment plant for the Vantage Pointe Subdivision located in Leduc County, Alberta.</p>	<p><b>Stay Request</b> – On July 13, 2020 the Board granted a stay of the Enforcement Order, and issued its <u>Decision</u> containing the reasons for granting the stay on January 27, 2021.</p> <p><b>Mediation Meeting</b> – A mediation meeting via video conference was held October 13, 2020. Discussions are ongoing and the mediation meetings set for December 1, 2020 and March 17, 2021 via videoconference were cancelled at the request of the parties as they continue discussing. Parties are to provide regular updates on their discussions. The next status report is due September 30, 2021. Mediation meetings are not open to the public.</p>	<p>As of August 20, 2020, the Board's decision on whether the appeal is valid is outstanding.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p><b>Town of Blackfalds</b> EAB 20-011-014 and 20-016 February 22, 2021</p>	<p>Notices of Appeal were received with respect to the July 15, 2020 decisions of the Director, Alberta Environment and Parks (AEP), to issue under the Water Act to the Town of Blackfalds Approval No. 00387959-00-00 to construct, operate and carry out maintenance of stormwater management works within NW 26, NW 27, NE 28, SE 33, Section 34, SE 35, SW 35 and NW 35, all within TWP 39 RGE 27 W4M; and Approval No. 00391359-00-00 to modify 2 wetlands, and construct, operate and carry out maintenance of a linear wetland system and the proposed NW Storm Trunk. The activities under the second Approval are taking place at SE 34, NE 34, of 39-27-W4M and SE 3-40-27-W4M in Blackfalds.</p>	<p><b>Stay Request</b> – The Board received a request from one of the Appellants for a stay of the Approvals. The Board received submissions and on September 22, 2020 the Board refused to grant a stay of the Approval, with reasons to be issued.</p> <p><b>Mediation Meeting</b> – Mediation meetings were held on January 11, 2021 and March 9, 2021 via video conference. The mediation meeting did not resolve the appeals. Mediation meetings are not open to the public.</p> <p><b>Preliminary Matters</b> - The Board dealt with various motions and intervenor applications, and issued its decisions on May 12, 17 and 31, 2021.</p> <p><b>Hearing</b> – A hearing was held on January 14, 17 and 21, 2021 by videoconference.</p> <p>The Board will provide the Minister with its Report and Recommendations within 30 days pursuant to EPEA and the Minister will make the final decision. The Report has not been provided to the Minister.</p>	<p>As of September 22, 2020, the Board's reasons for refusing to grant a stay are outstanding.</p> <p>The Board issued a <u>Decision</u> on May 12, 2021 regarding matters related to the hearing.</p> <p>The Board issued a <u>Decision</u> on May 17, 2021 regarding intervenor applications for the hearing.</p> <p>The Board issued a <u>Decision</u> on May 31, 2021 regarding AEP's objection to the May 17, 2021 Decision, and matters related to the hearing.</p> <p>The Board's Report and Recommendations, due to the Minister within 30 days after the hearing closes, is outstanding.</p>
<p><b>Cargill Limited</b> EAB 20-015 September 13, 2021</p>	<p>A Notice of Appeal was received on July 30, 2020 from Cargill Limited with respect to the June 30, 2020 decision of the Director, Alberta Environment and Parks (AEP), to issue to Cargill Limited EPEA Approval No. 683-04-00 for the construction, operation and reclamation of the High River meat plant.</p>	<p>The appeal is in abeyance while the parties are in discussions to resolve the appeal.</p> <p>The parties reached an agreement on some of the issues. The Board issued a Report and Recommendations and the Minister's Order on October 26, 2020 in response to the agreement. Discussions on the remaining issues are ongoing and status reports are due October 13, 2021.</p>	<p>The Board issued a <u>Report and Recommendations and Minister's Order</u> on October 26, 2020 in response to the resolution of some of the issues.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p><b>Harbour Environmental</b> EAB 20-018 &amp; 019 August 3, 2021</p>	<p>A Notice of Appeal was received on August 27, 2020 from Harbour Environmental with respect to the July 29, 2020 decision of the Director, Alberta Environment and Parks (AEP), to issue Approval No. 463161-00-00 under the Environmental Protection and Enhancement Act to Harbour Environmental Group for the construction, operation and reclamation of the Calgary Spyhill Waste Management Facility for the processing of hydrovac slurry.</p> <p>On August 27, 2020, the Board also received a Notice of Appeal from Harbour Environmental with respect to the June 1, 2020 decision of the Director, Alberta Environment and Parks (AEP), to issue Amending Approval No. 391593-00-01 under the Environmental Protection and Enhancement Act to Harbour Environmental Group Ltd. for the operation and reclamation of the Calgary Waste Management Facility.</p>	<p>The appeals are in abeyance while the Appellant and AEP are in discussions to resolve the appeals. Status reports on their discussions are due by September 3, 2021.</p>	
