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ALBERTA  
ENVIRONMENTAL APPEAL BOARD

Discontinuance of Proceedings

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Date Discontinuance of Proceedings – July 6, 2000

**IN THE MATTER OF** Sections 84, 85, and 87 of the  
*Environmental Protection and Enhancement Act*, (S.A. 1992, ch.  
E-13.3 as amended)

**-and-**

**IN THE MATTER OF** an appeal filed on May 10, 2000 by Mr.  
John Sanders with respect to Approval 00073615-00-00 issued  
under the *Water Act* to Sunset Harbour Developments Ltd., by the  
Manager, Regional Support, Parkland Region, Alberta  
Environment.

Cite as: Sanders v. Manager, Regional Support, Parkland Region, Alberta Environment,  
*re: Sunset Harbour Developments Ltd.*

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## BACKGROUND

[1] On April 19, 2000, the Manager, Regional Support, Parkland Region, Alberta Environment (Department) issued Approval No. 00073615-00-00, under the *Water Act* to Sunset Harbour Developments Ltd. (Approval Holder). The Approval authorizes the Approval Holder to construct a marina and stormwater management works at Pigeon Lake in the SW 12-47-02-W5 subject to certain conditions.

[2] On May 13, 2000, the Environmental Appeal Board (Board) received a letter dated May 13, 2000, from Mr. John Sanders (Appellant), appealing the Approval.

[3] On May 16, 2000, the Board acknowledged receipt of the Appellant's letter of May 13, 2000. As the Appellant's letter did not include specific information required under the Environmental Appeal Board Regulation<sup>1</sup>, section 5(1)<sup>2</sup>, the Board requested that the Appellant clarify the purpose of his letter and provide further information, in order for the Board to proceed further with the request for an appeal.

[4] The Board received a fax dated June 16, 2000 from Mr. Sanders stating the following:

“This is to advise you that I will not be pursuing an independent appeal in the matter of the Sunset Harbour Project at Pigeon Lake. Rather, I will be contributing to the appeal presentations of other persons who are continuing with their appeals.”

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1 A.R. 114/93.

2 5(1) A notice of appeal submitted pursuant to section 84 of the Act shall contain the following:

- (a) the provision of the Act under which the notice of appeal is submitted;
- (b) the name and title of the person whose decision is the subject of the notice of appeal and the details of the decision being appealed;
- (c) a description of the relief requested by the person appealing;
- (d) the signature of the person appealing, or the person's lawyer or other agent;
- (e) an address for service of the person appealing.

[5] On June 16, 2000, the Board acknowledged Mr. Sanders fax of June 16, 2000 and advised him as follows:

“The Board wishes to confirm that as you have withdrawn your independent appeal, you no longer have standing in this matter as an Appellant. Therefore, should you wish to make any further contribution to these appeals, the Appellant who you will be speaking on behalf of must advise the Board”.

#### **DECISION**

[6] Pursuant to section 87(7) of the *Environmental Protection and Enhancement Act*, and based on Mr. John Sander’s fax of June 16, 2000, the Board hereby discontinues its proceedings in Appeal No. 00-031 and will be closing its file.

Dated July 6, 2000 at Edmonton, Alberta.

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William A. Tilleman, Q.C.