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ALBERTA  
ENVIRONMENTAL APPEAL BOARD

Discontinuance of Proceedings

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Date of Discontinuance of Proceedings – October 18, 2000

**IN THE MATTER OF** sections 84, 85, and 87 of the *Environmental Protection and Enhancement Act*, S.A. 1992, c.E-13.3.

**-and-**

**IN THE MATTER OF** an appeal filed on October 13, 2000 by Mr. J. Darryl Carter, Q.C., on behalf of his clients Mr. Ken and Ms. Marie Smulski, trustees of the estate of Mr. John Smulski, with respect to a Letter of Authorization issued pursuant to Approval No. 69136-00-00, to Corridor Pipeline Limited, by the Director, Bow Region, Alberta Environment.

Cite as: Smulski v. Director, Bow Region, Alberta Environment, *re: Corridor Pipeline Limited*.

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## **BACKGROUND**

[1] On April 18, 2000, the Director, Bow Region, Alberta Environment (the “Director”) issued Approval No. 69136-00-00 to Corridor Pipeline Limited (the “Approval Holder”). The Approval authorizes Corridor Pipeline Limited to construct and reclaim a pipeline being the Corridor Pipeline Project.

[2] On September 21, 2000, the Director issued a Letter of Authorization to Corridor Pipeline Limited. The Letter of Authorization was issued pursuant to condition 3.1.19 of Approval No. 69136-00-00 and enables Corridor Pipeline Limited to undertake the construction and reclamation of the Redwater River and North Saskatchewan River watercourse crossings with certain conditions as outlined in the letter.

[3] On October 13, 2000, the Environmental Appeal Board (the “Board”) received a Notice of Appeal, dated October 13, 2000, from Mr. J. Darryl Carter, Q.C., Carter, Lock & Horrigan, on behalf of his clients Mr. Ken and Ms. Marie Smulski, trustees of the estate of Mr. John Smulski (the “Appellants”), appealing the Letter of Authorization.

[4] On October 13, 2000, the Board acknowledged receipt of the Notice of Appeal and, at that time requested a copy of all records relative to the appeal from the Director. By copy of this letter, the Board also notified Corridor Pipeline Limited of the appeal.

[5] On October 17, 2000 the Board received a letter, dated October 17, 2000, from Mr. Carter, counsel for the Appellant stating the following:

“...I wish to advise that I am withdrawing my Notice of Appeal filed on October 13, 2000.”

**DECISION**

[5] Pursuant to section 87(7) of the *Environmental Protection and Enhancement Act*, and based on Mr. Carter's letter of October 17, 2000, the Board hereby discontinues its proceedings in Appeal No. 00-064 and will be closing its file.

Dated October 18, 2000 at Edmonton, Alberta.

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Dr. William A. Tilleman