<p><b>Lac La Biche County and WSP Canada Inc.</b> EAB 20-020 &amp; 021 May 14, 2021</p>	<p>A Notice of Appeal was received on August 28, 2020 from Lac La Biche County and WSP Canada Inc. with respect to the July 30, 2020 decision of the Director, Alberta Environment and Parks (AEP), to issue Water Act Administrative Penalty No. WA-20/06-AP-NR-20/06 in the amount of \$11,000.00 to Lac La Biche County and WSP Canada Inc. for allegedly constructing, installing, maintaining, replacing or removing a watercourse crossing, failing to minimize siltation and erosion in a wetland in accordance with the terms of an approval in Lac La Biche County, and failing to provide an investigator with documentation, specifically the Erosion Sediment Control Plan when requested.</p>	<p><b>Mediation Meeting</b> – A mediation meeting via video conference was held on November 26, 2020. Mediations are not open to the public. The mediation did not resolve the appeals and a hearing will be held.</p> <p><b>Hearing</b> – A hearing via video conference has been scheduled for May 5, 2021. The hearing was cancelled on April 16, 2021 because AEP cancelled the Administrative Penalty. The Board determined the appeals were moot since the penalty was cancelled. The Appellants stated they would withdraw their appeals if the Board would consider a costs application from them for costs related to the preparation for the May 5, 2021 hearing. The Board agreed.</p>	<p>As of May 14, 2021, the Board's decision on the Appellants' costs application is outstanding.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p><b>Landrex Hunter Ridge</b> EAB 20-022 &amp; 20-025 August 10, 2021</p>	<p>Notices of Appeal were received on September 1, 2020 from Landrex Hunter Ridge (EAB 20-022), and on September 18, 2020 from an individual (EAB 20-025). The appeals are with respect to the August 26, 2020 decision of the Director, Alberta Environment and Parks (AEP), to issue Approval No. 00425700-00-00 under the Water Act to Landrex Hunter Ridge Inc. for: altering, infilling and removing wetlands; constructing, dewatering, operating, and carrying out maintenance of drainage works, bypass ditch, erosion control works, culverts and berms; and constructing, dewatering, operating, and carrying out maintenance of stormwater management systems, located at the Erin Ridge North development in St. Albert, Alberta.</p>	<p><b>Costs Application</b> – A costs application was received from the Appellants and comments on the application were received from AEP. As of May 14, 2021, the Board’s decision on the costs application is outstanding.</p> <p>EAB 20-025 – The second appeal filed by an individual has been challenged by AEP. AEP requested the Board dismiss the appeal as the Appellant is not directly affected by Landrex’ Approval and the Appellant did not file a statement of concern with AEP, a prerequisite to filing an appeal. Following review of the parties’ submissions, on March 24, 2021, the Board issued a <u>Decision</u> dismissing appeal EAB 20-025 for not filing a valid statement of concern with AEP.</p> <p>EAB 20-022 – A written hearing has been scheduled with respect to the appeal filed by Landrex. Following the Board’s review of the submissions, the Board requested additional information. Responses to the Board’s questions were received and the parties advised on August 10, 2021 they had no further comments.</p> <p>The Board Panel will convene on September 30, 2021 to review the materials and decide if the hearing will be closed. Once the hearing is closed the Board is required to provide its Report and Recommendations to the Minister of Environment and Parks within 30 days pursuant to EPEA.</p>	<p>On March 24, 2021, the Board issued a <u>Decision</u> dismissing appeal EAB 20-025 for not filing a valid statement of concern with AEP.