

Status of Active Appeals

Updated November 14, 2023

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

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
NuVista Energy Ltd. EAB 13-027 August 21, 2022	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 Protected Areas, 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.	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 stated 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. As a result of crop damage followed by the field being left as summer fallow, assessments will not be conducted until 2023. NuVista is to provide updates on May 17, June 14, July 19, August 31 and September 18, 2023.	
Westar Landfill Ltd. EAB 14-001 February 3, 2023	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 Protected Areas (AEPA), 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.	The Appellant requested a stay of the Order. AEP agreed to an interim stay and the EPO has been amended by extending the deadlines. 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.	

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Jade Oilfield Maintenance EAB 18-002-003 September 4, 2023	<p>Notices of Appeal were received on May 14, 2018 with respect to the May 7, 2018 decisions of the Director, Alberta Environment and Protected Areas (AEPA), 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>Westar and AEP are to provide the Board with an update by January 3, 2024.</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. Mediation meetings are not open to the public.</p> <p>Status reports on the parties' discussions are due January 15, 2024.</p>	
Zaia Abraham and Romy Tittel EAB 18-015 July 14, 2023	<p>A reconsideration request was received June 28/23 from Romy Tittel and Zaia Abraham with respect to the Board's Report and Recommendations and Ministerial Order for 18-015-R (2022 ABEAB 16) regarding <i>Water Act</i> Enforcement Order No. WA-EO-2018/08-SSR issued to Romy Tittel and Zaia Abraham by the Director, Alberta Environment and Protected Area.</p>	<p>The Appellants are to provide any further information on their reconsideration request by July 11, 2023. No further information was received and as of July 13, 2023 the Board is reviewing.</p>	<p>As of July 13, 2023, the board is to make a decision on the Appellants' reconsideration request.</p>
Celanese Canada EAB 19-011 and 19-013 September 18, 2023	<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 Protected Areas (AEPA), to issue EPEA Approval No. 1349-03-00 to Celanese Canada ULC for the reclamation of the former Celanese</p>	<p>The appeal was placed in abeyance from the time it was filed at the request of the parties and regular status reports were provided on their discussions. On October 29, 2021, Celanese requested the appeals proceed and the Board obtain the records from AEPA. AEPA is preparing a limited Director's Record for the</p>	

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	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>purpose of mediation because preparing a full record will take 6 months due to the historic nature of the matter. The limited Director's Record for the purpose of mediation was received on December 10, 2021</p> <p>Mediation meetings via videoconference were held on February 16, 2022 and April 26, 2022. Mediation meetings are not open to the public.</p> <p>The parties are continuing discussions and updates on their discussions are due by November 17, 2023.</p>	
<p>SUEZ Canada Waste Services Inc. (now Veolia Waste Services Alberta Inc.) and Minister of Infrastructure</p> <p>EAB 19-051-058, 087-088, 103-110</p> <p>March 13, 2023</p>	Eighteen Notices of Appeal were received with respect to the December 13, 2019 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue EPEA Approval 1744-03-00 to SUEZ Canada Waste Services Inc. (now Veolia Waste Services Alberta 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>Preliminary Motion – On March 13, 2023, the Board issued a <u>Decision</u> regarding dismissing the Notices of Appeal from the Appellants except for Appeal No. EAB 19-055 filed by the Keepers of the Athabasca Watershed Society. The appeals were dismissed for not filing a Statement of Concern with AEPA during the application process.</p> <p>Mediation – The appeal of the Keepers of the Athabasca Watershed Society (EAB 19-055) is proceeding to mediation. At this time, pre-mediation meetings are being held with each party and the mediator.</p>	On March 13, 2023, the Board issued a <u>Decision</u> dismissing all Notices of Appeal except for Appeal No. EAB 19-055 filed by the Keepers of the Athabasca Watershed Society.
<p>Badlands Recreation Development Corp.</p> <p>19-059-085</p> <p>September 19, 2023</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 Protected Areas (AEPA), 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	<p>Preliminary Motions – The Board has issued the following decisions with respect to preliminary motions: April 28, 2020 <u>Decision</u>, June 23, 2021 <u>Decision</u>, May 25, 2022 <u>Decision</u>, and May 31, 2022 <u>Decision</u>, and August 23, 2022 <u>Decision</u>,</p> <p>Hearing – The hearing scheduled for December 7, 9 and 10, 2020 was rescheduled to February 23-25, 2021, then rescheduled to</p>	The Board has issued the following decisions with respect to preliminary motions: April 28, 2020 <u>Decision</u> , June 23, 2021 <u>Decision</u> , May 25, 2022 <u>Decision</u> , and May 31, 2022 <u>Decision</u> , and August 23, 2022 <u>Decision</u> ,

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	stormwater management system at 22-027-21-W4M, near Rosebud, Alberta, for the Badlands Motorsport Resort.	<p>May 16-18, 2022, and was held on November 2-4 & 7, 2022 via videoconference. The hearing did not finish and continued on January 30, 31, and February 1, 2023. Closing arguments, further submissions, and responses to the Panel's questions received. On September 19, 2023, the Panel advised the hearing closed on September 8, 2023, and anticipates providing its Report and Recommendations to the Minister in March 2024.</p> <p>No requests to intervene were received.</p> <p>The Minister of Environment and Protected Areas will make the final decision on these appeals pursuant to section 100 of the <i>Environmental Protection and Enhancement Act</i>. Once the hearing is closed, the Board is to provide the Minister with its Report and Recommendations. Pursuant to section 99(2) of EPEA, the Board can request an extension to the timeline before or after the 30 days.</p> <p>Judicial Review – The Appellants filed a judicial review in Court of Queen's Bench in Calgary regarding the Board's April 28, 2020 decision denying the stay and dismissing 22 of the 27 appeals for not being directly affected. The judicial review has been adjourned <i>sine die</i> until the Minister makes a decision on the appeals following the Board's hearing. The Consent Order filed in court on December 7, 2020 states that Badlands undertakes to not conduct any physical alteration of the wetlands subject to the Approval until the Minister makes a decision on the appeals (following a hearing).</p>	

