

17-0029

2018 ABPLAB 14

Appellants – 1386194 Alberta Ltd., o/a Glacier Aggregates, **Operator** – V.M. Forestry Environmental Services Inc., **Location** – near Crow Lake in Lac La Biche County, **Type of Appeal** - Discontinuance

A Notice of Appeal was received from Mr. Jeff Buck, JMB Crushing Systems ULC, on behalf of Mr. Glenn Huber, 1386194 Alberta Ltd., o/a Glacier Aggregates, on December 14, 2017 with respect to the October 23, 2017 application by 1386194 Alberta Ltd. to the Director, Alberta Environment and Parks, for a road use order in regard to DLO 031753, identified by the Appellant as being held by VM Forestry Ltd. The Appellant advised they did not receive a response to their application from the Director and filed the appeal under the grounds that the decision is expressly subject to appeal under Section 15 of the *Public Lands Administration Regulation* or Section 59.2(3) of the *Public Lands Act* (this is for appealing a deemed rejection because of the failure of the Director to refuse or approve or refuse an application for a disposition within a 30 day time limit).

On December 15, 2017, the Board wrote to the Appellant and the Director acknowledging receipt of the appeal and notifying the Director of the appeal. On December 20, 2018 the Board received a request from the Appellant to hold the appeal in abeyance for three months so that they could discuss a potential resolution of the appeal with VM Forestry regarding the road use. The Board granted the request and regular status reports were received from the Appellant. On April 5, 2018 the Board received a request for an additional extension of 30 days to try to finalize the road use agreement. On May 9, 2018 the Appellant withdrew the appeal and on May 11, 2018, the Board discontinued its proceedings and closed its file.

Cite: 1386194 Alberta Ltd. (Glacier Aggregates) v. V.M. Forestry Environmental Services Inc. (11 May 2018), Appeal No. 17-0029 (A.P.L.A.B.), 2018 ABPLAB 14