

2014 ABEAB 30**Appeal No. 13-002****Appellant** – Daniel Fehr, **Operator** – Daniel Fehr, **Location** – La Crete

On April 15, 2013 a Notice of Appeal was received from Mr. Daniel Fehr in relation to the March 22, 2013 decision of Alberta Environment and Sustainable Resource Development (AESRD) to issue *Water Act* Enforcement Order WA-EO-2012/02-NR to Daniel Fehr for changing a watercourse without an Approval, in La Crete, Alberta.

The Board began processing the appeal, however in a telephone conversation with the Appellant on May 2, 2013 he advised that he would be meeting with AESRD. In a letter of June 26, 2013 the Board advised that it understood from a further conversation with the Appellant, he wanted the Board to schedule a mediation meeting and a site visit to attempt to resolve the appeal.

On July 11, 2013, the Board scheduled the mediation meeting and site visit in consultation with the parties for August 15, 2013. On July 16, 2013 the Board acknowledged a letter from AESRD advising that he did not want to participate in a mediation meeting. The Board advised that mediation meetings are conducted on a voluntary basis and since AESRD did not want to participate in mediation, the Board cancelled the mediation meeting and site visit scheduled for August 15, 2013 and proceeded to schedule a hearing.

The Appellant advised on July 30, 2013 that he was meeting with AESRD and his aquatic specialist to discuss compliance with the Order. In view of the positive steps by the Appellant, the appeal was placed in abeyance to allow for discussions, and regular status reports were requested from AESRD and the Appellant.

The Appellant submitted the final report on the work to AESRD in December 2013. On July 14 and 15, 2014, the Board was notified by AESRD that a site visit was conducted, that they were satisfied with the work completed, and that the Appellant had complied with the terms of the Order. The Board contacted the Appellant on July 16, 2014 and since the Order was complied with he advised that his appeal could be closed. As a result, the Board discontinued its proceedings and closed its file in this matter.