

ALBERTA PUBLIC LANDS APPEAL BOARD

2022 ABPLAB 4

Appeal Nos. 21-0007 and 0009

Cite: *Popowich v. Director, Approvals and Dispositions Services Unit, Lands Delivery & Coordination-North, Public Lands Disposition Management, Lands Division, Alberta Environment and Parks* (13 May 2022), Appeal Nos. 21-0007 and 0009 (A.P.L.A.B.), 2022 ABPLAB 4

Appellants – Mark Popowich, **Operator** – Mark Popowich, **Location** – County of Athabasca, **Type of Appeal** – Discontinuance May 13, 2022

Notices of Appeal were received on November 16, 2021 (PLAB 21-0007), and December 13, 2021 (PLAB 21-0009), from Mark Popowich with respect to the October 15, 2021 and November 29, 2021 decisions of the Director, Approvals and Dispositions Services Unit, Lands Delivery & Coordination-North, Public Lands Disposition Management, Lands Division, Alberta Environment and Parks, to refuse to issue Grazing Lease No. GRL 930048 to Mr. Popowich (PLAB 21-0007) and to close Mr. Popowich's Grazing Lease No. GRL910057 (PLAB 21-0009).

On November 28, 2021 the Director wrote requesting the Board dismiss the Appellant's appeal PLAB 21-0007 for being filed outside of the period specified in section 217(1)(a) of the *Public Lands Administration Regulation* for filing appeals. Submissions were received and on December 21, 2021, the Board issued a Decision dismissing the Director's motion to dismiss the appeal PLAB 21-0007.

Cite: *Popowich v. Director, Approvals and Dispositions Services Unit, Lands Delivery & Coordination-North, Public Lands Disposition Management, Lands Division, Alberta Environment and Parks* (21 December 2021), Appeal No. 21-0007-ID1 (A.P.L.A.B.), 2021 ABPLAB 25

On December 23, 2021, the Appellant requested a stay of the Director's decisions related to PLAB 21-0007 and PLAB 21-0009. The Director advised in a letter dated January 7, 2022 that she took no position on the Appellant's request for a stay. Since the Director took no position on the stay request, the Board granted a stay of both appeals, suspending all Alberta Environment and Parks' proceedings associated with the Director's decisions appealed in PLAB 21-0007 and 0009.

In consultation with the parties, a mediation meeting was held on April 22, 2022 by videoconference. The mediation was successful. As a result of the mediation and the signed resolution reached by the parties on April 22, 2022, the appeals filed by Mr. Popowich were withdrawn.

Based upon the withdrawal of the appeals and the Board's satisfaction that all issues related to the appeals have been resolved, the Board discontinued its proceedings and closed its files on May 13, 2022.