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<p>Town of High River EAB 19-089, 093 and 094 September 6, 2022</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 Protected Areas (AEPA), 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>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 AEPA, a prerequisite to filing an appeal in this case, and denying the Appellants' stay request. The Board issued its Decision containing the reasons on November 16, 2021.</p> <p>Intervenor Requests – 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 on October 26, 2021, the Board issued its Decision providing reasons.</p> <p>Hearing – On November 2 and 9, 2020 after receiving submissions from the parties, the Board set the issues for the hearing. On August 16, 2022 the Board issued its Decision containing the reasons for the issues set for the hearing.</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>Report to the Minister – The Minister of Environment and Protected made 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. The report was due to the Minister on June 30, 2021. The Report and Recommendations was provided to the Minister on June 15, 2022. The Board's Report and Recommendations & the</p>	<p>On October 26, 2021, the Board issued its Decision regarding the applications to intervene.</p> <p>On November 16, 2021, the Board issued its Decision containing the reasons for dismissing appeal 19-091 and for denying the stay request.</p> <p>On August 16, 2022, the Board issued its Decision containing the reasons for the issues set for the hearing.</p> <p>On August 16, 2022, the Board issued its Report and Recommendations & the Minister's Order.</p> <p>As of September 21, 2022, the Board will make a decision on the Appellants and Intervenors' costs application.</p>

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<p>Secure Energy Services EAB 19-111 September 22, 2022</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 Protected Areas (AEPA), 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>See appeal EAB 21-018 below.</p>	<p>Minister's Order were issued on August 16, 2022.</p> <p>Costs Application – A costs application was received from the Appellants and Intervenors on September 6, 2022, and comments on the application were received from the Town of High River on September 20, 2022.</p> <p>As of September 21, 2022, the Board will make a decision on the costs application.</p> <p>Preliminary Motions – On November 22, 2021, the Board determined that Normtek is directly affected and stated reasons would be issued in due course. The reasons are outstanding.</p> <p>As of January 13, 2022, the Board's reasons for deciding the mootness of appeals 16-024 and 19-111 (extension approvals) are outstanding.</p> <p>The Board will close its file once the decision on the preliminary motions is issued.</p> <p>Hearing – The hearing scheduled for July 12-13, 2022 was rescheduled to September 29 & 30, 2022. Mediation resolved the appeal and the hearing has been cancelled.</p> <p>Mediation Meeting – Mediation meetings were held May 31, June 9, June 24 and July 15, 2022 via videoconference. The mediation resolved the appeal and hearing set for September 29 & 30, 2022 has been cancelled. Mediation meetings are not open to the public.</p> <p>On September 22, 2022, the Board issued its Report and Recommendations and the Minister's Order reflecting the agreement reached by the parties.</p>	<p>On November 22, 2021, the Board determined that Normtek is directly affected and stated reasons would be issued in due course. The reasons are outstanding.</p> <p>As of January 13, 2022, the Board's reasons for deciding the mootness of appeals 16-024 and 19-111 (extension approvals) are outstanding. The Board will close its file once it issues its decision on the preliminary motions.</p> <p>On September 22, 2022, the Board issued its Report and Recommendations and the Minister's Order reflecting the agreement reached by the parties.</p>

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<p>Patrick McCarthy EAB 20-007 September 14, 2023</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 Protected Areas (AEPA), 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>Amendment No 1 was issued to the Order on October 5, 2022 to the Appellants.</p>	<p>Stay Request – 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>Mediation Meeting – A mediation meeting via video conference was held October 13, 2020. Mediation meetings are not open to the public. 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. A virtual mediation was held on April 13, 2022 and the parties are continuing to discuss. Amendment No. 1 to the Order was issued on October 5, 2022.</p> <p>The Appellant is to provide an update by October 13, 2023.</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>Town of Blackfalds EAB 20-011-014 and 20-016 June 21, 2021</p>	<p>Notices of Appeal were received with respect to the July 15, 2020 decisions of the Director, Alberta Environment and Protected Areas (AEPA), 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 authorized for</p>	<p>Stay Request – 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>Mediation Meeting – Mediation meetings were held on January 11, 2021 and March 9, 2021 via video conference. The mediation meeting did not resolve the appeals.</p> <p>Hearing – A hearing was held on June 14, 17 and 21, 2021 by videoconference.</p> <p>Report to the Minister – The Board will provide the Minister of Environment and</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 preliminary matters.</p> <p>The Board issued a <u>Decision</u> on May 17, 2021 regarding intervenor applications,</p> <p>The Board issued a <u>Decision</u> on May 31, 2021 regarding AEP's objection to the May 17, 2021 Decision, and preliminary matters.</p>

