



ALBERTA
ENVIRONMENTAL APPEALS BOARD

December 14, 2020

Via E-Mail & Mail

Mr. Ryan Payne
CAO
Foothills County
Box 5605, 309 Macleod Trail
High River, AB T1V 1M7
(ryan.payne@foothillscountyab.ca)

Dear Mr. Payne:

**Re: Paul and Mary Davis/*Water Act* Preliminary Certificate
No. 00315275-00-00/Our File Nos.: EAB 19-099 and 19-101
Paul and Mary Davis/*Water Act* Approval No. 00315274-00-00
Our File No.: EAB 19-092**

The Environmental Appeals Board has scheduled a hearing of the above noted appeals for February 17 and 18, 2021. The hearing will take place via conference call due to COVID-19.

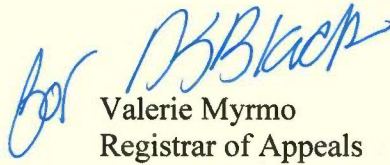
The Board, as part of its normal practice when a hearing is scheduled, is enclosing a copy of its Notice of Hearing for your information and requests the Notice be placed on Foothills County's public bulletin boards or website. The Board's Notice of Hearing contains a deadline of **January 6, 2021** for applications from others to make representations before the Board. After January 6, 2021 the Board will, in its discretion, determine if other persons may make representations and the manner in which they can be made. The hearing will not be open to the public for viewing. Individuals may request a copy of the audio recording.

For your information, the Board's purpose is to hear appeals regarding certain decisions made by Alberta Environment and Parks under the *Environmental Protection and Enhancement Act*, the *Water Act*, the *Emissions Management and Climate Resilience Act*, and Schedule 5, section 6 of the *Government Organization Act*.

The information collected by the Board is necessary to allow the Environmental Appeals Board to perform its function. The information is collected under the authority of the Freedom of Information and Protection of Privacy Act, section 33(c). Section 33(c) provides that personal information may only be collected if that information relates directly to and is necessary for the processing of these appeals. The information you provide will be considered a public record.

Please do not hesitate to contact the Board if you have any questions. We can be reached toll-free by first dialing 310-0000 followed by 780-427-6569 for Valerie Myrmo, Registrar of Appeals, and 780-427-7002 for Denise Black, Board Secretary. We can also be contacted via e-mail at valerie.myrmo@gov.ab.ca and denise.black@gov.ab.ca.

Yours truly,


Valerie Myrmo
Registrar of Appeals

Att.

cc: Mr. Paul and Ms. Mary Davis
Ms. Gael Dinnie
Mr. Andun Jevne, Director, Alberta Environment and Parks
Ms. Jade Vo, Alberta Justice and Solicitor General, Environmental Law Section

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NOTICE OF HEARING ENVIRONMENTAL APPEALS BOARD

Water Act Preliminary Certificate and Approval
Paul and Mary Davis (EAB 19-099 and 19-101)
Paul and Mary Davis (EAB 19-092)

Date: February 17 and 18, 2021
Location: Conference Call

Water Act Preliminary Certificate and Approval

The Environmental Appeals Board has scheduled a hearing for February 17 and 18, 2021 to hear submissions with respect to the decisions of Alberta Environment and Parks to issue under the *Water Act* to Paul and Mary Davis Approval No. 00315274-00-00 authorizing the construction of a spillway, auxiliary spillway, and berm of a dam at an unnamed tributary to Threepoint Creek located at SE 16-021-03-W5M, in Foothills, Alberta; and Preliminary Certificate No. 00315275-00-00 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.

Viewing Documents

Please contact the Board for information regarding the file in this matter.

Information Requests

Environmental Appeals Board
Registrar of Appeals
306, 10011 – 109 Street
Edmonton, Alberta, T5J 3S8
Telephone: 780-427-6207
Toll-free 310-0000, followed by 780-427-6207
Fax: 780-427-4693
E-Mail: gilbert.vannes@gov.ab.ca
Website: www.eab.gov.ab.ca

About the Board

The Environmental Appeals Board is an independent quasi-judicial body that hears appeals of certain decisions made by Alberta Environment and Parks.

Interventions

Any person, other than the parties, who wishes to make a representation before the Board on these appeals must submit a request in writing by fax or by e-mail to the Board at the fax number or e-mail address set out below. The request must be received by the Board on or before January 6, 2021. It is your responsibility to ensure that your request is received by the Board by January 6, 2021. Such a request shall (a) contain the name, address, e-mail, and telephone and fax numbers of the person submitting the request, (b) indicate whether the person submitting the request intends to be represented by a lawyer or agent and, if so, the name of the lawyer or agent, (c) contain a summary of the nature of the person's interest in this appeal, and (d) be signed by the person submitting the request. Applications will only be considered if the information will assist the Board in making its decision, and will not duplicate the information provided by the parties. After January 6, 2021, the Board will, in its discretion, determine if other persons may make representations, and the manner in which they can be made. Since the hearing is being held via conference call, it will not be open to the public for viewing. You may request a copy of the audio recording.

The information requested is necessary to allow the Environmental Appeals Board to perform its function. The information is collected under the authority of the *Freedom of Information and Protection of Privacy Act*, section 33(c). Section 33(c) provides that personal information may only be collected if that information relates directly to and is necessary for the processing of these appeals. The information you provide will be considered a public record.

Alberta



Environmental Appeals Board