

## ALBERTA PUBLIC LANDS APPEAL BOARD

2023 ABPLAB 12

Appeal No. 22-0010

**Cite:** *Swanson v. Director, Agriculture, Approvals and Sales Unit, Forestry, Parks and Tourism* (29 June 2023), Appeal No. 22-0010 (A.P.L.A.B.), 2023 ABPLAB 12

**Appellants** – Bill (Ben) Swanson and Milo Swanson, **Operators** – Bill (Ben) Swanson and Milo Swanson, **Location** – north of Rocky Mountain House, **Type of Appeal** – Discontinuance June 29, 2023

A Notice of Appeal was received by the Board from Bill (Ben) Swanson and Milo Swanson, on December 10, 2022 with respect to the November 28, 2022 decision of the Director, Forestry, Parks and Tourism. to refuse to sell or issue disposition LRR 10002, located at SE ¼ 27-40-7-W5M to Bill (Ben) and Milo Swanson.

On January 9, 2023 the Board acknowledged a letter dated January 5, 2023 from the Director raising a motion requesting the Appellants' Notice of Appeal be dismissed due to lateness. The Appellants were requested to provide an explanation for the late filing of the appeal and whether an extension of the filing period would be contrary to the public interest, pursuant to section 217(1) and (2) of the *Public Lands Administration Regulation*. The Board issued a decision dated March 14, 2023 extending the time for the Appellants to file their Notice of Appeal.

**Cite:** *Swanson v. Director, Agriculture, Approvals and Sales Unit, Forestry, Parks and Tourism* (March 14, 2023), Appeal No. 22-0010-ID1 (A.P.L.A.B.), 2023 ABPLAB 3.

On March 28, 2023, the Director requested the Board determine whether a refusal to sell public lands is appealable under the *Public Lands Act* and the *Public Lands Administration Regulation*.

After receiving comments from the Swansons, on April 20, 2023, the Board advised it did not have the jurisdiction to hear appeals involving the sale of public lands and dismissed the portion of the Appellants' Notice of Appeal appealing the refusal of the Director to sell LRR 10002 to the Appellants.

Also on April 20, 2023, the Board advised that based on the available dates provided by the parties, the Board scheduled a mediation meeting for June 23, 2023 by Webex videoconference.

The mediation resolved the appeal and the Board advised on June 29, 2023 letter that the appeal of Bill (Ben) and Milo Swanson was withdrawn.

Based upon the withdrawal of the appeal by Bill (Ben) and Milo Swanson, the Board discontinued its proceedings and closed its file on June 29, 2023.