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<p>2161889 Alberta Ltd. et al. EAB 20-046-054 June 20, 2023</p>	<p>SE 34, NE 34, of 39-27-W4M and SE 3-40-27-W4M in Blackfalds.</p>	<p>Protected Areas with its Report and Recommendations within 30 days pursuant to EPEA and the Minister will make the final decision. The Report has yet to be provided to the Minister.</p>	<p>The Board's Report and Recommendations, was due to the Minister within 30 days after the hearing closed on June 21, 2021 and has not been provided to the Minister.</p>
<p>Secure Energy Services Inc. EAB 21-018</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 Protected Areas (AEPA) 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 Beaverford with respect to the March 12, 2021 decision of the Director, Alberta Environment and Protected Areas, 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>Mediation Meeting (EAB 20-046-054) – 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>EAB 20-046-048 – On February 7, 2022, the appeals of 216889 Alberta Ltd., Byron Levkulich and Aaron Patch (EAB 20-046-048) have been withdrawn.</p> <p>EAB 20-049-054 – The appeals of Lisa Ball, 541466 Alberta Ltd. and Robert Beaverford are in abeyance until December 19, 2022. The hearing scheduled for June 22, 2022 by video conference has been cancelled. The only matter at the hearing was to determine whether they were properly named on the Enforcement Order and Environmental Protection Order. Mantle Materials Group was added to Amendment No. 3 to the Orders and they are completing work in compliance with the Consolidated Remedial Plan.</p> <p>AEPA advised Mantle Materials Group continues to complete remedial work. AEPA to provide an update by December 15, 2023.</p>	<p>On November 22, 2021, the Board determined that Normtek is directly affected and stated reasons would be issued in due course. The reasons are outstanding.</p>

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September 22, 2022	to the September 30, 2021 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue EPEA Approval No. 48516-02-00 to Secure Energy Services Inc. The renewal Approval is for the construction, operation and reclamation of the Pembina Area Landfill where more than 10,000 tonnes per year of hazardous waste and non-hazardous waste are disposed of, near Drayton Valley.	<p>As of January 13, 2022, the Board's reasons for deciding the mootness of appeals 16-024 and 19-111 (extension approvals) are outstanding. The Board will close its file once the decision on the preliminary motions is issued.</p> <p>Hearing – The hearing scheduled for July 12-13, 2022 was rescheduled to September 29 & 30, 2022. Mediation resolved the appeal and the hearing has been cancelled.</p> <p>Mediation Meeting – Mediation meetings were held May 31, June 9, June 24 and July 15, 2022 via videoconference. The mediation resolved the appeal and hearing set for September 29 & 30, 2022 has been cancelled. Mediation meetings are not open to the public.</p> <p>On September 22, 2022, the Board issued its Report and Recommendations and the Minister's Order reflecting the agreement reached by the parties.</p>	<p>As of January 13, 2022, the Board's reasons for deciding the mootness of appeals 16-024 and 19-111 (extension approvals) are outstanding. The Board will close its file once it issues its decision on the preliminary motions.</p> <p>On September 22, 2022, the Board issued its Report and Recommendations and the Minister's Order reflecting the agreement reached by the parties.</p>
<p>Jeff Colvin & Salt Box Coulee Water Supply Company EAB 21-022 February 13, 2023</p>	On December 10, 2021, the Board received appeals from Jeff Colvin & Salt Box Coulee Water Supply Company regarding the December 1, 2021 decision of the Director, Alberta Environment and Protected Areas (AEPA) to issue Enforcement Order No. EO-EPEA-34579 to Jeff Colvin and Salt Box Coulee Water Supply Company Ltd. for contravening Approval No. 67490-02-00 in relation to the Salt Box Coulee Waterworks System, located at SW1/4-12-25-3-W5M, in Rocky View County.	<p>AEPA has requested the Board dismiss the appeal related to the Order stating that this Order is not appealable as it was issued under EPEA sections 210(1)(d) and (e). EPEA states that appealable Orders are issued under sections 210(1)(a), (b) or (c). Submissions were received from the parties. On March 25, 2022, the Board asked the parties to advise by April 1, 2022, if they wished to proceed to mediation prior to the Board rendering a decision. The Board noted that Appellants supply water to approximately 70 households.</p> <p>On February 13, 2023, the Board dismissed the appeal for not being valid and advised reasons would be issued in due course.</p>	On February 13, 2023 the Board dismissed the appeal for not being valid and advised reasons would be issued in due course.

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<p>Canadian Carmelite Charitable Society Inc. EAB 21-025 & 026, 22-001-034 & 036 November 13, 2023</p>	<p>The Board received 37 appeals on March 18 & 29, 2022 and April 5, 6 & 7, 2022, with respect to the March 8, 2022 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue Water Act Licence No. 00469305-00-00 to the Canadian Carmelite Charitable Society Inc. (CCCSI) for the Mount Carmel Spirituality Centre located at NW ¼-27-053-01-W5M in Parkland County. The Licence authorizes the operation of a works and diversion of up to 6,355 cubic metres of water per year for municipal (institution) purposes.</p>	<p>Preliminary Motions – The Board addressed the preliminary motions related to the following prerequisites for filing an appeal: must have filed a statement of concern with AEPA during the Licence application process; and must be directly affected by the Licence. The last submissions on the motions were received from the Appellants on June 8 and 16, 2022.</p> <p>On June 2, 2023, the Board issued a <u>Decision</u> on the preliminary motions related to whether the Appellants are directly affected and whether the Appellants filed statements of concern with AEPA during the Licence application process.</p> <p>Mediation – A virtual mediation meeting was held on October 18, 2023 involving AEPA, CCCSI and 12 Appellants. Mediation meetings are not open to the public. The mediation resolved the appeals and the file is now closed.</p>	<p>On June 2, 2023, the Board issued a <u>Decision</u> on the preliminary motions related to whether the Appellants are directly affected and whether the Appellants filed statements of concern with AEPA during the Licence application process.</p>
<p>Nanaksar Gurdwara – Gursikh Temple (c/o Jagdev Singh Dhillon) and Hapinder Singh Grewal EAB 22-039 & 040 November 8, 2023</p>	<p>On August 23, 2022, the Board received an appeal from Jagdev Singh Dhillon, Nanaksar Gurdwara Gursikh Temple and Japinder Singh Grewal. The appeal is with respect to the July 28, 2022 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue Notice of Administrative Penalty No. AP-EPEA-37041 to Japinder Singh Grewal and Nanaksar Gurdwara-Gursikh Temple (c/o Jagdev Singh Dhillon), in the amount of \$3,500.00. The Administrative Penalty states the Appellants contravened section 3(1)(a) of the Pesticide (Ministerial) Regulation by using or applying a pesticide listed in schedule 2 without holding the appropriate class of applicator certificate. The activity occurred at</p>	<p>Mediation – Since the Appellants and AEPA were not able to resolve the appeal between them, a mediation meeting was scheduled for June 27, 2023. On June 26, 2023, the Appellants requested the mediation be cancelled and the appeal proceed to a hearing.</p> <p>Hearing – A written hearing is scheduled and the parties have filed an Agreed Statement of Facts. The last filing date for submissions is May 29, 2024.</p> <p>A Notice of Hearing was placed in the July 28, 2023 St. Albert Gazette advising that if any person, other than the parties, wished to make a representation before the Board on the Administrative Penalty, the request must be</p>	

