

ALBERTA  
ENVIRONMENTAL APPEAL BOARD

Discontinuance of Proceedings

Date of Discontinuance of Proceedings – June 30, 2003

**IN THE MATTER OF** Sections 91, 92 and 95 of the  
*Environmental Protection and Enhancement Act*, R.S.A. 2000, c.  
E-12.

-and-

**IN THE MATTER OF** an appeal filed by Lou and Betty  
Coulombe with respect to Reclamation Certificate No. 00138181-  
00-00 issued to Alta Gas Ltd., by the Inspector, Northern Region,  
Regional Services, Alberta Environment.

Cite as: *Coulombe v. Inspector, Northern Region, Regional Services, Alberta Environment*  
re: *Alta Gas Ltd.* (30 June 2003), Appeal No. 02-083-DOP (A.E.A.B.).

## **EXECUTIVE SUMMARY**

Alberta Environment issued a Reclamation Certificate to Alta Gas Ltd. for the surface of the land within SW Sec 01 Tp 061 Rge 05 W4M in connection with or incidental to the Bonnyville Gas 6-1-61-5 well.

The Board received a Notice of Appeal from Mr. Lou and Ms. Betty Coulombe, the landowners, appealing the Reclamation Certificate.

The Board held a mediation meeting in Bonnyville, Alberta, on February 14, 2003. At the mediation meeting the parties agreed to hold the appeal in abeyance in order for them to pursue further discussions towards a resolution of the appeal, and to provide the Board with a status report on their progress by June 27, 2003.

On June 25, 2003 the Appellants subsequently withdrew their appeal and the Board therefore closes its file in this matter.

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## **I. BACKGROUND**

[1] On October 23, 2002, the Inspector, Northern Region, Regional Services, Alberta Environment (the “Inspector”) issued Reclamation Certificate No. 00138181-00-00 (the “Certificate”) to Alta Gas Ltd. (the “Certificate Holder”) for the surface of the land within SW Sec 01 Tp 061 Rge 05 W4M in connection with the Bonnyville Gas 6-1-61-5 well near Bonnyville, Alberta.

[2] On November 25, 2002, the Environmental Appeal Board (the “Board”) received a Notice of Appeal from Mr. Lou and Ms. Betty Coulombe, the landowners (the “Appellants”), appealing the Certificate.

[3] On November 27, 2002, the Board wrote to the Appellants, the Certificate Holder and the Inspector (collectively the “Parties”) acknowledging receipt of the Notice of Appeal and notifying the Certificate Holder and the Inspector of the appeal. The Board also requested the Inspector provide the Board with a copy of the records relating to the appeal (the “Record”), and requested that the Parties provide available dates for a mediation meeting or hearing.

[4] According to standard practice, the Board wrote to the Natural Resources Conservation Board and the Alberta Energy and Utilities Board asking whether this matter had been the subject of a hearing or review under their respective legislation. Both Boards responded in the negative.

[5] On December 11, 2002, the Board received a copy of the Record from the Inspector, and on the same date, forwarded a copy to the Appellants and the Certificate Holder.

[6] In consultation with the Parties and pursuant to section 11 of the Environmental Appeal Board Regulation, A.R. 114/93, the Board conducted a mediation meeting in Bonnyville, Alberta, on February 14, 2003, with Frederick C. Fisher, Q.C. as the presiding Board Member (the “Mediator”).

[7] Following detailed discussions the Parties agreed to hold the appeal in abeyance in order for them to pursue further discussions towards a resolution of the appeal. The Board requested the Parties provide status reports to the Board by June 27, 2003.

[8] On June 25, 2003, the Board received a letter dated June 24, 2003 from the Appellants stating:

“Please be advised that Lou and Betty Coulombe are withdrawing our appeal as of today...”

## **II. DECISION**

[9] Pursuant to section 95(7) of the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12, and based on the withdrawal of the appeal by the Appellants, the Board hereby discontinues its proceedings in Appeal No. 02-083 and closes its file.

Dated on June 30, 2003, at Edmonton, Alberta.

“original signed by”  
William A. Tilleman, Q.C.  
Chair