

**ALBERTA
PUBLIC LANDS APPEAL BOARD**

**Decision
Notice of Discontinuance**

December 10, 2014

IN THE MATTER OF section 123(8) of the *Public Lands Act*, Chapter P-40, and sections 12 and 211 the Public Lands Administration Regulation, A.R. 187/2011

-and-

IN THE MATTER OF an appeal filed David Fehr of 1194876 Alberta Ltd.

Cite as: *1194876 Alberta Ltd. v. Alberta (Environment and Sustainable Resource Development)*
2014 APLAB 14-0012

Facts

The Appellant is Mr. David Fehr of 1194876 Alberta Ltd. On June 14, 2014, the agent for the Appellant, Mr. David Beck, submitted an application for a Surface Materials Exploration lease (SME), SME 140088 to Alberta Environment and Sustainable Resource Development (ESRD). In a letter dated July 24, 2014, the Director, ESRD, refused to issue the disposition based on the reason that the SME “is within the Peace River Key Wildlife and Biodiversity Zone and has significant values for wildlife. Exploration for gravel will result in more access being created and thus degrade the value of this habitat wildlife.”

The Appellant filed a Notice of Appeal with the Public Lands Appeal Board on August 8, 2014. The Board scheduled a mediation between the parties for October 24, 2014. The parties were unable to reach an agreement in mediation. In a letter dated December 10, 2014, counsel for the Appellant, Mr. Ted Feehan, advised that the Appellant was withdrawing their Notice of Appeal.

Rationale

As the Appellant has withdrawn their Notice of Appeal, and as the Board is satisfied that all issues relating to the appeals have been resolved in accordance with section 123(8) of the Public Lands Act, the Public Lands Appeal Board discontinues its proceedings and closes its file for PLAB 14-0012.