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<p>Michel Richard EAB 22-046-049 November 1, 2023</p>	<p>Notices of Appeal and requests for stays were received from Michel Richard and 959117 Alberta Corporation in relation to <i>Water Act</i> Enforcement Orders EO-WA-35539, EO-WA-35679, EO-WA-37321, EO-WA-38079 issued by the Director, Alberta Environment and Protected Areas (AEPA), on August 23, 2022 to Michel Richard for unauthorized activities on his lands located in Saddle Hills County.</p>	<p>received by the Board by August 3, 2023. The Board did not receive any applications to intervene.</p> <p>The Board will make the final decision on this appeal in accordance with the <i>Environmental Protection and Enhancement Act</i>.</p> <p>Stay Application – The Director advised on September 20, 2022 they do not agree to the stay, however, has given the Appellant an extension of time to provide the information for the Authenticating Professionals as required by the Orders until the Board has considered the stay request. The Board received submissions and as of October 21, 2022 will make a decision on the stay request.</p> <p>Mediation Meeting – Mediation meetings via videoconference were held January 24 and March 15, 2023. Mediation meetings are not open to the public. Appeals of EO-WA-35679, EO-WA-37321 and EO-WA-38079 were withdrawn. Discussions continue on EO-WA-35539 and the next status reports are due November 30, 2023.</p>	<p>As of October 21, 2022 the Board is to make a decision on the stay request.</p>
<p>Clover Bar Sand & Gravel Ltd. EAB 22-066 February 13, 2023</p>	<p>A Notice of Appeal was received on October 19, 2022, from Clover Bar Sand & Gravel Ltd. The appeal is with respect to the October 14, 2022 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue Enforcement Order No. EO-EPEA-38679 to Clover Bar Sand & Gravel Ltd. in relation to the operation of a pit under Registration No. 00015950-02-00 at NW 20-53-23-W4M in Edmonton.</p>	<p>On October 28, 2022, AEPA requested the appeal be dismissed stating the Order is not appealable. Section 91 of the Environmental Protection and Enhancement Act (the Act) specifies which decisions of the Director, AEPA, can be appealed to the Environmental Appeals Board. Section 91(1)(e) of the Act states an appeal may be filed where the Director issues an enforcement order under sections 210(1)(a), (b) and (c). The Director states the Order was issued under sections 210(1)(d) and (e) and are</p>	<p>On February 13, 2023, the Board advised the appeal was dismissed and reasons for the decision would be issued in due course.</p>

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<p>Ian MacGregor EAB 22-067-090 November 8, 2023</p>	<p>Twenty-four Notices of Appeals were received on with respect to the November 4, 2022 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue Preliminary Certificate No. 00346962-00-00 to Ian MacGregor for the Carraig Ridge Development in the MD of Bighorn No. 8. The Preliminary Certificate states Mr. MacGregor will receive a Licence to operate works and divert up to 6,205 cubic metres of water per year at a maximum diversion rate of 22 cubic metres of water per day, from the source of water, at the point of diversion NW 09-026-W5M, Well ID 1022302 (WSW 7711) for the municipal purposes (subdivision water supply) with a priority of 2014-01-28-001, upon compliance with the conditions in the Preliminary Certificate.</p>	<p>not within the scope of the Board's statutory jurisdiction. On November 2, 2022, the Board set a schedule to receive submissions, and the last submission was received on December 15, 2022.</p> <p>On February 13, 2023, the Board advised the appeal was dismissed and reasons for the decision would be issued in due course.</p> <p>Late Filed Appeal – On January 11, 2023, the Board issued a Decision dismissing appeal 22-090 for filing the appeal late.</p> <p>Stay Application – The Appellants requested a stay of the Preliminary Certificate and provided additional information requested by the Board by December 22, 2022. In the Board's February 13, 2023 letter, it noted the Appellants indicated it is the long-term, significant withdrawal that may cause irreparable harm. The Board declines to grant a stay since the Appellants did not provide sufficient information to show that any harm will occur in the time it will take to address the appeals. In the Board's view, the granting of a stay is not just and equitable. The Board did not consider whether each of the Appellants are directly affected by the Preliminary Certificate since no stay was granted.</p> <p>Mediation – The mediation meeting held June 9, 2023 did not resolve the appeals. Mediation meetings are not open to the public.</p> <p>Hearing – A hearing is scheduled for November 16 and 17, 2023, Beaupre Hall, Rocky View County, 8:30 am-7:30 pm. The hearing is open for viewing only.</p> <p>Intervenors – On August 10, 2023 a Notice of Hearing was placed in the Rocky Mountain</p>	<p>On January 11, 2023, the Board issued a Decision dismissing appeal 22-090 for filing the appeal late.</p>

