

## ALBERTA ENVIRONMENTAL APPEALS BOARD

**Appellant** – Vonda Chatterton, **Operator** – Hutterian Brethren of Granum Colony, **Location** – near Granum, **Type of Decision and Date** – Discontinuance April 27, 2021

A Notice of Appeal was received by the Board on November 25, 2020 from Vonda Chatterton with respect to the November 6, 2020 decision of the Director, Alberta Environment and Parks, to issue *Water Act* Approval No. 5051692 to the Hutterian Brethren of Granum Colony (Approval Holder) authorizing the infill of 3 ephemeral waterbodies and a small portion of an ephemeral drain for the purpose of constructing infrastructure located at SE 25-11-28-W4M near Granum, Alberta.

On December 7 and 9, 2020, Ms. Chatterton advised the Board she made an error in her Notice of Appeal and requested to amend her Notice of Appeal. On December 10, 2020, the Board wrote to the Ms. Chatterton, the Approval Holder and the Director (collectively the “Parties”) acknowledging Ms. Chatterton’s request to amend her Notice of Appeal. In the letter, the Board set a schedule for the Parties to provide comments on the Appellant’s request.

The Board stated it was debatable whether or not the Appellant needed to amend her Notice of Appeal as the Board was able to identify the decision appealed, the remedy sought, and most importantly, Ms. Chatterton’s concerns. However, although the main issues could be identified, Ms. Chatterton demonstrated that she made an error in her Notice of Appeal. The amendment proposed by Ms. Chatterton provided context and clarity for her concerns. The other Parties to had an opportunity to review the proposed change and declined to take a position on the Appellant’s request. As it would not generate uncertainty to the other Parties if the Appellant was allowed to correct her error, as neither the scope of the issues nor the remedies sought would change, the Board decided it was appropriate under the circumstances to allow Ms. Chatterton to amend her Notice of Appeal to correct the error it contained. The Board issued its decision on February 3, 2021.

Cite: *Vonda Chatterton v. Director; Regional Approvals, South Saskatchewan Region, Regulatory Assurance Division, Alberta Environment and Parks, re: Hutterian Brethren of Granum Colony* (3 February 2021), Appeal No. 20-040-DL1 (A.E.A.B.), 2021 ABEAB 3.

On February 2, 2021, in consultation with the Parties, a mediation meeting was scheduled for April 23, 2021 to be held by video conference. On April 16, 2021 the Board received an email advising the Hutterian Brethren of Granum wanted to cancel the Approval. As a result, the Board cancelled the April 23, 2021 mediation meeting. The Director advised on April 22, 2021 the Approval had been cancelled.

In its letter of April 27, 2021 the Board acknowledged an email dated April 26, 2021 from the Appellant withdrawing her appeal. Based on the withdrawal of the appeal by Ms. Chatterton, the Board discontinued its proceedings and closed its file on April 27, 2021.

Cite: *Chatterton v. Director; Regional Approvals, South Saskatchewan Region, Regulatory Assurance Division, Alberta Environment and Parks, re: Hutterian Brethren of Granum Colony* (27 April 2021), Appeal No. 20-040 (A.E.A.B.), 2021 ABEAB 9.