

ALBERTA
ENVIRONMENTAL APPEALS BOARD

Discontinuance of Proceedings

Date of Mediation Meeting – August 13, 2008

Date of Discontinuance of Proceedings – August 19, 2008

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 Fred Nobbs with
respect to *Environmental Protection and Enhancement Act*
Reclamation Certificate No. 00238153-00-00 issued to Talisman
Energy Inc. by the Director, Northern Region, Environmental
Management, Alberta Environment.

Cite as: *Nobbs v. Director, Northern Region, Environmental Management, Alberta Environment*, re: Talisman Energy Inc. (19 August 2008), Appeal No. 07-130-DOP (A.E.A.B.).

I. BACKGROUND

[1] On October 16, 2007, the Inspector, Northern Region, Regional Services, Alberta Environment, (the “Inspector”), issued Reclamation certificate No. 00238153-00-00 (the “Certificate”) under the *Environmental Protection and Enhancement Act*, to Talisman Energy Inc. (the “Certificate Holder”) for the Talisman Bonanza 14-2-82-12-W6M well and borrow pit, near Bonanza, in the County of Saddle Hills, Alberta.

[2] On October 24, 2007, the Environmental Appeals Board (the “Board”) received a Notice of Appeal from Mr. Fred Nobbs, the landowner (the “Appellant”), appealing the Reclamation Certificate.

[3] On October 25, 2007, the Board wrote to the Appellant, the Certificate Holder and the Director (collectively the “Participants”), acknowledging receipt of the Notice of Appeal and notifying the Certificate Holder and the Director of the appeal. The Board also requested the Director provide the Board with a copy of the record (the “Record”) relating to this appeal, and that the Participants provide available dates for a mediation meeting, a preliminary motions hearing or a 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 October 31, 2007, the Appellant requested the Board hold the appeal in abeyance until spring 2008, so that a site visit could be conducted. The Board granted the request for an abeyance and requested the Participants provide their available dates for a mediation meeting.

[6] On May 23, 2008, in consultation with the Participants, the Board scheduled the mediation meeting and site visit for August 13, 2008, in Bonanza, Alberta.

II. MEDIATION MEETING

[7] Pursuant to section 11 of the Environmental Appeal Board Regulation, A.R. 114/93, the Board conducted a mediation meeting in Bonanza, Alberta, on August 13, 2008 with Mr. Al Schulz, Board Member, as the presiding mediator (the “Mediator”).

[8] In conducting the mediation meeting, the Mediator reviewed the appeal and the mediation process and explained the purpose of the mediation meeting. He then circulated copies of the Participants’ Agreement to Mediate. All Participants signed the Agreement and discussions ensued.

[9] Following productive and detailed discussions at the August 13, 2008 mediation meeting, the Appellant withdrew his appeal.

III. DECISION

[10] Pursuant to section 95(7) of the *Environmental Protection and Enhancement Act*, and based upon the withdrawal of the appeal by the Appellant, the Board hereby discontinues its proceedings in Appeal No. 07-130 and closes its file.

Dated on August 19, 2008, at Edmonton, Alberta.

“original signed by”

Dr. Steve E. Hruddy, FRSC, PEng
Chair