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<p>Wesley Barrett EAB 22-091 June 2, 2023</p>	<p>A Notice of Appeal was received on December 13, 2022 from Mr. Wesley Barrett with respect to the December 12, 2022 letter from the Director, Alberta Environment and Protected Areas (AEPA), advising <i>Water Act</i> Application DAPP0003045 submitted by Mr. Barrett for the diversion of up to 500 cubic metres of groundwater from a water well located at NW 17-020-028-W4M in High River, Alberta, has been rejected because the well "...does not meet the guidelines for the size of the screened interval..."</p>	<p>Outlook advising that any person, other than the parties, who wished to make a representation before the Board on these appeals must submit a request to the Board by August 24, 2023. The Board received applications to intervene from the Stoney Nakoda Nations and the Stoney Nakoda Land Management Ltd. The parties were given an opportunity to comment on the applications. On September 7, 2023, the Stoney Nakoda Nations and the Stoney Nakoda Land Management Ltd. were permitted to intervene.</p> <p>Report to Minister – Once the hearing is closed, the Board will provide its Report and Recommendations to the Minister of Environment and Protected Areas within 30 days and she will make the final decision on these appeals pursuant to section 100 of the <i>Environmental Protection and Enhancement Act</i>.</p> <p>Preliminary Motion - Upon review of the Notice of Appeal it appears the December 12, 2022 letter rejecting the application may not be appealable. The decisions that are appealable to this Board are listed in section 115 of the <i>Water Act</i>. Section 115(1)(d) states: 115(1) A notice of appeal under this Act may be submitted to the Environmental Appeals Board by the following persons in the following circumstances: ... (d) subject to clause (e), the applicant for the approval or licence, if the Director refuses to issue an approval or licence. Mr. Barrett provided further information to support the appeal. On December 23, 2022, the Board requested submissions from the Director and a final submission from Mr. Barrett. The final submission was received on January 30, 2023.</p>	<p>On June 2, 2023 the Board advised it decided it has jurisdiction to hear the appeal, and reasons for the decision will be issued in due course.</p> <p>Once the Board issues its reasons for the June 2, 2023 decision, AEPA will be filing a reconsideration of that decision.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p>Crowsnest Lake Bible Camp Association EAB 22-092-093 September 8, 2023</p>	<p>A Notice of Appeal was received on January 17, 2023 from the Crowsnest Lake Bible Camp Association regarding Water Act Licence No. 00288572-00-00 issued on December 15, 2022 by Mr. Stephen Mathyk, Director, Alberta Environment and Protected Areas (AEPA), to Crowsnest Lake Bible Camp Association to operate a works and divert 13,445 cubic metres of water per year for recreational purposes (camp and motel); and Environmental Protection and Enhancement Act Approval No. 399504-00-02 issued on June 30, 2022 by the Director to Crowsnest Lake Bible Camp Association to construct, operate and reclaim a waterworks system for the Crowsnest Lake Bible Camp.</p>	<p>On June 2, 2023 the Board advised it has decided the appeal is that of the Director's refusal to issue a licence, therefore, the Board has jurisdiction to hear the appeal, and reasons for the decision will be issued in due course.</p> <p>Reconsideration Request – AEPA requested the Board reconsider its June 2, 2023 decision to accept the appeal, and declined to participate in mediation at this time. On June 13, 2023, the Board advised the parties the reconsideration request will be addressed once it issues its reasons for the June 2, 2023 decision.</p> <p>A preliminary motions hearing was held on April 28, 2023 regarding the Appellant's late filed appeal of the EPEA Approval and the Appellant's request for the Board to grant an extension to file the appeal of the Approval. The preliminary motions hearing also dealt with the AEPA's request that the appeal of the Licence be dismissed stating the Licence was issued as a result of a Preliminary Certificate. The Appellant was issued a Preliminary Certificate and upon complying with the conditions in the Preliminary Certificate was issued a Licence. In this circumstance, the Director states the appeal of the Licence is not valid.</p> <p>Further submissions were received, and on September 8, 2023 the Board dismissed the appeal of the Licence and accepted the appeal of the EPEA Approval and reasons for the decision will be issued in due course.</p>	<p>On September 8, 2023 the Board dismissed the appeal of the Licence and accepted the appeal of the EPEA Approval and reasons for the decision will be issued in due course.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p>Michel Maisonneuve and 1031590 Alberta Ltd. EAB 22-094 September 29, 2023</p>	<p>A Notice of Appeal and a request for a stay were received on March 14, 2023, from Michel Maisonneuve and 1031590 Alberta Ltd. with respect to <i>Water Act</i> Enforcement Order No. EO-WA-39841 issued on March 2, 2023, by Alberta Environment and Protected Areas (AEPA), to Michel Maisonneuve and 1031590 Alberta Ltd. The Order is for unauthorized activities on land in the Municipal District of Greenview No. 16.</p>	<p>On May 1, 2023, the Board denied the Appellants' stay request, with reasons to be issued. As a result of the parties' agreement and the appellant's withdrawal of the appeal, the Board requested the parties advise if the file should be closed or remain open until the reasons for denying the stay are issued. The appellant advised they did not require the reasons and the Director requested the Board issue its reasons. Once the reasons for the stay are issued, it will close its file.</p> <p>The mediation meeting by videoconference scheduled for May 29, 2023 was cancelled at the request of the parties as they are in discussions to resolve the appeal. The parties are to provide the Board with regular updates on their discussions, and on September 29, 2023 the parties advised they reached an agreement.</p>	<p>On May 1, 2023, the Board denied the Appellants' stay request, with reasons to be issued.</p>
<p>Minhas Bros. Holdings Ltd. EAB 22-095 October 18, 2023</p>	<p>A Notice of Appeal was received on March 16, 2023 from Minhas Bros. Holdings Ltd. with respect to the March 8, 2023, decision of Jack McNaughton, Director, North Region, Regulatory Assurance Division, Alberta Environment and Protected Areas (AEPA), to issue <i>Water Act</i> Enforcement Order No. EO-WA-36082 to Minhas Bros. Holdings Ltd. The Enforcement Order states the Appellant conducted unauthorized activities on lands located at NE-36-70-06-W6M, in the County of Grande Prairie.</p>	<p>The mediation meeting by videoconference scheduled for August 9, 2023 has been cancelled as the parties are working towards resolving the appeal. The parties are to provide updates by January 15, 2024.</p>	