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p><b>William and Audrey Trenchuk</b> EAB 20-023-024 July 9, 2021</p>	<p>A Notice of Appeal was received on September 10, 2020 with respect to the August 10, 2020 decisions of the Director, Alberta Environment and Parks (AEP), to issue to William and Audrey Trenchuk: Water Act Approval No. 00389282-00-00 for operating, maintaining, removing, disturbing works, in or on any land, water or water body; maintaining, removing or disturbing ground, vegetation or other material in or on any land, water or water body; and altering flow, direction of flow or level of water; in relation to constructing Dugout #3 for the purpose of agricultural feedlot stockwatering, located at NE-29-059-16-W4M in Smoky Lake; and Water Act Licence No. 00389719-00-00 authorizing them to operate a works and to divert up to 61,234 cubic metres of water per year from the source of water at the point of diversion at NE-29-059-16-W4M (Dugout #3) to NW-21-059-16-W4M (Trenchuk Feedlot) for the purpose of agricultural feedlot stockwatering, in Smoky Lake.</p>	<p>The Trenchuks requested the Board determine if the Appellant is directly affected by the Approval and Licence with respect to Dugout #3. Submissions were received to determine if the Appellant is directly affected. On July 9, 2021 the Board stated it would review the submissions and determine if the Appellant is directly affected.</p>	<p>As of July 9, 2021, the Board's decision on whether the Appellant is directly affected is outstanding.</p>
<p><b>Burnco Rock Products</b> EAB 20-029 January 12, 2021</p>	<p>A Notice of Appeal was received on October 29, 2020 with respect to the June 8, 2020 decision of the Director, Alberta Environment and Parks (AEP) to issue to Burnco Rock Products <i>Water Act</i> Approval No. 00430788-00-00. The Approval authorizes Burnco to commence, continue and discontinue placing, constructing, operating, maintaining, removing, disturbing works, in or on any land, water or water body; maintaining, removing or disturbing ground, vegetation or other material in or on any land, water or water body; and altering flow, direction of flow or level of water, in order to extract aggregate material below the water table for the purpose</p>	<p>The normal time limit prescribed in the <i>Water Act</i> for filing an appeal of an Approval issued under the <i>Water Act</i> is 7 days. Since the appeal appears to be filed out of time the Board requested the Appellant provide an explanation on why the appeal was filed late. The Board also requested comments from AEP and Burnco and final comments from the Appellant. As of January 12, 2021 the Board will make a decision on the appeal.</p>	<p>As of January 12, 2021 the Board's decision on whether the appeal was filed late is outstanding.</p>



Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<b>Foothills County</b> EAB 20-030-039 April 20, 2021	<p>of expanding current sand and gravel operations, located at NW 13-026-05-W5M, in Cochrane.</p> <p>The Board received a Notice of Appeal on November 16, 2020 with respect to the October 15, 2020 decision of the Director, Alberta Environment and Parks (AEP) to transfer water from licences belonging to Messrs. Terry, Randy and Fred Schmautz and Western Feedlots Ltd. to Foothills County. As a result of the water transfers, AEP issued <i>Water Act</i> Licence Nos. 00392654-00-00, 00430926-00-00, 00464165-00-00, 00464185-00-00 and 00464187-00-00 to Foothills County. The Licences authorize the operation of a works and the diversion of water for municipal purposes (regional water supply) in relation to the Aldersyde Regional Servicing Project Area in Foothills County.</p>	<p>Foothills County requested the appeals be dismissed stating the Appellant is not directly affected. Submissions were received on the motion and on April 20, 2021 the Board dismissed the appeals for not being directly affected, with reasons to be issued.</p>	<p>As of April 20, 2021 the Board's reasons for dismissing the appeals for not being directly affected are outstanding.</p>
