

16-009

2019 ABEAB 17

Appellant – Philip Valleau, **Operator** – Town of Wainwright, **Location** – Wainwright, **Type of Appeal** – Discontinuance

The Board received notice from Philip Valleau of his intent to appeal two *Water Act* Approvals issued to the Town of Wainwright on July 6, 2016. Simultaneously, the Board also had a request from Mr. Valleau for a two week extension to file the actual Notices of Appeal. Under the *Water Act*, a Notice of Appeal of an approval must be filed within seven days of receipt of notice or the last provision of notice of the decision that is appealed from. The Town of Wainwright did not object to an extension of the filing period, but the Director opposed any extension. After reviewing the submissions of the parties on the request for the extension, the Board found there were no extenuating circumstances to warrant an extension and, accordingly, denied the request for the extension.

Cite: Valleau v. Director, Red Deer-North Saskatchewan Region, Alberta Environment and Parks, re: Town of Wainwright (19 September 2016), Appeal No. 16-009-ID1 (A.E.A.B.).

A Notice of Appeal was received from Philip Valleau on July 18, 2016 with respect to the July 6, 2016 decision of the Director, Alberta Environment and Parks (AEP), to issue *Water Act* Approval No. 00367709-00-00 to the Town of Wainwright to infill and disturb wetlands near SE-05-45-06-W4M in Wainwright, Alberta.

In its letter of October 18, 2016 the Board agreed to hold the appeal in abeyance to give the Appellant and the Town an opportunity to continue discussions with a view to resolving the appeal and requested regular status reports updating the Board on their progress.

The parties continued to work towards resolving the appeal and on June 12, 2019 the Appellant advised that a settlement had been reached and that the appeal was withdrawn. Based on the withdrawal of the appeal, the Board discontinued its proceedings and closed its file on June 13, 2019.

Cite: Valleau v. Director, Red Deer-North Saskatchewan Region, Alberta Environment and Parks, re: Town of Wainwright (13 June 2019), Appeal No. 16-009 (A.E.A.B.), 2019 AEAB 17