

NOTICE OF HEARING

PUBLIC LANDS APPEAL BOARD

**Syncrude Canada Ltd.
Surface Material Leases 000002 and 000033
and Mineral Surface Leases 352 and 973220
Our File No.: PLAB 21-0003**

Description

The Public Lands Appeal Board has scheduled a hearing of this appeal via written submissions commencing April 8, 2022 with respect to the May 26, 2021 decision of the Director, Public Lands Disposition Management, Alberta Environment and Parks, to invoice Syncrude Canada Ltd. for royalties for the quantity of surface material removed in 2019 in relation to Surface Material Leases 000002 and 000033 as referenced by the Director, and Mineral Surface Leases 352 and 973220 as referenced by Syncrude Canada, located at Townships 92-93, Ranges 10-12, W4M, Township 94, Range 11 (various sections), W4M, and Township 96, Ranges 9-11 (various sections) W4M.

The issue to be heard in this appeal is:

1. Did the Director have the jurisdiction to make the decision that varied the SMLs? As questions of jurisdiction can be a broad matter, the grounds of appeal may include whether the Director made a material error of fact on the face of the record, made an error of law, and whether the Director exceeded his jurisdiction or authority, however, each ground of appeal must be relevant to the issue of the Director's jurisdiction.
2. If the Board were to find the Director had jurisdiction to make the decision, is the Director's jurisdiction impacted by how the decision was implemented? Specifically, the Board would like the parties to comment whether *Canada v. Honey Fashions*, 2020 FCA 64, may be applicable in this case.

You may request a copy of the written hearing submissions by contacting the Board.

Information Requests

Please contact the Public Lands Appeal Board for further information regarding the file in this matter.

Public Lands Appeal Board
#306, Peace Hills Trust Tower
10011 – 109 Street
Edmonton, Alberta T5J 3S8

E-Mail: PLAB@gov.ab.ca
Phone: 780-427-6207
Fax: 780-427-4693



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