

11-003

Appellant – Jack Purdy and Half Moon Lake Resort Ltd., **Operator** – Jack Purdy and Half Moon Lake Resort Ltd., **Location** – Sherwood Park, Alberta, **Type of Appeal** – Discontinuance

A Notice of Appeal and request for a Stay were received on May 2, 2011 with respect to Alberta Environment and Water's April 27, 2011 decision to issue under the *Water Act* and the *Environmental Protection and Enhancement Act* Enforcement Order Nos. WA-EO-204/01-NR and EO-2011/01-NR to Jack (John) Purdy and Half Moon Lake Resort Ltd. for the alleged contraventions of: section 49 of the *Water Act* in relation to the diversion of water without authorizations (Licences); sections 61, 227(j) and 176 of the *Environmental Protection and Enhancement Act* in relation to the operation of a wastewater system without the required registrations or approvals; and the discharge of wastewater into a wetland area at Half Moon Lake Resort near Sherwood Park.

On May 9, 2011 the Board denied the Stay request and requested further information from Mr. Purdy and Alberta Environment and Water on the residence at Half Moon Lake Resort. The information was received from Mr. Purdy and Alberta Environment and Water on May 26, 2011 the Board granted a limited Stay allowing Mr. Purdy to use Well #3 for household use within strict conditions.

The Board held the appeal in abeyance at the request of the parties while Mr. Purdy filed applications with Alberta Environment and Water for a water licence, water distribution system, and wastewater system. Monthly status reports were required on the progress of the applications, as well as notifying the Board of any changes that may be made to the Order. On April 10, 2012 Alberta Environment and Water advised that *Water Act* Licence No. 00308449-00-00 was issued for the diversion of water, Approval No. 295283-00-00 was issued for the operation and reclamation of a waterworks system, and EPEA Approval No. 291452-00-00 was issued for the wastewater system at Half Moon Lake Resort, and that the Order was closed. On April 11, 2012, the Board requested the appellant withdraw the appeal.

On April 20, 2012 an e-mail was received from Mr. Purdy stating that the issue of water allocation was yet to be determined as they were allocated water for present needs and not anticipated needs. The Board wrote to the parties on April 23, 2012 advising that as it was not involved in the application process, that any issues with the new Licence are to be directed to Alberta Environment and Water, and advised Mr. Purdy of his right to file a new appeal. The Board further advised that since the Enforcement Order was closed by Alberta Environment and Water, the Board considers the appeal moot and is closing its file. The Board closed its file on April 23, 2012.