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<p>Lawrence and Ursula Dyck EAB 22-096 October 4, 2023</p>	<p>A Notice of Appeal was received on March 23/23 from Lawrence and Ursula Dyck with respect to the March 17, 2023, decision of Elise Chamberland, Director, Regulatory Assurance Division South, Alberta Environment and Protected Areas (AEPA), to issue Water Act Enforcement Order No. EO-WA-00037359 to Lawrence Dyck and Ursula Dyck for lands located at Lot 10, Block 2, Plan 7810597, in the Georgian Estates subdivision, Rocky View County. The Enforcement Order states the Dycks contravened section 49(1) of the Water Act by commencing and continuing to divert water without a licence and without otherwise being authorized by the Water Act.</p>	<p>Stay Request – On May 1, 2023, the Board granted the Appellants’ stay request, with reasons to be issued.</p> <p>Mediation Meeting – The mediation meeting held June 22, 2023 did not resolve the appeal.</p> <p>Hearing –A virtual hearing was held on November 8, 2023.</p> <p>Intervenors – On September 26, 2023 a Notice of Hearing was placed in the Rocky View Weekly advising that any person, other than the parties, who wished to make a representation before the Board on this appeal must submit a request to the Board by October 3, 2023. The Board did not receive any applications to intervene.</p> <p>Report to Minister – Once the hearing is closed, the Board will provide its Report and Recommendations to the Minister of Environment and Protected Areas within 30 days and she will make the final decision on these appeals pursuant to section 100 of the <i>Environmental Protection and Enhancement Act</i>.</p>	<p>On May 1, 2023, the Board granted the Appellants’ stay request, with reasons to be issued.</p>
<p>LANXESS Canada Co./Cie EAB 22-098 October 27, 2023</p>	<p>A Notice of Appeal was received on March 27/23 from Mr. Brad Gilmour, Bennett Jones, filed on behalf of Celanese Canada ULC, dated and received on March 27, 2023. This appeal is with respect to the February 27, 2023, decision of Mr. Feschuk, Director, Regulatory Assurance Division North, Alberta Environment and Protected Areas (AEPA), to issue EPEA Approval No. 11510-03-00 to LANXESS Canada Co./Cie for the decommissioning and reclamation of the</p>	<p>A mediation meeting was held October 26, 2023 and is ongoing. Parties are to provide an update by April 26, 2024. Mediation meetings are not open to the public.</p>	

