

ALBERTA
PUBLIC LANDS APPEAL BOARD

Discontinuance of Proceeding

February 1, 2016

IN THE MATTER OF section 123(8) of the *Public Lands Act* and 211, and
216 of the Public Lands Administration Regulation, A.R. 187/2011

-and-

IN THE MATTER OF an appeal by
JH Drilling Inc., filed as PLAB 15-0032

Cite as: *JH Drilling Inc. v. Alberta (Environment and Parks) 2016 ABPLAB 1*

Facts

The Appellant, JH Drilling Inc., is a producer and supplier of aggregate in Alberta. On October 2, 2015, the Appellant filed a Notice of Appeal with the Public Lands Appeal Board appealing the decision made by the Director, Alberta Environment and Parks, to deny the Appellant's application for SME 140110. The Appellant alleged that the Director erred in the determination of a material fact, erred in law, exceeded the Directors jurisdiction or legal authority, and did not comply with a regional plan approved under the *Alberta Land Stewardship Act*.

The Director alleged that the reason for the denial of the SME application was that the application was deficient and the Appellant did not provide information requested by the Director.

The Board arranged a mediation between the parties which was held January 26, 2016. The Parties were able to reach an agreement in mediation and the Appellant signed a written agreement withdrawing its Notice of Appeal.

Rationale for Discontinuance

As the Appellant has withdrawn their Notice of Appeal, and as the Board is satisfied that all issues related to the appeal have been resolved in accordance with section 123(8) of the *Public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 files for PLAB 15-0032.