<b>P &amp; H Wessels Farms Ltd.</b> EAB 20-041 February 11, 2021	<p>The Board received a Notice of Appeal on January 21, 2021 with respect to withdrawal of water from the McBride Aquifer located at approximately 33-7-26-W4M, for which a licence has not been issued. The Appellant states he would like the Board to consider Alberta Environment and Parks' (AEP) decision to allow P &amp; H Wessels Farms Ltd. to withdraw water without a licence, a "deemed approval".</p>	<p>As no further information was received from the Appellant by February 3, 2021, the Board will review and make a decision if the appeal will be dismissed or if comments are needed from the other parties.</p>	<p>As of February 3, 2021, the Board is to make a decision on whether the appeal is valid.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p><b>Greg Buchanan</b> EAB 20-042 August 11, 2021</p>	<p>The Board received a Notice of Appeal and request for a stay on January 28, 2021 from Greg Buchanan with respect to the January 19, 2021 decision of Alberta Environment and Parks (AEP), to issue <i>Water Act</i> Enforcement Order No. EO-WA-33719 to Greg Buchanan for contravening section 36(1) of the <i>Water Act</i> by constructing trenches, without authorization at the following locations in Big Lakes County: SW22, SE22, SW23, SE23; portions of SW24; all of 35; portions of NW36; all of which are within 074-15-W5M.</p>	<p>AEP advised with respect to the Stay they would agree to not enforce certain terms without notice to the Board and the Appellant.</p> <p><b>Mediation Meeting</b> – Due to schedules the mediation meeting is scheduled for November 25, 2021 via videoconference. Mediation meetings are not open to the public.</p>	
<p><b>Sno-Valley Farms Ltd.</b> EAB 20-045 June 2, 2021</p>	<p>The Board received a Notice of Appeal on March 9, 2021 with respect to the February 19, 2021 decision of the Director, Alberta Environment and Parks (AEP), to issue to Sno-Valley Farms Ltd. Notice of Administrative Penalty No. AP-EPEA-30619 under the Environmental Protection and Enhancement Act, in the amount of \$3,000 for allegedly providing pesticide services in Red Deer County on April 23 and June 6, 2019, with a product that Sno-Valley does not hold a pesticide service registration.</p>	<p>A mediation meeting was held April 29, 2021 that resulted in a resolution of the appeal. Mediation meetings are not open to the public.</p> <p>On June 2, 2021, the Board issued its <u>Decision</u> reflecting the parties' agreement, reducing the penalty.</p> <p>The file is now closed.</p>	<p>On June 2, 2021, the Board issued its <u>Decision</u> reflecting the parties' agreement, reducing the penalty.</p>
<p><b>2161889 Alberta Ltd. et al.</b> EAB 20-046-054 July 20, 2021</p>	<p>The Board received Notices of Appeal on March 19 and 22, 2021 from 216889 Alberta Ltd., Byron Levkulich and Aaron Patch with respect to the March 12, 2021 decision of the Director, Alberta Environment and Parks (AEP) to issue Water Act Enforcement Order No. EO-WA-35659-01 regarding a gravel pit on public land located at SW-13-065-18-W4M. The Board also received Notices of Appeal on March 19 and 22, 2021 from Lisa Ball, 541466 Alberta Ltd. and Robert</p>	<p><b>Mediation Meeting</b> – A mediation meeting was held on June 15, 2021 that did not resolve the appeals. Mediation meetings are not open to the public.</p> <p><b>Hearing</b> – A written hearing will be scheduled.</p>	

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<b>Jeffrey Buck</b> EAB 20-055-068 & EAB 21-002-007 June 9, 2021	<p>Beaverford with respect to the March 12, 2021 decision of the Director, Alberta Environment and Parks to issue Water Act Enforcement Order No. EO-WA-35659-01 (EO) and EPEA Environmental Protection Order No. EPO-EPEA-35659-07 (EPO) regarding a gravel pit on public land located at SW-13-065-18-W4M.</p> <p>The Board received Notices of Appeal from Jeffrey Buck regarding Water Act Enforcement Order No. EO-WA-35659-01 and Amendment No. 1 to EO-WA-35659-01; EPEA Environmental Protection Order Nos. EPO-EPEA-35659-01 to 35659-10; Amendment No. 1 to EPO-EPEA-35659-01 to 35659-08</p>	<p>On June 9, 2021, appeals EAB 20-055, Enforcement Order No. EO-WA-35659-01, and EAB 062, Environmental Protection Order No. EPO-EPEA-35659-07, were dismissed with reasons to be issued, because they were filed late.</p> <p>As of June 9, 2021, the Board's decisions on the other appeals (EAB 20-056-061, 063-068 and EAB 21-002-007) are outstanding.</p>	<p>As of June 9, 2021, the Board's reasons for dismissing appeals EAB 20-055 and 20-062 for filing the appeals late, is outstanding.</p> <p>As of June 9, 2021, the Board's decisions on the other appeals (EAB 20-056-061, 063-068 and EAB 21-002-007) are outstanding.</p>
<b>Cleanit Greenit</b> EAB 21-001 May 7, 2021	<p>The Board received a Notice of Appeal from Cleanit Greenit Composting System Inc. on April 27, 2021 with respect to the March 30, 2021 decision of the Director, Alberta Environment and Parks (AEP), to cancel Environmental Protection and Enhancement Act (EPEA) Registration No. 218439-00-00 held by Cleanit Greenit Composting System Inc.</p>	<p>The cancellation of a Registration is not an appealable item that is listed in EPEA, Part 4, section 91. A further explanation was received from the Appellant on May 6, 2021.</p> <p>As of May 7, 2021, the Board's decision on whether the appeal is valid is outstanding.</p>	<p>As of May 7, 2021, the Board's decision on whether the appeal is valid is outstanding.</p>