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
	former Clover Bar Chemical Manufacturing Plant in Edmonton, Alberta.		
<p>Howell's Excavating Ltd. EAB 23-002-020 and 23-027-044 October 6, 2023</p>	<p>Notices of Appeal and requests for a stay were received from 9 individuals and the Alberta Wilderness Association on June 7, 12, 13, 15, 20 and July 12 with respect to the May 30, 2023, decisions of Todd Aasen, Regulatory Assurance Division South, Alberta Environment and Protected Areas (AEPA), to issue to Howell's Excavating Ltd. <i>Water Act</i> Approval Nos. DAUT0012377, DAUT0012378 and DAUT0012379 for the purposes of aggregate extraction, a berm and end pit lakes located at SE-13-36-2 W5M in Red Deer County; and <i>Water Act</i> Licence No. 00432249-00-00 for the purpose of operating a works and diverting up to 21,000 cubic metres of water per year from the point of diversion located at SE-13-36-2W5 in Red Deer County.</p>	<p>The Alberta Wilderness Association (AWA) filed a Notice of Appeal regarding the Approval on June 15, 2023. The normal timeline for filing an appeal of a <i>Water Act</i> Approval is 7 days. The AWA is to explain to the Board by June 26, 2023 why an extension of time to appeal should be granted. The AWA advised on June 23, 2023 they did not intend to file an appeal but support the other appeals. Board's July 7, 2023 closes the Board's file with respect to the AWA's appeal.</p> <p>On September 5, 2023, the Appellants applied to the Board for the following Orders: Interim stay of proceedings until final determination by this Board; limiting the Director's standing in this appeal; and interim costs. Submissions are being received related to the motions. Last submission is due October 30, 2023.</p>	
<p>SUEZ Canada Waste Services Inc. (now Veolia Waste Services Alberta Inc.) EAB 23-021 October 4, 2023</p>	<p>A Notice of Appeal was received on June 23, 2023 from the Keepers of the Water Society regarding the May 26, 2023 decision of the Director, Alberta Environment and Protected Areas (AEPA) to issue to SUEZ Canada Waste Services Inc. (now Veolia Waste Services Alberta Inc.) and Alberta Infrastructure <i>Environmental Protection and Enhancement Act</i> Amending Approval No. 1744-03-02 for the Swan Hills Hazardous Waste Treatment Centre. The Approval amends section 4.3.37 of Approval No. 1744-03-00 relating to a Mercury Emissions Study.</p>	<p>Veolia and Alberta Infrastructure requested appeal be dismissed stating the Keepers of the Water Society is not directly affected by the Amending Approval. The Board's July 14, 2023 letter sets a schedule to receive submissions from the parties, and the last submission was received on September 25, 2023. Since Veolia filed a further submission, the Director and the Appellant are to also file further submissions. The last submission is due October 18, 2023. The Board will now decide if the appeal is valid.</p>	<p>As of September 27, 2023, the Board will decide if the Appellants' appeal is valid.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p>One Environmental Inc., Lyndon Boychuk, Ryan Smith EAB 23-022-024 November 9, 2023</p>	<p>Notices of Appeal were received on June 27, 2023 from One Environmental Inc., and on June 28, 2023 from Mr. Lyndon Boychuk and Mr. Ryan Smith. These appeals are with respect to the May 29, 2023 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue Notice of Administrative Penalty and Economic Benefit Assessment No. AP-EPEA-36979 (Penalty) to One Environmental Inc., Lyndon Boychuk and Ryan Smith, for contravening condition 4.3.29(b) of Approval No. 347704-00-03 held by One Environmental Inc., by directing the disposal of hydrovac solids not meeting the limits for reuse at Sarcee Gravel Products Ltd. which is not an authorized facility. The Director assessed an administrative penalty of \$12,000.00 pursuant to section 237 of EPEA and the Administrative Penalty Regulation, and a one-time amount for economic benefit in the amount of \$123,804.19 pursuant to section 237(2)(b) of EPEA, for a total assessment of \$135,804.19.</p>	<p>A mediation meeting was held October 24, 2023 and is ongoing. Updates are due November 15, 2023. Mediation meetings are not open to the public.</p>	
<p>Zaia Abraham & Romy Tittel EAB 23-025 August 17, 2023</p>	<p>A Notice of Appeal was received on June 29/23 from Zaia Abraham and Romy Tittel regarding <i>Water Act</i> Enforcement Order No. WA-EO-2018/08-SSR Amendment No. 2 issued on June 28, 2023 by the Director, Alberta Environment and Protected Areas, to Zaia Abraham and Romy Tittel. The Amendment reflects the revised dates in Ministerial Order 31/2022 (2022 ABEAB 16), legislative changes that only relate to the procedure by which their water well is to be reclaimed, and events that have occurred</p>	<p>The Director requested the appeal be dismissed stating the Water Act does not allow for appeals of amendments to orders. Submissions were received on the Director's motion to dismiss the appeal, and as of August 17, 2023 the Board will decide if the appeal is valid.</p>	<p>As of August 17, 2023 the Board will decide if the appeal is valid.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p>John Beck EAB 23-026 September 21, 2023</p>	<p>since the Enforcement Order was issued such as the name change of the department.</p> <p>A Notice of Appeal and request for a stay was received on July 12, 2023 from John Beck regarding the June 21, 2023 decision of the Director, Alberta Environment and Protected Areas (AEPA) to issue <i>Water Act</i> Enforcement Order No. WA-EO-37959 to John Beck for unauthorized activities on the Clearwater river in Clearwater County.</p>	<p>A mediation meeting was held on September 15, 2023. The parties reached a resolution and updates are due every 3 months commencing December 15, 2023. Mediation meetings are not open to the public.</p>	<p>On October 12, 2023 the Board dismissed appeal 23-056 since the Appellant did not provide sufficient information to extend the appeal period and reasons for the decision will be issued in due course.</p>
<p>Mountain Ash Limited Partnership EAB 23-045-052, 056-057 November 10, 2023</p>	<p>Ten Notices of Appeal were received on July 26, 27 and 28, and August 7 and 10, 2023 regarding the July 20, 2023 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue <i>Water Act</i> Approval No. DAUT0012841 to Mountain Ash Limited Partnership for aggregate extraction at NW and SW 31-026-03-W5M in Rocky View County.</p>	<p>AEPA will provide the Board with their records related to the Approval by October 23, 2023. The Board will then decide on how the appeals will be processed.</p> <p>Two of the appeals (EAB 23-056-057) appear to be filed late and the Board requested additional information from the appellants. The information was received and on October 3, 2023 the Board requested further information from one of the appellants. On October 12, 2023 the Board dismissed appeal 23-056 since the Appellant did not provide sufficient information to extend the appeal period and reasons for the decision will be issued in due course. The Board decided to receive submissions on appeal 23-057 before making a decision on the late filed appeal.</p> <p>On September 25, 2023, Bighill Creek Preservation Society (EAB 23-046) applied for a stay of the Approval. The Board set a schedule to receive submissions from all parties on the stay request and the last submission was received November 10, 2023. The Board will decide if a stay should be granted and</p>	<p>On October 12, 2023 the Board dismissed appeal 23-056 since the Appellant did not provide sufficient information to extend the appeal period and reasons for the decision will be issued in due course.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p>Strategic Group Capital Corp., Riaz Mamdani, and 12-10 Capital Corp. EAB 23-053-055 November 3, 2023</p>	<p>Three Notices of Appeal were received on August 4, 2023 regarding the August 1, 2023 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue Environmental Protection Order No. EPO-EPEA-40679 to 12-10 Capital Corp., Strategic Group Capital Corp., and Riaz Mamdani, for the release of and continued release of a substance causing an adverse effect on the environment and human health for lands located at Plan 1423LK, Block 47 and Plan 1423LK, Block 46, in the City of Calgary.</p>	<p>determine if the Society is directly affected by the Approval.</p> <p>On October 3, 2023 Mountain Ash challenged the directly affected status of Appellants 23-047, 048 and 049 and the last submission is due November 28, 2023. The Board will then decide if the Appellants are directly affected by the Approval.</p> <p>A mediation meeting is being scheduled.</p>	
<p>Jody Young 23-058-059 September 29, 2023</p>	<p>Two Notices of Appeal were received on August 23, 2023 from Jody Young and Chad Young regarding the August 3, 2023 decision of the Compliance Assurance Lead, Regulatory Assurance Division South, Alberta Environment and Protected Areas (AEPA), advising Jody Young that Incident No. 763686 has been closed. The incident relates to an investigation into the alleged impacts of Red Deer County's sand and gravel operation (Lozynski Pit) on the Appellants' private water well. The Appellants object to AEPA's decision to close the investigation and not</p>	<p>Submissions are being received from the Appellants, AEPA and Red Deer County to determine if the matter is appealable pursuant to section 115 of the Water Act. The last submission was received September 29, 2023. The Board will now make a decision on whether the appeal is valid.</p>	<p>As of September 29, 2023, the Board will make a decision on whether the appeal is valid.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p>Harold Hoffman and Frederick Blanchard 23-060 August 30, 2023</p>	<p>issue an enforcement order to Red Deer County.</p> <p>A Notice of Appeal was received on August 27, 2023 from Harold Hoffman regarding the August 10, 2023 decision of the Director, Regulatory Assurance Division North, Alberta Environment and Protected Areas (AEPA), to issue to Harold Hoffman and Frederick Hayden Blanchard <i>Water Act</i> Enforcement Order No. EO-WA-40579 with respect to unauthorized activities on Mr. Hoffman's lands in the MD of Bonnyville.</p>	<p>As the appeal was filed past the legislated timeline, Mr. Hoffman responded to the Board's request to provide an explanation on why the appeal was filed late. The Board is reviewing and will make a decision.</p>	<p>The Board is reviewing the Appellant's submission on the late filed appeal and will make a decision on whether to accept the appeal.</p>
<p>Willows West GP Ltd. 23-061, 064-091 October 19, 2023</p>	<p>A Notice of Appeal and request for a stay were received on September 6, 2023. Twenty-eight additional appeals were received on September 18-20, 2023. The appeals are regarding the May 23, 2023 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue Water Act Approval DAUT0012285 to Willows West GP Ltd. for 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 flow, direction of flow or level of water; to infill 1 wetland for the purpose of residential development, in Cochrane.</p>	<p>Appellant 23-061 responded to the Board's questions regarding the request for a stay of the Approval on September 19, 2023.</p> <p>AEPA and Willows West requested all the appeals be dismissed for failing to file a Statement of Concern with AEPA during AEPA's application process for the Approval, which is a prerequisite to filing appeal according to the legislation. Further, AEPA and Willows West also requested the appeals be dismissed for filing the appeals late. AEPA issued the Approval to Willows West on May 23, 2023 and the appeals were filed September 6, and 18-20, 2023. The Appellants stated they received notice of AEPA's decision to issue the Approval on August 30, 2023 from the Town of Cochrane's Planner. An appeal of a Water Act Approval must be filed within 7 days of receiving notice of AEPA's decision in accordance with the legislation. The Appellants are to provide information regarding filing a Statement of Concern with AEPA and explaining why they filed their appeals late by</p>	

