

**2010 ABEAB 27  
05-039**

**Appeal No.**

**Appellants** – Beachwood Homeowners Association, **Operator** – Town of High River, **Location** – High River, Alberta, **Type of Appeal** – Discontinuance

The Board received eight Notices of Appeal on August 30, 2005 from Dennis and Linda Mercer, Hans and Katherine Weinacker, Lyle Braunworth, Donald and Bette Green, Ron and Lorraine Gorsche, and Keith Spackman, and on September 1, 2005 from Helen Adams, with respect to *Water Act* Approval No. 00209177-00-00 issued by Alberta Environment on August 25, 2005 to the Town of High River authorizing the construction of the Golf Course Dyke and the Baker Creek Dyke on the floodplain and/or floodway of the Highwood River.

The Board also received nine Notices of Appeal on October 14, 2005 from Dennis and Linda Mercer, Hans and Katherine Weinacker, Lyle Braunworth, Donald and Bette Green, Ron and Lorraine Gorsche, Keith Spackman, and Cam Crawford for the Beachwood Homeowners Association, and on October 18, 2005 from Emile Rocher and Bruce and Carol Miles. These appeals are in relation to the decision of Alberta Environment to issue *Water Act* Amending Approval No. 00209177-00-01 on to the Town of High River to change the alignment of one of the dykes.

Mediation took place from November 25, 2005 to January 31, 2007. From March 12, 2007 until October 6, 2009, the appeals were held in abeyance to allow the Town of High River to apply for an additional approval for further improvement on the dykes. The Town applied and Alberta Environment issued *Water Act* Approval No. 00254108-00-00 for additional measures which addressed some of the concerns of the participants that filed appeals.

As of November 14, 2009, the only appeal that was remaining was that of the Beachwood Homeowners Association (05-039). The Beachwood Homeowners Association withdrew their appeal on September 1, 2010 following confirmation that the dyke was completed, and the Board closed its file.