<b>Jeffrey Buck</b> EAB 21-002-007 & EAB 20-055-068	<p>See EAB 20-055-068</p>		

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p><b>Capital Region Parkland Water Services Commission</b> EAB 21-008 July 21, 2021</p>	<p>The Board received a Notice of Appeal 1777698 Alberta Ltd. on May 7, 2021, with respect to the April 8, 2021 decision of the Director, Alberta Environment and Parks (AEP), to issue Environmental and Enhancement Act Approval No. 473705-00-00 to Capital Region Parkland Water Services for the construction and reclamation of a pipeline being the Phase 2 System Twinning Waterline in Parkland County.</p>	<p>On July 21, 2021, the Board dismissed the appeal because a valid statement of concern was not filed with AEP which is a prerequisite to filing a notice of appeal with the Board (s. 91, EPEA). The Board's written reasons for the decision are outstanding.</p>	<p>As of July 21, 2021, the Board's reasons for dismissing the appeal are outstanding.</p>
<p><b>Carlee &amp; Justin Leliuk, Legacy Ag Ventures Ltd.</b> EAB 21-009 May 12, 2021</p>	<p>The Board received a Notice of Appeal from Carlee &amp; Justin Leliuk, Legacy Ag Ventures Ltd. on May 10, 2021, with respect to the November 6, 2020 and April 16, 2021 letters from an Environmental Protection Officer, Alberta Environment and Parks (AEP) to the Appellants requesting compliance in relation to a disturbance that allegedly occurred on land located at SW-09-54-17-W4M in Mundare, Alberta.</p>	<p>Upon review of the appeal, it appears the November 6, 2020 and April 16, 2021 letters from AEP are not appealable as they are requests for compliance and not Enforcement Orders or Environmental Protection Orders issued by a Director in AEP under the Water Act or the Environmental Protection and Enhancement Act. Appeals of Orders must be filed with the Board no later than 7 days from receiving the Order from AEP. The decisions that are appealable to the Board are listed in EPEA, Part 4, section 91, and the Water Act, Part 9, section 115. The Appellants were requested to provide any further information on their appeal before the Board decides if it will accept or dismiss the appeal.</p> <p>As of May 12, 2021, the Board's decision on whether to accept or dismiss the appeal is outstanding.</p>	<p>As of May 12, 2021, the Board's decision on whether to accept or dismiss the appeal is outstanding.</p>
<p><b>MD of Pincher Creek</b> EAB 21-011-013</p>	<p>The Board received 3 Notices of Appeal on August 10 and 11, 2021 with respect to the June 30, 2021 decision of the Director, Alberta Environment and Parks (AEP), to issue Approval No. 464304-00-00 under the</p>	<p>A mediation meeting is scheduled for December 15, 2021 via video conference. Mediations are not open to the public.</p>	

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
September 13, 2021	Environmental Protection and Enhancement Act to the Municipal District of Pincher Creek No. 9 for the construction, operation and reclamation of a wastewater system for the Hamlet of Beaver Mines located in the Municipal District of Pincher Creek No. 9.	AEP is to provide their records related to the Approval at the beginning of October.	
<b>McNally Contractors (2011) Ltd.</b> EAB 21-014 August 31, 2021	The Board received a Notice of Appeal from McNally Contractors on August 20, 2021 with respect to the July 22, 2021 decision of the Director, Alberta Environment and Parks (AEP), to cancel <i>Water Act</i> Licence No. Dated 1996 04 04 File No. 27439 that was issued to Aggregate Investment Corp. to divert and use the volume of water prescribed in Interim Licence No. 20976 for industrial purposes (gravel washing) from a well located at SW-15-009-26-W4M. Aggregate Investment Corp. was purchased by McNally Contractors.	AEP has requested time to discuss the appeal with the Appellant. The Board granted the request and placed the appeal in abeyance as long as the Appellant has not objections. AEP and the Appellant are to provide status reports on their discussions by September 21, 2021.	

Environmental Appeals Board  
 #306, 10011-109 Street  
 Edmonton, AB T5J 3S8  
 Phone: 780-427-6207  
 Fax: 780-427-4693  
 Email: [gilbert.vannes@gov.ab.ca](mailto:gilbert.vannes@gov.ab.ca) or [eab@gov.ab.ca](mailto:eab@gov.ab.ca)