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
		<p>October 17, 2023. An extension of time to file an appeal is not routinely granted, and the granting of an extension is at the discretion of the Board. The Board is reviewing the information provided by the Appellants.</p>	
<p>Mantle Material Group Inc. (previously JMB Crushing Systems Inc.), Byron Levkulich, JMB Crushing Systems Inc., Aaron Patsch, JMB Crushing Systems Inc., 23-096-101 October 5, 2023</p>	<p>Notices of Appeal and request for a stay were received on September 28, 2023 with respect to the September 21, 2023 decisions of the Director, Alberta Environment and Protected Areas (AEPA), to issue Environmental Protection and Enhancement Act Environmental Protection Order Nos. EPO-EPEA-35659-11 and EPO-EPEA-35659-12 to Mantle Materials Group, Byron Levkulich and Aaron Patsch in relation to the Havener gravel pit located at NW16-056-7 W4M and the Shankowski gravel pit located at SW21-56-7-W4M.</p>	<p>AEPA to provide their records related to the Orders by November 30, 2023.</p> <p>The Appellants have requested a stay of the Orders and the final submission on the stay application is due by November 14, 2023.</p> <p>The parties are holding March 26 and 28, 2024 for a virtual hearing.</p>	
<p>Jake Hoogland, Hoogland Farms 23-102 November 10, 2023</p>	<p>A Notice of Appeal was received on October 4, 2023 from Jake Hoogland, Hoogland Farms Ltd., with respect to the September 6, 2023 decision by the Director, Alberta Environment and Protected Areas (AEPA), to refuse <i>Water Act</i> application No. 00480555 for the diversion of water at NE 04-047-26-W4M and NW 03-047-26-W4M from a Crown claimed wetland for irrigation purposes. Mr. Hoogland states his applications for Wetland Licence and Wetland Disturbance Approval DAPP0004277, DAPP0004230 and 00480555, were refused.</p>	<p>AEPA will provide their records related to the refusal of the application by December 15, 2023.</p> <p>A virtual mediation meeting is scheduled for January 17, 2024.</p>	

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p>Mantle Material Group Inc. (previously JMB Crushing Systems Inc.), Byron Levkulich, JMB Crushing Systems Inc., Aaron Patsch, JMB Crushing Systems Inc., 23-103-108 October 5, 2023</p>	<p>On October 23, 2023 Notices of Appeal and request for a stay were received from Mantle Material Group Inc., Byron Levkulich, Aaron Patsch, regarding the October 18, 2023 decisions of Heather Dent, Director, Alberta Environment and Protected Areas (AEPA), to issue to Mantle Materials Group Ltd., previously JMB Crushing Systems Inc., Byron Levkulich, Director, JMB Crushing Systems Inc. and Mantle Materials Group Ltd., and Aaron Patsch, Director, JMB Crushing Systems Inc. and Mantle Materials Group Ltd., Environmental Protection Order No. EPO-EPEA-35659-15 in relation to a gravel pit on public land at NW-15, SE-15 and SW-15-061-18-W4M in the County of Smoky Lake, and EPO-EPEA-35659-17 in relation to a gravel pit on public land at SE-11-061-18-W4M in the County of Smoky Lake.</p>	<p>AEPA to advise when they will provide their records related to the Environmental Protection Orders. The Appellants' stay application is due November 22, 2023.</p>	

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